

Wingspread Plan C resuscitated

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SANTA CRUZ — Wingspread "Plan C" is back.

Left for dead following a political ambush in February, County Administrative Officer George Newell's plan for county participation in developer Ryland Kelley's Wingspread Beach project has been resurrected and sent once more to the Board of Supervisors.

This time, Newell is touting the controversial purchase/lease-back proposal as the best way to protect the county's stake in the ambitious development planned for the 66-acre Porter-Sesnon property in Aptos.

The CAO also is promoting the plan as a way of circumventing future legal challenges to the Wingspread project, which was approved in concept by supervisors on a 3-2 vote last month.

And Newell is urging supervisors to ask the state to join into some form of financial participation in the Wingspread development.

The CAO said the state "should be asked to assist the county with the financing and implementation of the project" because the county currently provides — at "great cost" to local taxpayers — "an immense rec-

reational resource" for people from throughout the state.

Subject to numerous conditions, the board's narrow approval of Kelley's ambitious plan to build a condominium-conference center, performing arts complex and athletics fields on the Porter-Sesnon site was based on the assumption that once built, the Wingspread development would yield substantial public benefits, including millions of dollars in tax revenues for financially strapped county government.

Newell and County Counsel Dwight Herr were directed by the board last month to begin work on a "development agreement" aimed at guaranteeing that the revenues and other public-benefit carrots dangled by Kelley during the prolonged struggle over Wingspread would be delivered by the Palo Alto developer.

The CAO also was directed by supervisors to return to the board this month with a schedule for further studies and actions needed prior to final county approval of both the development agreement and the Wingspread project.

Instead of a schedule, Newell returned to the board this week with a proposal to revive Plan C.

That plan called for the county to purchase Kelley's 99-year lease on the state-owned Porter-Sesnon property and lease the site back to Kelley, who would construct and operate Wingspread as a concession.

Plan C was presumed dead after Fourth District Supervisor E. Wayne Moore Jr. joined with supervisors Gary Patton and Joe Cucchiara in voting against the proposal Feb. 11. Moore said at the time that he was reluctant to support the plan because he was "having some basic philosophical problems with the county becoming a member of the hotel industry."

A month later, Moore joined supervisors Robley Levy and Dan Forbus in voting for the Wingspread development. The south county supervisor said then that he was supporting the proposal because of the public benefits the project was expected to generate.

In a memo sent to supervisors late last week, Newell said that he and Herr had concluded that the project's public benefits, and particularly its public revenues, could not be adequately protected by a development agreement.

Newell and Herr are concerned that tax revenues which would be generated by Wingspread could be

pirated away from the county if the Porter-Sesnon site were somehow annexed by another jurisdiction.

A development agreement, Newell wrote, would "not provide protections against annexation or incorporation and (would be) open to constitutional challenge."

But if the county were to purchase Kelley's Porter-Sesnon lease and lease the site back to the developer, Newell said, the property could not be annexed by another revenue-hungry agency.

Furthermore, he said, such an arrangement would not be open to legal challenge by Wingspread opponents, who, Newell noted, have "threatened litigation" over the project.

In his memo to the board, Newell said he had not been able to propose a "meaningful" schedule for future Wingspread hearings because Kelley had not yet submitted revised plans for the project to the Planning Department. Those plans, which are to incorporate design changes mandated by the board, are expected in about two weeks, he said.

Newell's report, which was submitted to supervisors as part of the board's consent agenda, will be considered Tuesday morning.