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Owners eye sue or sell plan for Palm Terrace

by Marsha Trent

Owners of the proposed Palm Terrace subdivision are considering a land sale or a lawsuit, among other options, following the Sebastopol City Council's 4-1 vote to again reject proposed development on the 7.2 acre site between Palm Drive Hospital and the Laguna de Santa Rosa

Charles Evans, consultant to property owner Yolanda Ghilotti, said what he sensed from the council's comments after nearly four hours of dis-

"Maybe they don't want to see it developed at all."

—Charles Evans

cussion at the March 15 hearing on the project was, "Maybe they don't want to see it developed at all."

Sebastopol Times & News,
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If that is correct, Evans said, the property owners may be left with no avenue of appeal other than the courts.

The project, which has been the center of community controversy since the mid-1980s, has been repeatedly redesigned and downsized, Evans said, from a high of 80 units to the current proposal of 19 units with six additional "granny units" above detached garages.

The current proposal, he said, is consistent with the existing general plan which places the

property in a moderate to high density designation that allows construction of up to 78 units on the property.

In addition, Evans said, the proposed project conforms to the Laguna Park Plan and provides a dedication of almost one-third of the total acreage to open space.

During last week's hearing, Evans also presented alternate design proposals to the council which would have reduced the number of homes
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94.9.1

Hamilton to resign

by John H.K. Riley

Outspoken and controversial Sebastopol councilwoman Lynn Hamilton said Monday she will resign from the council this summer to enroll in Harvard
(Please see *Resign* page A14)

94.9.2

Legal defense fund for city?

by John B. Burns

A Sebastopol therapist last week put his money where his mouth is by sending a \$250 check to Sebastopol City Hall as seed money for establish-

ment of a legal defense fund to protect the city from lawsuits filed by developers.

Larry Robinson, an Eleanor Avenue marriage, family and child counselor, sent the money to City Manager Paul Berlant

along with a letter stating that he'd like to see it put into a restricted account "to be used to cover legal expenses in defending the city against lawsuits brought by individuals or cor-
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Resign . . .

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University's master's program in public administration and policy.

Hamilton said she learned last Friday that she was one of about 200 students from 40 countries who had been accepted into the one-year graduate program.

"I thought this would be a chance of a lifetime (so) I decided to go for it," said Hamilton, who was encouraged to apply for the program by the person the council hired last fall to help it in their search for a new city manager.

Her decision ends month of speculation about her intentions on whether she would run for a second four-year term on the council in this November's election.

She is the second councilmember to announce they will not seek re-election. Senior council

member Bill Roventini said last year he would not run for a fourth term, which means there will be at least two new council members this December.

The third incumbent up for reelection, Mayor Anne Magnie, remains undecided about her political intentions. She has previously declared herself a candidate, but said two weeks ago that she was reconsidering her decision.

An ardent environmental activist who came into local politics seeking to change Sebastopol's growth policies, Hamilton has been a lightning rod for criticism locally and from other government agencies, both in terms of her policies and, occasionally, the abrasive manner in which she expressed them.

Undaunted by the criticism, Hamilton has been fervently supportive of protecting the Laguna de Santa Rosa and Atascadero Creek, keeping Sebastopol a "small, living, healthy city,"

Plan . . .

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in the project to 13, making it compatible—at least in terms of units allowed—with the proposed general plan to be adopted later this year. The new general plan designates the property as low density with a maximum of 14 homes allowed.

But Evans said he sensed that it would be a "waste of my clients money to redesign it (the project) again," and bring it back to the council or planning commission for further consider-

ation. Several audience members and at least one city council member suggested that the property remain as open space.

Evans said the property owners are not opposed to selling the land to the city for preservation as open space, if that is what the community wants. Two speakers at the hearing offered donations of \$1,000 or more to start a fund-raising drive that would help the city buy the property. But, Evans said, the property owners have "more than \$1.1 to \$1.2 million invested in the land ... and that is not bake-

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through the adoption of a heritage tree ordinance and traffic mitigation fee and reducing the city's sphere of influence.

"I have enjoyed and been honored to be on Sebastopol's city council," she said. "Sebastopol has become a city used as a model for having a sustainable economy in a healthy environ-

ment, (and) has been visionary in remodeling and revitalizing our downtown core."

After graduating from the master's program, Hamilton said she plans to return to the Sebastopol area.

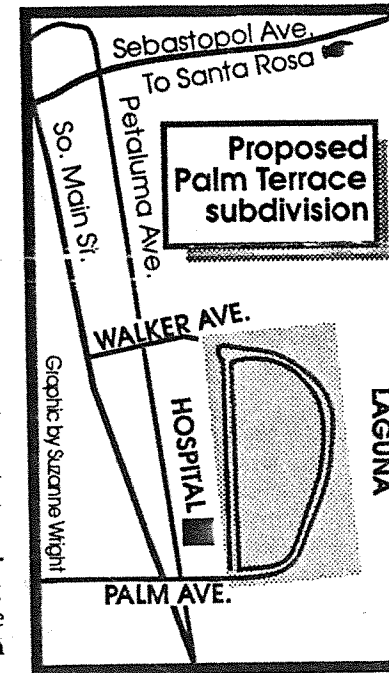
Her resignation is effective the first week of July.

According to City Manager

Paul Berlant, the remaining four council members will make a provisional appointment in July.

"I highly recommend to people to participate in their city government," said Hamilton. "There are a lot of consequences, (but) there are many, many rewards."

Three persons—Mark Sell, Samuel Crump and Bruce Cunningham—have already announced their candidacy for the city council.



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Fund . . .

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porations seeking to force approval of proposed develop-

ment projects."

In a letter to the editor in this week's newspaper, Robinson invites other residents to contribute as well.

Citing the pending lawsuit by

developers Rich and Nancy Gardner against Sebastopol which last year rejected the couple's plans for a 48 unit affordable housing complex on the city's northern boundary, Robinson wrote, "Such lawsuits have become a favorite tool of irresponsible and rapacious developers throughout the country because, regardless of the legal merits of the suit and regardless of the verdict, they know that small towns have

limited financial resources and ultimately must yield to the pressure."

Berlant confirmed that the city is expected to spend "a large chunk (of cash), up to \$100,000" defending itself against the Gardner suit, irrespective of who wins the suit.

"That's a big amount in a city this size," said Berlant, who said he welcomed any financial help citizens may be willing to offer.

Berlant said he was "impressed and surprised" by Robinson's contribution.

"This is somebody who is willing to put his money where his mouth is," he added.

Asked how the city council was expected to react to Robinson's legal defense fund idea, Berlant said he wasn't sure.

"If the council wants to do something more to thank him (Robinson) or publicize what he's done, that's up to them."

For the time being, Berlant said, the money has been placed in a special account and will be used to pay attorneys' fees in the Gardner case.



The U.S. Mint turns out about 17 billion coins a year.