

Nicholas Brown

From: Mike Reis <reismj88@gmail.com>
Sent: Thursday, April 24, 2025 9:09 AM
To: Oppose Capitola
Cc: Gayne Barlow-Kemper; Mark Deming; Manu Koenig; Molly Brame; County Counsel; Jonathan DiSalvo; Stephanie Hansen; Nicholas Brown; Edward Kemper; Matt Machado; Lisi Yang; Kate Poletti
Subject: Re: 841 Capitola Rd proposed apt building

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Hey Manu,

Do you have any notes to share from your meeting with DPW?

Thanks

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

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Yes, we would very much like to hear updates on the meeting with DPW about parking and traffic.

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Perhaps another reminder to the station is appropriate?

Thank you very much, I will be waiting for news of the traffic study.

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Sent from my iPad

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[Sent from AT&T Yahoo Mail on Android](#)

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Hi Grey Seal Neighbors,

I will discuss traffic and parking with Planning and Public Works on Thursday. We will also consider painting a portion of the curb red at the Capitola Rd & Grey Seal intersection to improve visibility and prevent accidents.

Best,
Manu



Manu Koenig
Supervisor, First District
County of Santa Cruz
[701 Ocean St. Room 500](#)
[Santa Cruz, CA 95060](#)
(831) 454-2200
manu.koenig@santacruzcountyca.gov

From: Molly Brame <mollybrame2005@yahoo.com>

Sent: Tuesday, April 8, 2025 10:28 AM

To: Oppose Capitola <oppose841capitolaroad@gmail.com>; Gayne Barlow-Kemper
<gaynebk@gmail.com>

Cc: Manu Koenig <Manu.Koenig@santacruzcountyca.gov>; County Counsel
<CountyCounsel@santacruzcountyca.gov>; Jonathan DiSalvo
<Jonathan.DiSalvo@santacruzcountyca.gov>; Stephanie Hansen

<Stephanie.Hansen@santacruzcountyca.gov>; Nicholas Brown
<Nicholas.Brown@santacruzcountyca.gov>; Mike Reis <reismj88@gmail.com>; Edward Kemper
<ekemper1@umbc.edu>; Matt Machado <Matt.Machado@santacruzcountyca.gov>; Mark Deming
<demcruz@sbcglobal.net>; Lisi Yang <lisiyang868@gmail.com>; Kate Poletti <mkcaye@icloud.com>
Subject: Re: [841 Capitola Rd](#) proposed apt building

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TRUE!!! I hope that lady is OK! People are CRAZY on Cap Rd!!! :-O

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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.

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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:

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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:
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adopted 6th Cycle Housing Element that the State HCD Department has certified as substantially conforming to state law.

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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.

Gayne Kemper

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

<Outlook-j2jhfkqc.jpg>

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(c) 732 754 8197

(e) reismj88@gmail.com

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Thanks,
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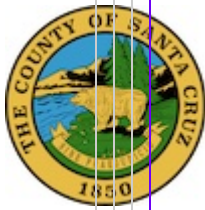
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County of Santa Cruz

[701 Ocean St, Room 500](#)

[Santa Cruz, CA 95060](#)

(831) 454-2200

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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.

Gayne Kemper

Sent from my iPad

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

<Outlook-j2jhfkqc.jpg>

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

Nicholas Brown

From: Mike Reis <reismj88@gmail.com>
Sent: Monday, April 28, 2025 11:41 AM
To: Jonathan DiSalvo; Stephanie Hansen; Jamie Sehorn; Manu Koenig
Cc: County Counsel; Nicholas Brown; Oppose Capitola
Subject: Re: 841 Capitola Road - 2 April follow-up

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Hi folks,

I just got back from the Records office to review the 04/16 letter of incompleteness. It was great to see that a traffic study is stated as being required (by Jonathan, the Road Engineering report, and references to CEQA). What I did not see, however, were any references to a **Parking study**. Is a parking study contained within a traffic study, or are they synonymous terms? My comments below are made under the impression that they are two wholly distinct technical studies, so please correct me if I am wrong.

As stated by us, the impacted community, across emails going back and forth between different members of this email group, a parking study **needs to be conducted** given the size of (and concessions requested for) the project. **65915(p)(7)** clearly outlines the discretionary power that the County has in mandating a **realistic** parking ratio through the results of a parking study. I've reached out to DPW (Stacey) who bounced the request back to Planning (Jonathan) and said that the Applicant would have to be required to run it.

Despite numerous requests regarding a parking study (including clarification on whether it's included in a traffic study), we have not received any form of response from anyone in this group. If there is a specific process or person that I need to work through, please let me know.

Other than those notes, I'm still looking for feedback on these questions:

- First and foremost, since I'm **very** new to the application process, can you please elaborate on the timeline and milestones leading up to the Planning Commission public hearing? You mention that a "staff report" will be created around the time of the public hearing - will this be available for the public to review **before** the hearing? If the Planning Department will not be discussing possible code violations with the affected members of the community, I would hope that there would be sufficient time afforded to us **before** the application goes for a vote at the Commission level
- In response to the County's November letter of incompleteness, the Applicant submitted a signed PLG-130 on 1/30 (the deadline), and pursuant to the process laid out on the form, the portal to upload documents should've been opened **no sooner** than the following Monday (2/3). Despite this, a brand new set of plans was submitted at the same time as the PLG-130 form
 - Is there a justification or precedent that enabled this apparent process deviation?

- The County's letter of incompleteness, in November, set a deadline to provide a response (1/30), which the Applicant should **not** have been able to meet if the PLG-130 process was followed
- In response to the County's November letter of incompleteness, the Applicant **completely** ignored your comments and highlighted deficiencies when providing their 1/30 PLG-130 form and instead uploaded a completely new set of plans for a larger development (+97%). Despite this, the County still mutually agreed to extend the deadline
 - What is the minimum bar for granting deadline extensions? It's difficult to imagine how their 1/30 submission could constitute a good faith response

I look forward to clarity on these questions, specifically the process for a parking study.

Thank you

On Sun, Apr 20, 2025 at 10:41 PM Oppose Capitola <oppose841capitolaroad@gmail.com> wrote:
We, the neighbors of Mike Reis, agree with his comments and expect a reply.

On Fri, Apr 18, 2025 at 9:41 PM Mike Reis <reismj88@gmail.com> wrote:
Hi Jonathan, thanks for the update. I went ahead and made a records request to review the 04/16 incompleteness letter.

I had a few other questions pertaining to the rest of your email.

First and foremost, since I'm **very** new to the application process, can you please elaborate on the timeline and milestones leading up to the Planning Commission public hearing? You mention that a "staff report" will be created around the time of the public hearing - will this be available for the public to review **before** the hearing? If the Planning Department will not be discussing possible code violations with the affected members of the community, I would hope that there would be sufficient time afforded to us **before** the application goes for a vote at the Commission level.

Regardless of whether you discuss code interpretations with the public or not, what level of scrutiny is expected in this early phase of the process? For example, the Applicant justifies several aspects of their project on criteria that are demonstrably false (65589.5(h)(11)(C)(ii) for base density and 65915(p)(2) for parking ratios being two obvious instances) - will these claims be addressed in the County's incompleteness letters, or will that have to wait until the staff report? In your previous incompleteness letters, you followed up on specific items related to 65915 (specifically, you requested a parking study and proof that their requested concessions would result in cost savings); given this, I'd assume that some level of fact-checking can be expected.

Regarding parking, I made a request to the Santa Cruz County DPW to conduct a parking and traffic study, pursuant to 65915(p)(7), but the Traffic Department bounced the request back to the Planning Department and said that the Applicant would have to run it. As we all know, the Applicant is **refusing** to acknowledge that a parking and traffic study is required. **When will the County conduct this study?** At this point, I've made requests across several emails to different people dating back to January - I have **yet** to receive a response, satisfactory or otherwise. It's **imperative** that this basic technical study be conducted, if for no other reason than to provide the County with the information

needed to impose a more realistic parking ratio. It's important to note that, contrary to the Applicant's assertion, the County **does** have the power to impose a higher ratio (65863.2(b) does not apply).

Final two questions are general, and should be independent of any specific revision of the project:

- In response to the County's November letter of incompleteness, the Applicant submitted a signed PLG-130 on 1/30 (the deadline), and pursuant to the process laid out on the form, the portal to upload documents should've been opened **no sooner** than the following Monday (2/3). Despite this, a brand new set of plans was submitted at the same time as the PLG-130 form
 - Is there a justification or precedent that enabled this apparent process deviation?
 - The County's letter of incompleteness, in November, set a deadline to provide a response (1/30), which the Applicant should **not** have been able to meet if the PLG-130 process was followed
- In response to the County's November letter of incompleteness, the Applicant **completely** ignored your comments and highlighted deficiencies when providing their 1/30 PLG-130 form and instead uploaded a completely new set of plans for a larger development (+97%). Despite this, the County still mutually agreed to extend the deadline
 - What is the minimum bar for granting deadline extensions? It's difficult to imagine how their 1/30 submission could constitute a good faith response.

I appreciate your time responding to these questions.

Thanks

On Fri, Apr 18, 2025 at 3:57 PM Jonathan DiSalvo <Jonathan.DiSalvo@santacruzcountyca.gov> wrote:

Hello,

To request to review files associated with Application No. 241371, please send a Records Request Form, here: [Records Request Form](#).

Via the aforementioned records request process, you will be able to review the second Incomplete Letter issued to the Applicant on 4/16/25 and the requested time extension correspondence.

I want to assure you your comments have been received and are being taken into consideration. The Department will not be engaging in a discourse over regulatory interpretations at this phase. This application is under review, it is early in the process, and a comprehensive compliance review isn't accomplished until after the application is deemed complete. Any compliance issues with applicable codes/policies/laws will be addressed as part of the staff report associated with the public hearings for this project. Of course, we would encourage you to provide comments as part of any future public hearings. Public hearings will be duly noticed and you are encouraged to participate in these.

Thank you,



Jonathan DiSalvo

Senior Planner

Community Development & Infrastructure

Phone: 831-454-3157

701 Ocean Street, Room 400



From: Oppose Capitola <oppose841capitolaroad@gmail.com>

Sent: Thursday, April 17, 2025 2:41 PM

To: Manu Koenig <Manu.Koenig@santacruzcountyca.gov>; Jonathan DiSalvo <Jonathan.DiSalvo@santacruzcountyca.gov>; Stephanie Hansen <Stephanie.Hansen@santacruzcountyca.gov>; County Counsel <CountyCounsel@santacruzcountyca.gov>; Nicholas Brown <Nicholas.Brown@santacruzcountyca.gov>; Jamie Sehorn <Jamie.Sehorn@santacruzcountyca.gov>

Cc: Mike Reis <reismj88@gmail.com>

Subject: 841 Capitola Road - 2 April follow-up

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Hi Supervisor and County Staff,

Yes, we would really appreciate follow-up from County staff and Supervisor Koenig.

First and foremost, we understand 4/17 was the deadline for the County to provide their letter to the applicant regarding their latest plan submission. Does this letter include analysis pertaining to the concerns that we've repeatedly raised with the Supervisor's office and with County staff? Would we be able to review this letter at the Records office? Better yet, please will County staff send us a copy of this letter?

Second, are there any updates to the main questions that our community has originally asked?

- PLG-130 form submission timeline
- Request for a parking or traffic study, pursuant to 65915(p)(7)
- Santa Cruz County Planning Commission involvement in the Housing Element process
- Supervisor Koenig's meeting with DPW regarding parking and traffic concerns
- Mis-application of Government Code regarding on-site parking requirements for the proposed development
 - *AMBAG confirms in an email dated 3/5/2025 that the only major transit stops in Santa Cruz County are within the City of Santa Cruz per the attached map. So, the developer would only be able to request onsite parking reductions consistent with [Gov Code Section 65915\(p\)\(1\)](#).*
- Violation of Government Code 65589.5(o)(2) by the Application's increase in residential units per square footage of construction by 20 percent or more, requiring submission of a NEW SB 330 preliminary application, and the old one from 4/9/24 is no longer deemed complete
 - *Does the Housing Accountability Act ([Gov Code Section 65589.5](#)) in effect during 2024, which contains the "Builders Remedy" provisions of subparagraph (d)(1-5) thereof, determine the "20 percent of the total units" in Section 65589.5(h)(3)(A) based on the total base units or on the base + bonus total units?*
- Stormwater runoff concerns on this site with heavy clay mapped as low to very low permeability and expansive soils. Per County Design Criteria, the proposed development runoff must equal the existing conditions stormwater runoff. We don't understand how this can be achieved when the proposal is to create impermeable surfaces on nearly 99% of the site.
- How is the maximum base density for this property calculated? We want to double-check the Applicant's calculations.
-
- The preliminary application states that the project will seek California Density Bonus Law ([Gov Code Section 65915](#)) concessions, waivers, and parking reductions
 - *Applicants must provide detailed information on the requested waivers, incentives and concessions, identifying the actual cost reduction and demonstrating why it is necessary to accommodate the bonus.*
 - *Staff does not have discretion over the density increase, however, staff can work with the Applicant to determine which concessions are waivers would result in the least detriment to the neighborhood and adjoining properties.*

- [Gov Code Section 65915\(b\)\(1\)](#) only discusses manager's units in relation to subparagraph (G) thereof; *it is not clear how the Applicant, by mentioning that the Manager's Unit is excluded from the dwelling unit count, is accounting for a Manager's Unit on the property and if that is in addition to the 28 base + bonus units proposed.*
- [Gov Code Section 65915\(b\)\(2\)](#) stipulates that an applicant requesting a density bonus shall elect whether the bonus be awarded on the basis of **one** of the subparagraphs (A), (B), (C), (D), (E), (F), or (G) of Gov Code Section 65915(b)(1).
- *Gov Code requires that the affordable and market rate units must be comparable.*
- No where on the 4/9/24 SB 330 preliminary application document does the application state that it is a Builder's Remedy project (we reviewed the actual document ourselves in the County Records Room).
- **Where can we see the agreement document between the Applicant and the County, in which it was agreed to extend the deadline to 3/17/25?**
- **if Applicant submits a flagrantly incomplete application resubmittal in response to a notice of incompleteness letter, can that be grounds for disproving the application?**

Thank you in advance,

Citizens of Grey Seal Road and Surrounding Areas

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Michael Reis

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Michael Reis

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