

La Selva exercise course approved by Supervisors

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SANTA CRUZ — After five public hearings, 1½ years, and more than \$2,200 in legal fees the La Selva Beach Recreation District finally has gained approval of its controversial exercise course.

The county Board of Supervisors voted 4-0 Tuesday to uphold a Planning Commission recommendation approving the 20-station, 26-sign course. At the same time, the board rezoned the tree-shaded parcel from the existing single-family residential to a parks and recreation designation, which legally allows for the course.

A happy La Selva Beach Recreation Board Director Peter Stanger said later that the course could be back up by summer. However, Arbolado Drive resident Ed Meagher, leader of the grass-roots residents' group, Friends of Asta/Arbolado — which has fought the course on aesthetic grounds — said one more appeal is likely.

Meagher said the group "probably" will appeal the approval to the Coastal Commission. The commission also has jurisdiction, since the course is within the coastal zone. Beyond that, the only alternative is legal action, which could be too costly for the group to pursue.

The exercise course, which will sit in a narrow strip the recreation district owns between Asta and Arbolado drives, has split this close-knit beachfront community since the district mistakenly installed it without permits in July 1985. Portions of the course which intruded into the public right of way were dismantled after adjacent residents'

objected.

All along, district representatives maintained they only wanted to allow the public to use the land it has owned — and maintained — since 1959. Residents objected to the aesthetics of the signs and exercise equipment, saying it is too dense and inappropriate for a residential area.

In refusing to take jurisdiction of the appeal by Arbolado Drive homeowner Jim Van Houten, supervisors fell back upon the Planning Commission's approved changes. That included relocating the signs and equipment to the center of the ½-mile-long strip as well as lowering the signs, placing them parallel to the ground and not more than 2½ feet high.

Supervisor's Chairwoman Robley Levy, who lives on one of the streets facing the course, did not participate in discussion or vote on the matter.

She told a dozen upset residents afterward, "The real answer is, if the Recreation Board is not being responsive to the community, you should elect new directors."

David Brick, attorney for the Recreation Board — which had spent \$2,218 on legal fees as of last month — said later, "This is the fifth hearing, and we've won every time. I think it's probably because we're right."

A disappointed Van Houten said, "We had logic on our side throughout. The mentality we've been faced with all along is that if the Recreation Board did it, it must be all right with the residents."

During the hearing, Van Houten described the course as a "forest of signs," looking like "something out of a Burma-Shave commercial."

At one point, Supervisor Gary Patton questioned whether the signs were allowable under the parks and recreation zoning. Chief Deputy County Counsel Jonathan Wittwer replied that the signs were "directional" in nature and therefore allowed.

Supervisors disagreed with Houten's contentions that the course's use was "detrimental to the health, safety or general welfare of persons residing or working in the neighborhood or general public."

In approving the rezoning, supervisors agreed with Brick and Stanger that since the recreation district has owned the property for 26 years, the land should have an appropriate zoning to allow them to use it.

Asta Drive resident June Sanders and Arbolado Drive resident Colleen Meagher argued unsuccessfully that residents would be liable should someone be injured on the exercise course. Sanders added, "The area never was intended to be an unsupervised playground."

The district has purchased liability insurance.

According to county planner Chuck Schweikert, the county received petitions from approximately 194 residents favoring the course. Another 32 approved of it only if the signs were removed, while 93 residents opposed it.