

# Lighthouse Point Project Rejected 9 to 3

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A permit for the controversial Lighthouse Point convention center complex was denied Monday night by the Central Coast Regional Commission by a 9 to 3 vote.

The action came after vain efforts were made by Commissioners Grace McCarthy and James Hughes to get one of the permit applicants, Teachers Management and Investment Corp. (TMI), to eliminate all but the proposed convention hall and 400 - room hotel from the project.

TMI and its co - applicant for the permit, the city county Joint Powers Authority (JPA) have 10 working days in which to appeal the decision to the state coastal commission, according to Edward Brown, the central coast commission's executive director.

The denial triggered applause from numerous members of the Save Lighthouse Point Association (SPLA), which for two years has opposed planned con-

struction of the complex off West Cliff Drive opposite Santa Cruz Point (sometimes called Lighthouse Point).

Earlier, the commission rejected a recommendation from Brown and its attorney, Richard Jacobs, that a two - thirds majority be required to grant a permit.

Jacobs told the commission that under terms of the Coastal Conservation Act it had no option but to require approval by two - thirds of its members for the issuance of any permit, and he added:

"You must require a two - thirds vote. You would abuse your discretionary powers if you did not."

But a vote on this question failed to get the two - thirds requirement imposed. This vote was 8 to impose the requirement and 4 not to. Needed for passage was 9 votes, which is the legal majority of the 16 - member commission.

Commissioner Phil Harry abstained from voting on this question and on the permit application, keeping his pledge not to vote because he is also a county supervisor

and a member of the JPA and would thus have a conflict of interest.

Other Santa Cruz representatives on the commission voted as follows: Lorette Wood and Norm Walters in favor of granting the permit, and Julian Camacho against granting it.

The votes were preceded by statements from the applicants and by Steve Carlson and Gary Patton for SLPA.

Samuel Leask, president of the JPA, came out swinging against the commission staff's recommendation that the permit be denied pending development of a coastal plan as called for in the Coastal Conservation Act.

Leask said: "I had hoped for an objective staff report. But as a person who has been a member of many governmental bodies, I must say that this staff report is one of the worst hatchet jobs I have ever seen in my life."

Commission Chairman Charles Kramer commented: "I hated to hear that last remark. We all try to do our jobs, to get at the facts. I don't like to see personalities brought into this."

Leask retorted: "I agree with you, Mr. Chairman, that facts are always welcome."

The main rebuttal to the staff report and to its recommendation for a project turndown came from Dennis Kehoe, attorney for TMI.

Kehoe argued that imposition of a two - thirds vote requirement for approval would be unfair because the site has not been established for recreational uses alone, that the city has some 640 acres in parks, and that the state is planning to buy 3000 acres for a north coast park just a few miles from the site.

Kehoe contended that the site did not meet the definition of usable land for recreation and open space

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## Weather

MONTEREY BAY AREA — Fair through Wednesday but fog or low clouds late night and morning. Highs Wednesday in 60s to low 70s. Lows tonight in the mid 40s to low 50s. Northwest winds 10 to 20 mph afternoons and evenings.

Temperatures for the Santa Cruz area for the 24 - hour period ending at 8 a.m. this morning: High 74, Low 37.

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because public entities have not offered to buy it and it is thus private property.

Then, in turning to the permit application itself after he had won the four votes he needed to carry this first issue, Kehoe contended that development of the site to include a convention hall (to be built by JPA with the aid of a \$1.6 million federal grant and a bond issue), a hotel, 130 condominium units and a 60,000 square-foot shopping village would open use of the 37 acres to the public for desirable recreation and enjoyment.

Kehoe also contended the complex would give area

economy a badly needed stimulant.

The SLPA speakers were brief. Carlson contended that the issue was whether the site is usable for recreational purposes under the coastal act, and he said that it is used now for such purposes. He noted also that of the 640 acres the city has in parks, about 550 of these are in the one park, DeLaveaga, "and most of the scenic area is a golf course.

Patton argued that a two-thirds approval is required legally to grant a permit for the complex. He scored those "who can't tell the difference between a unique site like Lighthouse Field and just any other city lot."

Patton said the site is listed for open space use in the city's open-space plan. He also challenged assertions that some land was donated free for the complex. While about 4.5 acres were donated, he said, JPA had to agree to buy another 4.5 acres or so for around \$330,000.

But the SLPA members sat silent for the most part until after the final decision, apparently agreeing that the full burden of proof that a permit should be granted rested with the applicants.

In his early remarks, Leask said that the city and county agreement that established the JPA expires Sept. 1. He said also that the federal authorities have

extended the \$1.6 million grant offer to June 30 and that he thinks it can be extended for another year after that. But he warned that "if this project is turned down, then I don't think there is a chance a convention center will be built in Santa Cruz."

Jubilant SLPA members led by Millie Carlson and Cathy Basu said after the decision they will push even harder now to get the voters to pass an initiative ordinance June 4 to forbid the city from involvement in building, operating, maintaining or leasing a convention center at Lighthouse Field.