

CAPITOLA  
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# Rispin project triggers dispute over density

By BOB SMITH

The proposal to build up to 87 units of senior housing on the old Rispin Mansion property cleared one — and a half — hurdles Monday night in a special hearing before the Capitola City Council.

The council declared that a draft environmental impact report (EIR), which had been attacked by several groups as not adequately discussing the environmental impacts and the potential remedies, was sufficient in its discussion of the environmental pitfalls awaiting the project developer, Howard Dysle, and that the city had been alerted to the issues so that it can monitor plans for any development on the property.

That decision, a 4-1 vote in support of the EIR with councilman Dennis Beltram casting the sole "nay" vote, came relatively quickly at the end of a 2½ hour public hearing in which opponents and supporters of the project made most of the same arguments about the report as they had in presentations this spring before the city planning commission.

But the city council found itself

buried in a quagmire of conflicting motions and arguments over the density that should be allowed for the project.

The council quickly decided, splitting 4-1 with Beltram arguing against it, that the Local Coastal Plan should be changed to allow residential as well as visitor serving uses on the 6½ acre parcel.

But when City Attorney Richard Manning told the council they should set a density range for the property, as is common in the LCP and the city's general plan, the council deadlocked.

Some, like Mayor Ron Graves and Beltram, wanted the density (number of units per acre) set below five units per acre.

Councilman Robert Bucher, on the other land, tried several times to get council support for motions that would have allowed up to 15 units per acre.

Councilmen Michael Routh and Jerry Clarke found themselves on middle ground — preferring something in the Planning Commission-approved range of 5 to 10 units an acre, but unable to convince Bucher to lower his ceiling, or get

either Graves and Beltram to raise theirs.

The Planning Commission, in passing the issue on to the City Council, recommended a maximum of 65 units on the property. But Dysle says that is tantamount to killing his project, arguing that he needs a minimum of 85 units to make the proposal viable.

The dispute was never settled at the meeting which adjourned at 12:30 a.m. Tuesday morning. The council, on a 3-2 vote, approved language adding residential use to the present visitor serving use shown on the Local Coastal Plan, but told the city planning department and City Attorney Richard Manning to come back May 26 with language that will set the intensity of the use at a level acceptable to a majority of the council but apparently without setting the customary range of units per acre found in other city land use plans.

The vote found Graves, who had made the motion, joining Beltram in voting against it.

Graves found himself hard pressed several times to keep speak-

ers on the main topics — the adequacy of the EIR and the Local Coastal Plan change — as the presentations by supporters of the Friends of the Rispin Estate frequently lauded the group's proposal for the city to acquire the property, restore it, and then operate it as a cultural center — library.

Speaker after speaker told the council they didn't want the Dysle proposal approved.

Others indicated that they already considered the property in public domain, and now wanted the city to formally acquire it.

"If this project goes to completion," Friends spokesman Barry Staley told the council, "it will be the first time that it has been taken away from the public people's use in recent times."

Graves told Rispin spokesman Barry Staley and other audience members to stay on the subject of the EIR. "Never has the Rispin Estate been considered as a community center by the city," Graves told the audience. "It is not a project that the city can consider

because Mr. Dysle holds the option on the property."

That option, Dysle said recently, allows him to purchase the property for \$950,000.

The major environmental issue left unanswered by the EIR, although the council decided it gave them adequate warning of the problems, was the survival of a winter colony of Monarch butterflies in a eucalyptus grove on the southern end of the property.

Dysle has already dropped plans to build a convalescent hospital on the known Monarch wintering site, but project opponents argued unsuccessfully Monday night that the entire project should be delayed until a thorough study of the entire site is completed next winter.

To Monarch researcher John Lane of Santa Cruz, the issue could be the survival of the Monarch in Central California. Monarch butterflies, recent research has shown, are very susceptible to any changes in their environment with changes in ground cover, water, paving or building upsetting the delicate natural balance that now succors the creatures through the winter.

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