

Item 10. Written Communications

Nicholas Brown

From: Chris Deming <cdemo87@gmail.com>
Sent: Tuesday, March 25, 2025 4:35 PM
To: Manu Koenig; Nicholas Brown
Cc: Matt Machado; Jamie Sehorn; Stephanie Hansen; Suzanne Ise; Jonathan DiSalvo; County Counsel
Subject: Parking and traffic concern for 841 Capitola Rd.

******CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Hello,

I am writing to express my frustration over the current Workbench plan for 841 Capitola Rd.

Currently, the development has 63 units with only 33 parking spots. Even including all of the street parking in the surrounding neighborhood, this does not leave enough parking spots for the nearly 40 required for a development of that size.

When considering there are current residents using most of those spots, it is easy to come to the conclusion that there will literally not be enough room for even the most modest estimate of parking needed. How can this be allowed?

Yet Workbench continues to twist the rules to try to justify having 0.5 parking spots for each unit. This is not only extremely disrespectful, especially for a company claiming to be community oriented, but is flat out incorrect and deceitful.

Our searches seem to indicate the 0.5 parking spots per unit is incorrect based on fairly clear and certain criteria, even with the loopholes Workbench is trying to implement. So we are left bewildered and outraged that this project is still moving along as planned.

This is frustrating given how impactful this development will be on the community and how outrageous the overall plan and Workbench's attitude has been so far towards the community.

We would greatly appreciate any information regarding the parking/traffic regulations used to justify the current lack of parking places. Thank you.

Chris

Nicholas Brown

From: R Gerbs <riley.gerbrandt@gmail.com>
Sent: Saturday, March 29, 2025 11:34 AM
To: Manu Koenig; Nicholas Brown
Cc: oppose841capitolaroad@gmail.com; Jamie Sehorn; Jonathan DiSalvo
Subject: Re: Misrepresentation of 841 Capitola Road project in Supervisor Koenig's recent email newsletter

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Hi Supervisor Koenig,

We have not received a response from you regarding the mischaracterization of the proposed development at 841 Capitola Road in your recent newsletter. We have only received an email reply from Jamie indicating that she would speak to you but that she is not involved in the drafting of your newsletter.

We **strongly urge you** to send out an updated newsletter indicating this mis-information and use an image that shows the truth of the situation, including the negative aspects of this development.

The image used in your newsletter is from a prior application, and is no longer relevant. The image in your newsletter is for a two-building, 3-story, 28-unit development. The current proposal by the disingenuous Workbench group is for a 5-story, 63-unit single-building development. The imagery used in your newsletter makes the development seem more benign than it really is.

Secondly, your newsletter espouses the "benefits" of the project, when in fact the developer proposes to nearly cover the property with a building and parking lot and will have a really negative impact on the local neighborhood.

You should be highly concerned about this disastrous project as our representative.

Workbench is not a community-first organization. Rather, they donate large sums through lobbyist groups to lobby our state representatives to force disrespectful developments into local communities without regard for community concerns or input, and they do it solely to maximize their monetary benefit, as we have experienced from their prior work in Santa Cruz.

Sincerely,
Riley Gerbrandt

Riley Gerbrandt, P.E., M.ASCE
Professional Civil & Geotechnical Engineer

Email: Riley.Gerbrandt@gmail.com

On Mon, Mar 24, 2025 at 2:02 PM R Gerbs <riley.gerbrandt@gmail.com> wrote:

Hi Supervisor Koenig,

We are frustrated, as neighbors to 841 Capitoal Road, that the imagery and language utilized in your newsletter that we just received by email is misleading and inaccurate.

Firstly, the imagery used in your newsletter is grossly inaccurate. The image used in your newsletter is from a prior application, and is no longer relevant. The image in your newsletter is for a two-building, 3-story, 28-unit development. The current proposal by the disingenuous Workbench group is for a 5-story, 63-unit single-building development. The imagery used in your newsletter (see copy below) makes the development seem more benign than it really is, and **we strongly urge you** to send out an updated newsletter indicating this mis-information and use an image that shows the truth of the situation.

Secondly, your newsletter espouses the "benefits" of the project, such as sustainable design and "landscaped open spaces", when in fact the developer proposes to nearly cover the property with a building and parking lot. There is extremely limited landscaping. This project will have a really negative impact on the local neighborhood, and **we strongly urge you** to send out an updated newsletter that also lists the negative aspects of this development that you should also be highly concerned about as our representative.

Workbench is not a community-first organization. Rather, they donate large sums through lobbyist groups to lobby our state representatives to force disrespectful developments into local communities without regard for community concerns or input, and they do it solely to maximize their monetary benefit, as we have experienced from their prior work in Santa Cruz.

Sincerely,
Riley Gerbrandt

841 Capitola Road Project Meeting

Tuesday, April 1st, 7:00 pm



Image: A design for apartments at 841 Capitola Road. Plans have been updated since this rendering. For the latest, attend the community meeting next week.

Plans are underway for a 63-unit multi-family development at 841 Capitola Road. This is a Builder's Remedy project, meaning that under state law the County has very limited options to alter the project. Currently the project includes:

- Factory-built modular design
- Sustainable design with rooftop solar panels
- Landscaped open spaces & private balconies
- Common terraces for residents to enjoy

Attend the upcoming informational community meeting to learn more about the proposal - don't miss this opportunity to ask questions and stay informed.

WHEN

Tuesday, April 1, 2025 | 7:00–8:30 PM

WHERE

(Online): [Zoom Meeting Link](#)

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Riley Gerbrandt, P.E., M.ASCE
Professional Civil & Geotechnical Engineer

Email: Riley.Gerbrandt@gmail.com

Nicholas Brown

From: Gayne Barlow-Kemper <gaynebk@gmail.com>
Sent: Tuesday, April 8, 2025 9:59 AM
To: Oppose Capitola
Cc: Manu Koenig; County Counsel; Jonathan DiSalvo; Stephanie Hansen; Nicholas Brown; Mike Reis; Molly Brame; Edward Kemper; Matt Machado; Mark Deming; Lisi Yang; Kate Poletti
Subject: Re: 841 Capitola Rd proposed apt building

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Dear folks,

This is Gayne Kemper again. When it rains it pours. This morning, Tuesday, I walked down Grey Seal towards Capitola. Right there on the corner of the streets, Grey Seal and Capitola, were two Sheriffs cars with blue lights blazing. They were right in front of two old clunkers, one whose registration sticker was 2023. I'm not sure exactly what was going on, a women was sitting on the sidewalk, a car with a smashed bumper near her.

How many accidents / close calls do we have to have before someone in authority will do something about it? If we have this many problems at this intersection now, imagine what it will be like when the monster building, 5 stories 63 units goes up next door? We need the traffic assessment despite what Workbench claims. We don't want a death on our corner.

Gayne Kemper

Sent from my iPad

On Apr 7, 2025, at 6:10 PM, Oppose Capitola <oppose841capitolaroad@gmail.com> wrote:

Yes, I second this request. And I am also including County Counsel so the County Attorney knows of this close call by fellow resident, Gayne, and that our community is requesting a traffic study to analyze the impact of the proposed 63-unit development at the end of our street that will add MANY MORE trips in and out of this street.

We contacted County DPW Roads Division, who told us that the Grey Seal Road - Capitola Road intersection is problematic and is not a good place for additional traffic to be coming out of. Maybe a better solution is to have the new development dedicate a public street from Capitola Road to connect to Grey Seal Road, and close the existing entrance to Grey Seal Road with bollards. This would move the intersection with Capitola Road farther from the intersection with 7th, and create a safer intersection while not making 63-units worth of new traffic go through the existing cul-de-sac to get to the new apartment complex.

Moreover, there are several technical issues with this application, but there are two HUGE technical issues:

1. The law the Applicant is citing to reduce the required # of parking spaces to 33 is **incorrectly applied**. The law says that the required number of spaces per unit unit can be reduced to 0.5 spaces/unit (inclusive of ADA) *IF* there is a "major transit stop" or a "high-quality transit corridor as included in a regional transportation plan" (California Code, Public Resources Code - PRC § 21155). We reached out to AMBAG, who said that there are only two "major transit stops" in Santa Cruz County, and they are both in Downtown Santa Cruz. And there are currently no "high-quality transit corridors" *included in the current regional transportation plan*. So, according to the Government Code, the Applicant must include a certain whole-digit number of parking spaces ON SITE PER UNIT, with more spaces required for larger units such as 2 bedroom units.
2. The revised application submitted 3/17/24 **violates the limits for revisions imposed by SB330**, and the original 4/9/2024 application is thus "deemed to have [not] submitted a preliminary application" until it resubmits a new SB330 preliminary application (citation) and Government Code Section 65589.5(o)(2) states the County of Santa Cruz can "[subject] the housing development project ... to ordinances, policies, and standards adopted after the preliminary application was submitted" due to 65589.5(o)(2)(E).
 - The Applicant is purported to have elected to have this project be subject to any or all of the provisions of Government Code Section 65589.5. applicable as of January 1, 2025 [citation § 65589.5(f)(7)(A)]. This is supposedly allowable, given that the Applicant had a "deemed complete" SB330 preliminary application as of 1/1/2025.
 - However, Government Code Section 65589.5 modified by AB 1893 says in § 65589.5(f)(7)(B), the following:
 - "Notwithstanding subdivision (c) of Section 65941.1, for a housing development project deemed complete before January 1, 2025, the development proponent may choose to revise their application **so that the project is a builder's remedy project**, without being required to resubmit a preliminary application, even if the revision results in the number of residential units or square footage of construction changing by 20 percent or more" (emphasis mine).
 - The key phrase from § 65589.5(f)(7)(B) is "so that it is a builder's remedy project". The Legislature clearly envisions that a proponent for a SB330 preliminary application (which previously was not a builder's remedy project) may revise its application so that the project is a builder's remedy project. **HOWEVER**, for the 4/9/2023 SB 330 application for 841 Capitola Road and subsequent full application in October 2024, the SB 330 preliminary application clearly stated that it WAS a builder's remedy project. So, since the existing deemed complete application as of 1/1/2025 was already a builder's remedy project, the application did not need to be revised "so that the project is a builder's remedy project", because it already was a builder's remedy project.
 - **Therefore, by revising their project so that the number of residential units or square footage of construction increased by 20 percent or more**

when they submitted their 3/17/2024 application, the 841 Capitola Road development proponent results in their SB 330 application from 4/9/2024 to "not be deemed to have submitted a preliminary application" (Gov Code 65941.1(d)) and the County of Santa Cruz can "[subject] the housing development project ... to ordinances, policies, and standards adopted after the preliminary application was submitted" (Government Code Section 65589.5(o)(2)).

- Meaning, the 4/9/2024 SB 330 preliminary application is no longer deemed complete, and the development proponent MUST submit a NEW SB 330 preliminary application that will be subject to the codes, ordinances, etc. in effect at the time the new application is submitted. As a result, the new application will not be able to be considered a builder's remedy project solely based on the non-compliance of the County's Housing Element, because the County now has an adopted 6th Cycle Housing Element that the State HCD Department has certified as substantially conforming to state law.

From Gayne:

Hello Manu,

I am sending you another email regarding traffic on Grey Seal and Capitola Rd. This morning I was leaving Grey Seal, stopped at the entrance ready to turn onto Capitola. There were two cars on Capitola parked tightly together up close to my intersection as usual. So, as usual I took my time, attempting to look left, past the 2 parked cars, to watch the stream of cars heading towards the intersection of 7th and Capitola. I watched until there were no cars in sight, looked right at the traffic coming from 7th. There were no cars, so I looked left again and proceeded. Suddenly the driver of a fast moving car on my left leaned on his horn as he swerved to avoid me, as I slammed on my breaks! Where did that car come from? It was either in the blind spot created by the two parked cars, and/or was traveling at a high speed. Cars do drive too fast on Capitola. This was a very close call and I am a very careful driver.

The infrastructure of this area must be better able to handle what we have now, much less an increase in traffic supporting a new 5 story 63 unit apt. Building.

The population in a building of the size Workbench is trying to push through on this neighborhood, will create more close calls which could be amplified many fold; and most likely will result in a crash, as happened to my neighbor a few years ago.

Please, I implore you to have a traffic assessment done as soon as possible. I do not want to be a statistic in the obituaries.

On Mon, Apr 7, 2025 at 1:59 PM Mike Reis <reismj88@gmail.com> wrote:

I'm glad you're OK Gayne!

Manu, a traffic study is a power that you, in your position, can yield to help out our community. I put in a request with the Santa Cruz DPW last week and received a response back from Stacey Muller that the request was routed to the traffic department. Can you help follow up?

Thank

On Mon, Apr 7, 2025 at 1:49 PM Gayne Barlow-Kemper <gaynebk@gmail.com> wrote:

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Gayne Kemper

Sent from my iPad

Begin forwarded message:

From: Gayne Barlow-Kemper <gaynebk@gmail.com>

Date: April 7, 2025 at 10:29:55 AM PDT

To: info@santacruzlocal.org

Cc: manu.koenig@santacruzcountyca.gov, Mike Reis
<reismj88@gmail.com>

Subject: 841 Capitola Rd proposed apt building

To Santa Cruz Local,

My name is Gayne Kemper (not Dana as reported). I am writing to discuss the issue of the amount of traffic that will be going past my house on an inadequate small and narrow street, Grey Seal.

It was stated that people will self select, those without cars will be the occupants of the apts. Thats fine, but those folks still have to purchase food and items of daily living. How will these items arrive at their doorstep? By some sort of vehicle.

Folks these days order everything on line via, Amazon, doordash, Whole Foods, Safeway, etc, not to mention the US Postal Service. These vehicles will be passing my door continually.

To add to the traffic problems is the issue of turning left onto Grey Seal from Capitola. Presently there is a very small one car left turn lane with a cement divider directly behind it. After driving through the intersection at 7th and Capitola, I have to immediately and quite sharply turn into the left turn lane, where I can sit for some time as cars pass by heading towards the intersection. Any other cars wanting to turn left onto Grey Seal will line up behind mine, thus backing up towards and or into the Capitola/7th Ave intersection. This would cause quite a log jam in that intersection. I am asking for a traffic study in this area to determine the true impact of a 5 story 63 unit apt building. We have been told by Workbench that they do not need to do this study. Amazing as the impact of their thoughtless proposal will so directly impact the entire neighborhood. I am not against building on this plot of land. I am actually for building more affordable housing. This is NOT either affordable housing or appropriate for this neighborhood. Scale it back! Pencil it out and try again.
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Sent from my iPad

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Michael Reis
(c) 732 754 8197
(e) reismj88@gmail.com

Nicholas Brown

From: Molly Brame <mollybrame2005@yahoo.com>
Sent: Tuesday, April 8, 2025 10:29 AM
To: Oppose Capitola; Gayne Barlow-Kemper
Cc: Manu Koenig; County Counsel; Jonathan DiSalvo; Stephanie Hansen; Nicholas Brown; Mike Reis; Edward Kemper; Matt Machado; Mark Deming; Lisi Yang; Kate Poletti
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TRUE!!! I hope that lady is OK! People are CRAZY on Cap Rd!!! :-O

On Tuesday, April 8, 2025 at 09:59:14 AM PDT, Gayne Barlow-Kemper <gaynebk@gmail.com> wrote:

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 - **Therefore, by revising their project so that the number of residential units or square footage of construction increased by 20 percent or more when they submitted their 3/17/2024 application, the 841 Capitola Road development proponent results in their SB 330 application from 4/9/2024 to "not be deemed to have submitted a preliminary application" (Gov Code 65941.1(d)) and the County of Santa Cruz can "[subject] the housing development project ... to ordinances, policies, and standards adopted after the preliminary application was submitted" (Government Code Section 65589.5(o)(2)).**
 - **Meaning, the 4/9/2024 SB 330 preliminary application is no longer deemed complete, and the development proponent MUST submit a NEW SB 330 preliminary application that will be subject to the codes, ordinances, etc. in effect at the time the new application is submitted. As a result, the new application will not be able to be considered a builder's remedy project solely based on the non-compliance of the County's Housing Element, because the County now has an adopted 6th Cycle Housing Element that the State HCD Department has certified as substantially conforming to state law.**

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