

CABRILLO TIMES AND GREEN SHEET 7-28-77

General plan to allow

With no one objecting, Capitola city councilmen Monday night approved a 16-acre expansion of the 41st Avenue regional shopping center.

The move will allow Sutter Hill Limited — developers of the Capitola Mall — to locate a third major department store in the midcounty shopping center, completing its current plans for the Capitola Mall.

The council — reduced to three with the absence of Mayor Tom Mason and Councilman Michael Routh — quickly approved an environmental impact report on the general plan amendment, and then gave tentative approval to the general plan amendment itself.

Final action on the amendment will come when consultant Robert Graham presents the exact changes that will be made to the 1975 general plan.

Councilman Ron Graves found ready agreement from John Dixon and Hill Nelson when he objected to approving the amendment without seeing it written out first.

"I didn't approve the general plan until it was written. I don't want to vote on the first amendment until it is written," Graves told Graham and City Planner Pat McCormick.

"I thought that when you had a public hearing, you had the amendment prepared. I don't have that," the councilman added, holding up a brochure that contained four alternatives, including the one recommended by the planning commission.

The planning commission held lengthy public hearings on the amendment and the EIR, with comments on the EIR coming from individuals, the county planning department, Live Oak Supervisor Phil Baldwin, and the city of Santa Cruz.

When finally adopted — probably in two weeks — the amendment will change 10 acres of medium density multiple residential land (10-15 units per acre) and six acres of high density multiple residential (15-20 units per acre) into regional shopping center.

The planning commission agreed with some critics, includ-

ing Baldwin, that there was still a need for multiple-family residential land in the 41st Avenue area. And it believes there may be too much commercial land in the area.

So, it asked the council to initiate another general plan review on the area south of Capitola Road, with the view of changing commercial land there into multiple residential.

The councilmen agreed to the idea, with Graves authorizing a motion to approve the planning commission recommendations and have Graham draft the final amendment for council approval.

It was seconded by Dixon and approved on a 3-0 vote.

The council gave preliminary approval to an amendment of the city's zoning ordinance, allowing single-family homes to be constructed on very small lots in a multiple residential (RM) zone. At the present time, homes are prohibited on any RM lot with less than 3,000 square feet. They are permitted, with use permits, on any sized lot in the other residential zones in the city.

The handful of people in the audience were divided on the issue, with small lot owners urging the council to immediate action, and neighbors objecting, saying there had not been proper notice to the community's residents, and there should not be special case deviations from the city's planning process.

"I appreciate both sides of the story," said Dixon, "but Capitola is unique in that we have very small lots. I have great sympathy for people who own property. They should pay taxes on lots they can't use. We should be helping them to build on them."

Acting mayor Nelson agreed with Dixon "wholeheartedly."

"This is not a change," Graves told the protestors. "It is undoing a wrong in Ord. 388 (the city's zoning ordinance.) It is my feeling that all lots of record should be buildable. I live in an area with 19-foot lots and they are all built upon. I move it to a second reading."

Dixon seconded Graves' motion, and it passed unanimously.

In other action, the council:

—Continued for one month a hearing on filing a tentative notice of violation of the subdivision map act and Capitola city code against Ella Silva of Capitola and Lowel Thomas Silva, Lavinia J. Patton, Manuella E. Goodman and J. Rose Mary Stubbendorff. The hearing was continued at the request of City Attorney Richard Manning who told the council he is awaiting information from the Silva's attorney showing that the problem has been resolved.

—Continued for two weeks, at the request of applicant Anita S. Feld, a public hearing on the city clerk's denial of a business license for her under the category of "health extender." Ms. Feld is a masseuse working out of the Spa Fitness Center, 816 Bay Ave., and wants a license from the city to work as an individual in the city as well. City manager Max Kludt told the council a license was refused because "health extender" is not a recognized professional category.

—Approved an amendment to

the city building, requiring water devices to be installed in new construction. When it becomes effective, new buildings would not be allowed to install toilets that use more than 3.5 gallons per flush, shower heads delivering more than three gallons a minute

at 40 to 50 pounds water pressure, and lavatory and sink faucets producing more than four gallons a minute. The ordinance allows deviations to be approved by the city building inspector for older homes or when more water is needed to flush a sewer system.

Capitola mall expansion

REFERENCE

APTOS BRANCH LIBRARY