



SANTA CRUZ COUNTY GROUP
of the Ventana Chapter
P.O. Box 604, Santa Cruz, CA 95061
EMAIL: sierraclubsantacruz@gmail.com
WEB: www.sierraclub.org/ventana/santa-cruz

Bonnie Lipscomb
Economic Development Director
City of Santa Cruz

June 17, 2022

Dear Ms. Lipscomb,

The Sierra Club is monitoring the proposed mixed-use project for Lot 4 in downtown Santa Cruz. Among other concerns, we are especially attentive to the preservation of the onsite heritage trees.

We watched the recent presentation to council on the project from Jayson Architecture. Given the widespread interest in this project it was surprising that no public comment was allowed.

It appears that the city and the architect are failing to follow the legal requirements of the city's Heritage Tree Removal Resolution. As you know, among other criteria, a heritage tree can be removed only if "*a construction project design cannot be altered to accommodate existing heritage trees or shrubs.*" 1. (3) Criteria and Standards Exhibit A. You may also recall that the Criteria and Standards were subject of a lawsuit in 2015 in the published case, *Save Our Big Trees v. City of Santa Cruz*, when the city sought to change and weaken the Heritage Tree Removal Criteria. The Appellate Court judges ruled against the city.

Sierra Club members have shared with us that they wrote to you at the beginning of this process, drawing your attention to the above-mentioned criterion and asking that whoever was chosen as architect for the project be advised of the city's legal requirement vis a vis its Heritage Trees. Apparently, you agreed to do so.

Since that time, Jayson Architecture was selected to design the mixed-use project and has publicly shared the initial project design both in a community zoom and at council. The presented design makes no accommodation for any of the existing heritage trees. The architect made no mention of the heritage trees at either the zoom meeting or in his presentation to

council. That omission suggests he was either not advised of the city's law or he was advised and ignored it. When a council member asked about the heritage trees following the architect's presentation to council, he replied that the trees were in the center of the lot so couldn't be preserved and the new project will have a lot of greenery to make up for the loss of heritage trees.

That is not how the Heritage Tree Resolution works. Either the architect should have developed a design to accommodate as many trees as possible given that some are next to the sidewalk or explained in detail why and how a design to accommodate any heritage tree was impossible. Not, less appealing but impossible.

That there is an arborist's report expected at some point and after the design is fixed does not make sense. Obviously the first step was for an arborist evaluation of each tree, then deliberation with the architectural team on design options for preserving as many viable heritage trees as possible. That none of these steps was apparently taken demonstrates a disregard for the public, for heritage trees and the city's obligation to both.

It is not too late to make a mid-course correction. The design is still preliminary. The Sierra Club respectfully requests that considering the above, the city give direction to Jayson Architecture to alter the current design to comply with city's legal obligations with respect to its heritage trees.

We look forward to hearing back from you on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Michael Guth".

Michael A. Guth
Executive Committee Chair
Sierra Club, Santa Cruz Group

cc.

City Manager Matt Huffaker
mhuffaker@cityofsantacruz.com

Jayson Architects
abe@jaysonarch.com

Mayor Sonja Brunner
sbrunner@cityofsantacruz.com