

# Cliff apartments saved

By BOB SMITH

Crest apartment owners finally got permission from the Capitola city council to undertake phase one of a rescue plan — filling a void in the cliffs under the apartments and then placing rip-rap along the beach next to the sewage pumping station.

But the rescue scheme still needs approval from the Regional Coastal Commission and any other work to salvage the apartments, now hanging over the edge of a 100-foot cliff, must be approved in advance by the city council.

Only three members of the city council were present Monday night to approve the permit for Crest Investors, Inc. Mayor Michael Routh and Councilman Jerry Clarke were ill.

While the council approved the rip-rap, each expressed concerns that the giant rock pile — 30 feet from the cliff base, 15 feet high and 40 feet long — would accelerate the erosion of the cliffs under Grand Avenue east of the apartments.

So building contractor Richard Dapont and his partners in Crest Investors will have to agree to a monitoring program for at least one year and the possibility that the

rock will be removed at their expense if engineers feel the downstream cliffs are being attacked at a faster than usual rate.

Dapont told the council he has approval from the Coastal Commission for the concrete plug that will fill a hole hollowed out in the cliffs beneath the apartments.

But the Coastal Commission has yet to approve the rip-rap. And without the giant boulders, Dapont says the concrete plug won't be used.

"There will be no plug without the rip-rap," Dapont said. "If the Coastal Commission does not approve it, it will be a court case."

Dapont assured the council that the height of the rip-rap will not exceed the height of the seawall at the edge of the sewage pumping station. "Without surveying it, I believe that is 10-12 feet high," he said.

The erosion problems worrying the council are spelled out in an engineering report on the rip-rap, which warns that some of the wave energy diverted from the cliff face below the Crest Apartments could be deflected further down the cliff, possibly eroding the cliff faster there.

"There is no way to

calculate if the seawall (rip-rap) would have any effect on the erosion of the adjacent cliffs," acting Mayor Robert Garcia said, quoting from the engineering report.

"By addressing a small problem here, we may be compounding the problem elsewhere," Garcia added.

Dapont countered by saying his problems may have been exaggerated by the 1970 construction of two groins to protect the Capitola beach.

"We are in the process of protecting our property," Dapont told the council. "We are not putting out groins but stopping erosion."

Councilman Ron Graves agreed, but said the effects on the cliffs probably stem more from the sewage pumping station than the city groins.

"The pumping station contributes more significantly than anything else. I'm interested in allowing him to protect his property, but I'm not convinced it will not work."

Garcia and Council member Mrs. Carin Mudgett agreed with Graves that the city should give the apartment owners permission for just the plug and rip-rap.

Plans to reinforce and repair the apartment building

will have to be submitted to the council separately.

In approving the phase one permit, the council said the work must be completed by June 1, and may not take place between the first and third weeks of April (Easter vacation), that the city can modify the rip-rap if erosion increases, the owners will sign a hold harmless agreement.

It was passed on a 3-0 vote.

In other action, the council:

—Approved a proclamation designating 1979 as the International Year of the Child, and contributed \$50 to a fund to print and distribute copies of a United Nations declaration to school children living in the city, and appointed Mrs. Mudgett to a committee to work with the County Children's Commission.

—Referred to staff information from City-County Library critic Bill Hinchliff, criticizing the present library service for Capitola residents, and urging the city to withdraw from the county library district and establish its own library.

—Filed a letter from the Depot Hill Association, expressing its support of Councilman Robert Garcia as a member of the regional Coastal Commission.

—Approved an ordinance extending for one year the city's ban on free standing signs in commercial business districts.

—Continued for two weeks a revised tree cutting and trimming ordinance because of the illness of its sponsor, Councilman Jerry Clarke.

—Approved a final subdivision map for condominiums being built by John Nicoli at 719 Capitola Ave.

—Took no action on a suggestion by Public Works Director Craig French that an ordinance be enacted, forbidding the parking of commercial trucks on city streets overnight. The proposal was made after the city received a petition from the residents of the Loma Vista Estate Mobile Home Park, asking for city action because refrigerated trucks, with compressors running, were being parked next to the park all night.

—Following a brief executive session, approved a motion to allow city planner Richard Steele up to \$1,100 in moving expenses, as opposed to the initial offer of \$500. Steele reported for work Monday and made the request after learning his relocation costs from Mendocino County would be more than the council had initially authorized.