

# Auto dealers still fighting Bergstrom brokerage plan

By KATHY SALAMON  
STAFF WRITER

Lawyers for three automobile dealerships in the new Capitola Auto Center at Highway 1 and 41st Avenue took a different tack Thursday night to protest dealer Steve Bergstrom's proposed 4,500 square-foot "automobile brokerage."

When lawyer Robert Mezzetti first asked the City Council to reconsider its action allowing Bergstrom a 4,500 square-foot building reduced from about 17,000 square feet, he stated that the land was not to be used as "a used car operation or a brokerage house for automobiles," as Bergstrom proposed.

Mezzetti argued that there were private agreements that specified the building size and use for each parcel and that Bergstrom was violating this agreements.

However, after city attorney Richard Manning responded that any City Council action should be limited to architectural and site considerations — not use considerations since the city had no control over private agreements — Mezzetti submitted to the council a new letter, which members received about five minutes before last week's meeting.

That letter objected to the

architectural aesthetics of Bergstrom's building — questioning whether a building 75 percent smaller than the other three buildings harmonized with the other buildings in the complex.

The other dealerships have buildings of about 20,000 square feet each.

Mezzetti and another attorney, Robert Williams, requested that the council rescind its approval of Bergstrom's smaller building.

The City Council postponed action on whether Bergstrom's building in the city's Auto Center is too small as it appeared the City Council would reach a split decision with council members Dennis Beltram and Bob Bucher willing to hear arguments for reconsideration of the size change while Stephanie Harlan and Jerry Clarke were not. Mayor Michael Routh did not attend Thursday's meeting.

By postponing a decision, Routh will have the key vote as to whether the council should hear the concerns of the three automobile dealers, Marina Pontiac-Cadillac-Buick, Santa Cruz Porsche-Audi-Isuzu, and Roy Baldwin Oldsmobile-AMC-Jeep.

Bucher noted that most of

Bergstrom's building size reduction came with the elimination of service bays, which were in back of the dealership building. Such elimination of service bays, he noted, may even improve Bergstrom's parcel aesthetically. He added, though, he was willing to hear arguments for and against the smaller building.

Harlan said she would not like to reconsider the council's action because the issue of aesthetics does not depend on size.

"It could be a very lovely, small building," she said. "Just because it's small doesn't mean it's bad."

Bergstrom, however, said the issue is not aesthetics at all.

"I think there are some sour grapes here," Bergstrom said in an interview Friday.

"They (the other three dealers) are afraid I'm going to outsell them — they will have a higher overhead (because of the size of their buildings) and won't be able to compete," Bergstrom said. "They'd like to stop me, but the only effect will be to slow me down."

Bergstrom said he can't continue with construction plans until the City Council makes its determination on the matter in two weeks.