

Kelley determined to build Wingspread

By BUD O'BRIEN

Ryland Kelley is furious at the majority of the Santa Cruz County Board of Supervisors, and he's giving every indication that his determination to develop the Porter-Sesnon property has not flagged.

Kelley, whose Palo Alto firm of Hare, Brewer and Kelley (HBK) holds a 99-year lease on the 66-acre piece of beachfront property across the freeway from Cabrillo College, reiterated his determination in the face of the latest action concerning the property by the Board of Supervisors.

The board majority imposed zoning on the acreage last week that would restrict the number of visitor accommodation units (condominiums, hotel rooms, etc.) to a maximum of 130. Kelley expected something like that, but he was flabbergasted by the board's decision to limit the size of each unit to 600 square feet.

What the board majority really wants, of course, is for the property to be taken over by the state for development as a public park and/or campground. Only

because their legal advisor told them they had to allow for some potential use of the property by its owner (lessee) did the supervisors even place an "alternative use" designation on the property that would accommodate some sort of private development.

What Kelley really wanted when he leased the property for \$1.7 million from the University of California was to develop a unique complex, which would include more than 600 housing units (130 of the "affordable" variety), conference facilities, shops and performing arts facilities.

That proposal was greeted with immediate opposition, both from neighborhood residents and the powerful environmentalist community within the county. These groups wanted either to preserve the land as open space or to make it a part of the park system.

Those views were in perfect accord with the views of the environmentalist majority of the board, Chairman Robley Levy, Gary Patton and Joe Cucchiara, who have consistently acted to the extent legally allowed to

discourage private development.

With State Sen. Henry Mello's assistance, the pro-park forces got the state Legislature to budget \$4 million this year to buy Kelley's lease.

However, Kelley insisted all along he is not going to sell, and the state has indicated that if its offer is refused it will not take the matter to court in condemnation proceedings. That would mean Kelley would still hold the lease.

Kelley is not saying exactly what his next step will be in reaction to the board's action, except that he still has no intention of selling. But he was obviously fuming at the 600 square foot limitation adopted by the board.

Kelley said the board ignored its own staff recommendations in setting that punitive limit. Under the staff's recommendation, Kelley said, units of up to 1,050 square feet could be built, and he indicated that square footage on that order could make development feasible.

But he said, as he has consistently, that all such decisions ought to

be held up until the results of an environmental impact report (EIR) are known. Noting that the board's rationale for imposing such restrictive limits on the property's use concerns the impact on resources (traffic, water, sewage, etc.), Kelley said it was beyond him how they could determine such impacts without a professional study, such as the EIR.

"It ought to be a sin," Kelley declared, "to talk about this stuff without the EIR. But they (the board majority) don't want the truth."

The EIR, coincidentally, is becoming an issue in itself. It is being prepared by the Capitola firm of Coats Consulting Inc. But while Hare, Brewer and Kelley has to pay the costs of preparing the EIR, it is actually done under the aegis of the county planning staff independently of HBK.

And the planning staff has issued something of an ultimatum to Geary Coats, owner of Coats Consulting, instructing him to have the advanced draft of the EIR in the county's hands by Aug. 13. Coats was awarded the contract for the EIR

on Nov. 3, 1981, and was to have the draft EIR ready by February 1982.

Some delays were granted and the draft wasn't actually submitted until April. But the county's environmental planning staff said that draft contained so many "discrepancies and conflicts" that it was sent back to Coats for major revisions. So far, those revisions have either not been completed or Coats has simply neglected to return the EIR draft to the county environmental office.

Hence the letter, dated Aug. 3, sent to Coats over the signature of Tom Burns, chief of environmental planning for the county. The letter recites the history of the delays and says that "... to protect the interests of the applicant (HBK) and those of the county ..." the advanced draft of the EIR "shall be submitted to the county" by Aug. 13.

It goes on to say that the county will return it with its comments to Coats within seven days and that by Aug. 27 the revised draft of the EIR "reflecting the staff comments" shall be submitted to the county.

"It is imperative that you understand the seriousness of this situation," Burns writes. "Contract obligations have not and continue not to be met. The county must take whatever action is appropriate to insure that an accurate, objective and timely environmental analysis is conducted on this proposal."

All of which indicates there is at least a chance that the EIR process may not be satisfactorily completed for some time.

Indeed, the ultimate disposition of the Porter-Sesnon property may not be known for months or even years. Kelley is clinging stubbornly to his leasehold and development plans, whatever form they may ultimately assume. As things now stand, it certainly doesn't look like a development anywhere near the magnitude of the original Wingspread Beach proposal is likely.

But the situation is subject to change. It is not inconceivable that a future Board of Supervisors could look favorably on Kelley's plans and allow a General Plan amendment.