

SC. City Council must beat deadline on Greenbelt deal

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SANTA CRUZ — City Council members are playing a game of beat-the-clock now that they're scrambling to find a way to buy the Bombay property before a final development proposal comes to them for approval.

The council decided early Wednesday morning to develop a parcel-tax measure for the June ballot as one way to raise up to \$5 million to buy and maintain the long-coveted 246 acres of greenbelt.

The other alternative is to find a buyer for the property, one who is willing to keep the property in permanent open

space.

But that means the city has less than five months to find a buyer before they must commit to placing a parcel-tax measure on the June ballot.

March 6 is the deadline for submitting the text of such a measure to the county Elections Office to qualify for the ballot in the June primary election. But the council hopes it doesn't come to that.

"My hope is we can marshal the funds ... (so) we don't even have to do a ballot measure," said Mayor Cynthia Mathews, who joined the council majority early Wednesday morning in direct-

ing staff to map a plan for buying the land.

That vote, however, amounted to taking the two-prong approach.

The council also endorsed a 25-unit development proposal that the Bombay Corp. will submit to the Planning Department. The proposal will wind its way through the approval process while greenbelt preservationists try to find money to buy the parcel on the western edge of town outright.

Local attorney Charlene Attack, a spokeswoman for the Bombay Corp., said landowner Ed Kashian has extended his mid-May deadline for finding a buyer for the land until after the June election in light of the council's deci-

sion.

The Bombay Corp. has set the selling price at \$3.35 million, plus interest that will continue to accrue until a purchase is concluded. The corporation also will ask to be reimbursed for any development-related costs incurred from February through the purchase date.

That's why Councilman Scott Kennedy suggested staff figure out how to structure a parcel tax that would raise some \$5 million. That would be enough to pay Bombay its asking price, plus provide ongoing maintenance costs for the greenbelt land.

In the meantime, the council and propo-

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nents of preserving the entire greenbelt parcel would work to find public and/or private funds to buy the land and maintain it as open space free of any development.

There may even be some city funds available, but the council refused to commit a specific amount at Tuesday night's meeting.

"I think it's a sound approach and a good-faith effort by the council to find a way to buy the property," said Kennedy.

Not all greenbelt preservationists were pleased with the council's decision to move forward with the development plan that calls for clustering 25 homes on the southeast portion of the property.

The opposition is strong even though the Bombay Corp. would give the remaining 200 acres to the Land Trust of Santa Cruz County to maintain as permanent open space in exchange for approval of the development plan.

"My problem with the 25 units is that the development proposal is excessive and goes way beyond what the General Plan allows," said Santa Cruz resident Jeff Ringold. "My problem with putting a measure on the ballot is it requires a two-thirds vote (for approval).

The city doesn't do that with the other budget priorities it has."

Ringold criticized the council for using tax dollars to buy Arana Gulch and the Wavecrest properties (two other pieces of the greenbelt that circles the city). Because the council didn't seek public and/or private donations for those properties, said Ringold, there's no money left to buy the Bombay land.

"If they're truly interested in the acquisition of the greenbelt ... then they need some kind of rational plan to make that come about," said Ringold. "It just seems like an irrational approach to me."

Kennedy scoffed as Ringold's criticism, noting that some city money still may be used to encourage matching funds to buy the Bombay land.

"I think it's (Ringold's comment) retroactive Utopianism," said Kennedy. "It's second-guessing decisions that were celebrated at the time."

Attorney Debbie Malkin, an environmentalist who also sits on the city's Parks and Recreation Commission, was more conciliatory about the council's compromise. But she joined Ringold in panning the 25-unit development proposal.

"I feel disappointed it's come to

this," said Malkin. "I feel that the City Council made this decision as a result of the city being a defendant in a lawsuit (brought by the Bombay Corp.) rather than this was truly the best thing for the city in terms of moving toward its expressed goal of greenbelt preservation."

The Bombay Corp. sued the city over what it claimed was an improperly prepared General Plan, but lost its case in Superior Court. That case now is on appeal, but Bombay officials have not been actively pursuing it during the recent negotiations with the city.

Under the current General Plan, it appears that the landowner could build at least seven large homes scattered throughout the property. If that happened, however, the entire parcel would remain in private hands.

"Their argument they could spread out development is completely fallacious," said Ringold, adding that so much of the land is environmentally sensitive that such a scenario never would play out.

But the possibility that it could, and that the public could end up with nothing, was what spurred the council majority to throw its preliminary support behind the 25-unit development plan. That plan

gives the developer more homes, but it would ensure that some 200 acres of the property would be permanent public open space.

And the best scenario, said all council members, would be that in the coming months money is found to buy the entire parcel before development begins.

"I thought altogether the conversation was very civil," said Kennedy. "But in the end, the council is responsible for making the best judgment we can."

Entering into that decision was the realization that the city has other budget priorities in addition to buying greenbelt land.

"Even in our dreams, we have priorities," said Councilman Michael Hernandez. "And there are a whole bunch of people who need our help. ... We have to look at the entire community and figure out what we really need."

The council's decision came after a public hearing where the vast majority of speakers supported preserving the entire greenbelt.

"I think what was frustrating ... was that it appeared that many of those who spoke didn't understand the legal constraints we were under," said Mathews. "The developers had a right to have an application processed, so we needed to give direction."