

Residents questioning proposed 41st center

Some people are saying no to retail expansion

By DENISE FRANKLIN
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CAPITOLA — The last, large piece of vacant land in the 41st Avenue corridor of malls and shopping centers is facing development.

Where flowers once grew at the Brown Bulb Ranch, Kiddie World Toys, Kiddie World Furniture, Pier 1 Imports, a specialty grocery, an ice cream store, a bakery, a small restaurant, a fresh produce store and other small shops may sprout.

Plans by Brown Properties and Roth Prop-

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erties for 130,000 square feet of shops on 11 acres on Clares Street across from J.C. Penney go before the city council Thursday.

But some midcounty residents are saying, "Enough already."

Citizens came before the council last month, questioning whether the 41st Avenue area needs any more stores, any more traf-

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Shmuel Thaler/Sentinel

'We have enough stores now,' says Cindy Parks of Live Oak.

Retail project draws concern

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fic, any more pollution, any more shoppers.

The council heard from those whose homes border the proposed new shopping center, as well as from those who live several miles from 41st Avenue.

Live Oak resident Cindy Parks shops all the time at the Capitola Mall, which is across the street from the proposed new center. "I shop the mall more than I shop anywhere. I don't understand why this project is being proposed. We have enough stores now," said Parks, who lives on 16th Avenue.

Wayne Peterson lives on 38th Avenue, about a mile from the Capitola Mall. "The traffic is my major point of contention," Peterson said. "If you talk to anyone in this area, everyone will say the same thing," he said.

"I'd rather see no commercial development there," Peterson added. "If there has to be something, I'd rather see residential buildings over commercial."

The property is zoned for commercial development and is designated community commercial in the city's general plan. Barclay Brown of Brown Properties said his family cannot afford to scale down the 105,030 square feet of shops they plan to build there. Roth properties will build the remaining 25,000 square feet.

The Brown family wants to continue owning the property, not sell it to homeowners.

At issue here is community — or as it is frequently called — regional commercial-type development. John Gatto of Cypress Properties Inc., which developed Capitola Mall, defined regional commercial as "uses that draw from a 15-minute driving distance."

"We are dealing with soft goods or specialty goods not normally available in neighborhood centers. Those are the things you find in an enclosed regional center or in a specialty, high-volume type store like a Target, Cost Plus, Costco or Price Club."

The building industry has no standard on how much regional commercial is enough, said Frank Spink, of the Urban Land Institute of Washington D.C., a nonprofit group that does research for those in the building trades.

But Spink gave "crude estimates" of how much regional commercial is appropriate for an area.

"If you have 250,000 people, you should be able to support 750,000 square feet of regional retail," Spink said.

Generally, this would consist of three department stores taking up 250,000 square feet, smaller mall-type retail stores taking up another 250,000 square feet, and another 250,000 square feet of stores not found in malls, like auto sales.

The 41st Avenue regional shopping hub serves 240,000 people in Santa Cruz County. It currently exceeds Spink's crude standard of 750,000 square feet of regional commercial.

The Capitola Mall spreads over

Legal battle brewing over road improvements

SANTA CRUZ — The county of Santa Cruz has sued Capitola once over the proposed Brown Ranch Retail Center.

Now Ralph Sanson, attorney for the developers of the proposed 130,000-square-foot of shops proposed near Capitola Mall, is advising the county against suing again.

The county fears the city won't require developers to pay for part of the traffic improvements that will be needed in neighboring, unincorporated Live Oak after their shops are built. Sanson, in a letter to supervisors, maintains the county doesn't have the legal authority to sue if the city doesn't require developers to pay.

In late 1989, the city council certified the environmental impact report and approved the Brown Ranch Retail Center. But the county filed a lawsuit claiming, in part, that the EIR didn't adequately address all the effects of increased traffic.

Capitola City Attorney Richard Manning said while he didn't think the county's suit had any merit, he advised the council to order the EIR redone. He said this was easier than fighting the matter in court.

The City Council opened a public hearing on the revised document last month. The hearing will continue Thursday when the council considers approving the project.

Robley Levy, chairman of the Board of Supervisors, wrote to the council in December about the EIR.

"The draft EIR seems to indi-

cate that Capitola Road is already impacted with traffic so that it already needs to be widened to four lanes; that it is the county's responsibility to widen the portion of Capitola Road outside the city limits; and therefore this project should not be required to contribute to these improvements," Levy wrote.

"If the draft EIR were to be interpreted in this manner, it would not meet the requirements of CEQA (California Environmental Quality Act)."

She also pointed out a court decision that states that governmental agencies have an obligation to consider ways to solve problems created by a project even though those problems are outside the responsibility of that agency.

Sanson, however, claimed that the supervisor's letter cites no legal authority for the contention that the EIR would not meet CEQA requirements. He also suggested that the legal case cited by Levy "was entirely different from our situation."

Live Oak Supervisor Jan Beautz said no decision has been made by the board to sue the city and said she can't speculate what the board might do.

Capitola City Attorney Richard Manning said that he agreed with Sanson that the city isn't required to make the developer help pay for the Capitola Road improvements, but the council has the choice whether it wants to require this.

— By Denise Franklin

700,000 square feet, the Capitola Auto Plaza takes up another 60,000 square feet and there is a variety of regional commercial development along 41st Avenue.

But this might not be too much regional commercial for an area like Santa Cruz County whose population swells with the tourist trade, Spink noted.

Capitola City Manager Steve Burrell said developers he's talked to feel the county is "under-retailed."

"You are finding that in the development of downtown Santa Cruz," he said. "You have out-of-town developers who are purchasing stores. Their's is not an emotional decision. They know what they are doing."

Gatto is one of those developers who says the county is lacking in regional commercial development.

The stores proposed for the last piece of regional commercial land in the 41st Avenue area are "good complements" to the Capitola Mall,

Gatto said. His firm is not involved in the proposed development.

"They are high-volume, quality-priced stores that usually aren't able to pay the freight in a regional center, so they go to the satellite centers near the regional center."

Developers are extremely interested in Santa Cruz County for large stores offering low prices on popular goods, Gatto said. The problem is there are few acceptable sites.

The ideal site must be at least 15 acres, next to a major traffic arterial, and must have a surrounding population who can drive to the stores in 15 minutes or less, Gatto said.

"If you look at the region 15 minutes away from Capitola, there are not a lot of good sites," Gatto said. "So, Capitola positioned itself to get a good share of it. There probably is room for only one regional center in that general area and it happened to be in Capitola."