



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** May 7, 2008  
**AGENDA DATE:** May 15, 2008  
**PROJECT ADDRESS:** 900-1100 Las Positas Road (MST99-00608)  
 Veronica Meadows  
**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
 Jan Hubbell, AICP, Senior Planner *JH*  
 Allison De Busk, Project Planner *AD*

### I. SUBJECT

Environmental hearing to certify the Veronica Meadows Specific Plan Final Environmental Impact Report (EIR). No action on the project itself will be taken at this hearing. The City Council is tentatively scheduled to consider the project and certify the Final EIR at a hearing on May 20, 2008.

### II. PROJECT DESCRIPTION

The project associated with the subject environmental document is an annexation of approximately 50.5 acres from the County, and a subsequent 25-unit single-family residential subdivision on 14.8 of those acres. The remaining 35.7 acres would be dedicated open space. Proposed residential lot sizes would range from approximately 5,000 to 9,600 square feet, with maximum home sizes ranging from 2,500 to 3,800 square feet of habitable space.

Site access to all but three lots would be provided via a proposed concrete bridge over Arroyo Burro Creek that would intersect with Las Positas Road. A public loop road on the west side of the creek would serve 19 of the homes, and a private drive off of the public road would provide access to three home sites. The remaining three homes would be accessed from the end of Alan Road. A public pedestrian path is proposed along the western edge of the creek to provide access from the end of Alan Road to Las Positas Road.

A comprehensive creek stabilization and restoration plan for approximately 1,800 linear feet of Arroyo Burro Creek is also proposed as part of the project. A 100-foot buffer between the proposed residences and the top of bank of Arroyo Burro Creek is proposed. A small portion of the proposed public road and private driveway would encroach into the 100-foot buffer.

Cast-in-ground concrete caissons are proposed on-site to stabilize the hillside to the west. Geologic stabilization of the hill would result in approximately 61,500 cubic yards (cy) of cut and 61,500 cy of fill. Total estimated grading for the project improvements (building pads, roads, etc.) would be about 15,539 cy of cut and 11,232 cy of fill (does not include soil recompaction); grading for the creek stabilization/restoration work would involve approximately 14,000 cy of cut.

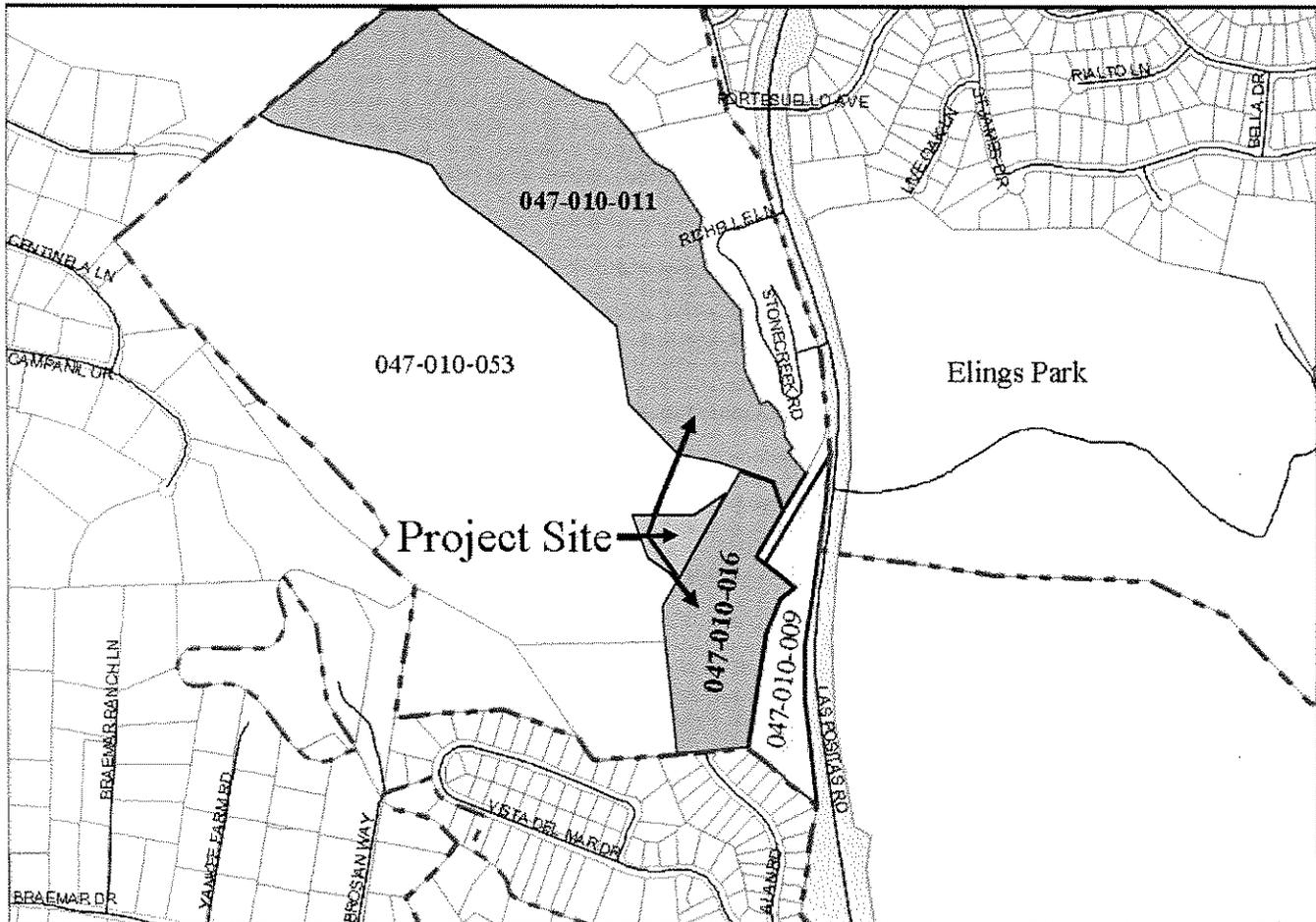
### III. REQUIRED APPLICATIONS

The City Council is the body that will make a decision on the proposed project. The discretionary applications required for this project are:

1. A Coastal Development Permit (CDP2003-00026) to allow the proposed subdivision and development of the portion of the project within the appealable and non-appealable jurisdictions of the City's Coastal Zone (SBMC 28.44);
2. A Lot Line Adjustment to attach a 4.49-acre portion of APN 047-010-053 to APN 047-010-016 (SBMC 27.40 and Gov. Code §66412);
3. A Public Street Waiver to allow lots 4, 5 and 6 to be served by a private driveway (SBMC §22.60.300);
4. A Tentative Subdivision Map to allow the division of one parcel into 30 lots. Twenty-five lots would be developed with single-family homes, four would be for open space, one would be for the public road and one would be for the private drive (SBMC 27.07);
5. A request to Santa Barbara County Local Agency Formation Commission (LAFCO) for annexation of the subject parcels to the City of Santa Barbara;
6. A General Plan Amendment, upon annexation, to add the subject parcels to the City's General Plan Map. APNs 047-010-016, 047-010-053 (the 4.49-acre portion), and 047-010-026 would be designated Residential, Two Dwelling Units per Acre, Buffer/Stream and Pedestrian/Equestrian Trail; APN 047-010-011 would be designated Major Hillside, Open Space, Buffer/Stream and Pedestrian/Equestrian Trail;
7. A Local Coastal Plan Amendment, upon annexation, to add the portion of APN 047-010-016 that is located within the Coastal Zone boundary to the City's Local Coastal Plan Map, with Residential, Two Dwelling Units per Acre, Buffer/Stream and Pedestrian/Equestrian Trail designations;
8. Zoning Map and Ordinance Amendments, upon annexation, to adopt Specific Plan Number Nine (SP-9), and zone APNs 047-010-011, 047-010-016, 047-010-053, and 047-061-026 Specific Plan Number Nine (SP-9) and Coastal Zone Overlay, where applicable, and add the parcels to the Hillside Design District; and
9. Approvals related to bridge construction and creek restoration on City-owned lands adjacent to the project site.

### IV. RECOMMENDATION

Staff recommends that the Planning Commission certify the EIR, making the findings outlined in Section VIII of this report.



Vicinity Map

**V. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant:	Peak Las Positas Partners	Property Owners:	Peak Las Positas Partners and Bollag
Parcel Numbers:	047-010-011 047-010-016 047-010-053 (a portion) 047-061-026	Lot Area:	35.71 acres 10.24 acres 4.41 acres (a portion of 86.7-acre site) 0.04 acre
Adjacent Land Uses:			
North – Residential		East – Arroyo Burro Creek, Open Space and Las Positas Road	
South – Residential		West – Residential	

## **VI. APPLICATION/PROJECT REVIEW PROCESS**

This project has an extensive history that is covered more completely in the staff report for the December 1, 2005 Planning Commission hearing (copies available upon request). The following is a brief summary of the most relevant issues pertaining to the annexation proposal and related development project since the writing of that report. For a summary of the project's environmental review history, please refer to Section VII below.

On December 1, 2005, the Planning Commission certified the Final EIR and referred the project to the City Council for a decision due to a deadlock (3-3).

On March 8 and March 21, 2006, the City Council reviewed the project (23-unit subdivision). On March 21, 2006, the City Council directed the applicant to reduce the number of residential units, provide all vehicular access via Alan Road, and provide a pedestrian/bicycle bridge across Arroyo Burro Creek.

To address the Council's direction, the applicant prepared a conceptual site plan (15 residential units with all vehicular access via Alan Road and a pedestrian bridge across Arroyo Burro Creek) and creek stabilization and restoration plan, and Staff updated the Veronica Meadows Specific Plan (SP-9) accordingly.

The ABR reviewed the revised project on May 1, 2006 and had the following comments:

- The overall site layout, estimated home size and conceptual home design were acceptable given the direction from Council.
- The previous proposal was a better solution in terms of access and the benefits to the City as a whole (circulation, creek restoration, open space, etc.).

The Creeks Advisory Committee reviewed the revised project on April 26, 2006 and had the following comments:

- The creek setback for all development should be 100 feet, not 50 feet.
- Drainage should be decentralized and allowed to flow overland and percolate into the creek.
- Public access should be provided.
- Creeks Advisory Committee should have the opportunity to review the project in the future.

The Park and Recreation Commissions and Creeks Advisory Committee held a joint meeting on July 10, 2006 to review the revised project. They had the following comments, in addition to the Creeks Advisory Committee comments identified above:

- Campanil Hill drainage should be daylighted.
- The pedestrian bridge should be located at the northern end of the site.
- All landscaping should be native and non-invasive.

- Chemical fertilizers should be prohibited for landscaping purposes following restoration.
- Independent review of the Creek Restoration Plan should be required now and later in the process.

The Planning Commission reviewed the revised project on August 24, 2006 and had the following summary comments:

- Vehicular access from Las Positas is preferred.
- Appropriate density is dependent on house sizes.
- Pedestrian bridge should be at the northern end of the property.
- Creek setback is appropriate; would be willing to consider smaller setbacks under certain circumstances.
- Prefer drainage as open and natural as possible.
- Have a desire to reduce the overall project footprint.

On October 3, 2006, the City Council reviewed the revised proposal. At that meeting, the City Council continued the item, on a 5-2 vote, with the direction for staff to work with the applicant and return to Council with a project design and density similar to the prior 23-unit project, including the following: 1) drainage that is daylighted, as well as other flood control systems; 2) a traffic signal at Las Positas Road; 3) a bridge for vehicular and pedestrian access; 4) emergency access at Alan Road; 5) peer reviews and long term maintenance of creek restoration; and 6) an affordable housing component of 2 to 4 units.

On December 12, 2006, the applicant returned to the City Council with a newly revised project that included two development alternatives: 1) a 23-unit development; and 2) a 25-unit alternative that included two affordable housing units. Both alternatives included daylighting the Campanil Hill drainage (in addition to other required flood control systems), a traffic signal at Las Positas Road, a bridge across the creek for pedestrian and vehicular access, an area left clear of vegetation for possible future access in the event of an emergency, peer review of the creek restoration plan, and the applicant would be responsible for long-term creek maintenance. The City Council voted (5-2) to approve the 25-unit project (with the Tentative Map to be brought back to the Council at a later date) without the emergency access road.

On December 19, 2006, the City Council adopted (second reading) the Ordinance initiating the annexation and adopting proposed zoning, General Plan Map and Coastal Plan Map amendments.

This decision was litigated in Santa Barbara Superior Court, which invalidated the City approvals and EIR certification and directed that the City revise the EIR before reconsidering the proposed project. Following the court order in early 2008, these approvals were rescinded by the City Council in February 2008. It should be noted, however, that in the decision, the Court noted that there was no challenge to the sufficiency of the EIR and that there was no argument that the EIR was inadequate as an informational document. Instead, the court determined that the environmental findings adopted by the City Council to support project

approval were not adequate because the Council did not find that certain mitigation measures or project alternatives were infeasible.

On March 14, 2008, the City released a Draft Revised EIR – Selected Chapters, with a public comment period that ended on April 28, 2008.

On April 17, 2008, the Planning Commission held an environmental hearing on the Draft Revised EIR.

## **VII. ENVIRONMENTAL IMPACT REPORT**

An EIR is intended by CEQA to be an informational document that is considered in conjunction with other planning documents and project analysis as part of the overall permitting process. The CEQA environmental review process has two overall purposes: first, to disclose environmental impacts so that the public and decision-makers consider the environmental consequences of a project before it is approved, and second, to avoid or reduce significant environmental effects to the extent feasible. Feasibility is defined in CEQA and the CEQA Guidelines as meaning "*capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.*" Mitigation measures applied to a project to reduce environmental impacts must also meet the constitutional tests of nexus and reasonable proportionality to project impacts. The EIR and staff analysis provide an identification of feasible mitigation measures and alternatives, with decision-makers determining final feasibility.

An EIR analysis is not required to be exhaustive, and is based on reasonably available information. Conclusions about the significance of environmental impacts use City guidelines and practices, and need to be based on substantial evidence within the entire record. Substantial evidence is defined in CEQA and the CEQA Guidelines to mean enough relevant information and reasonable inferences from this information to support a conclusion, even though other conclusions might also be reached. "*Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.*" Because the analysis involves predicting future effects, an EIR necessarily only provides a best estimate of environmental impacts based on numerous assumptions. Where there are disagreements among experts over the significance of impacts, it is not required that an EIR resolve these differences but only summarize them. As noted in the CEQA Guidelines Section 15151, "*...the courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*"

### **Environmental Review History**

The City prepared an Initial Study in 2003, which identified potentially significant impacts of the project that required further evaluation in an EIR. A Notice of Preparation (NOP) of an EIR was issued for 30-day agency and public review, and an environmental scoping hearing was held by the Planning Commission on October 16, 2003 to assist in refining the EIR scope of analysis. The City contracted with an environmental consulting firm, URS Corporation, to prepare the EIR. A Draft EIR was released by the City for public review and comment between September 22, 2004 and November 8, 2004, and an environmental hearing was held by the Planning Commission on October 21, 2004 to

receive public comment. Substantial public comment was received on the Draft EIR, including from the project applicant, neighboring residents, property owners, and community interest groups.

A Final EIR was prepared and released in January 2005. The Planning Commission held public hearings on the EIR and project on April 14 and July 21, 2005, at which time the project was continued. On December 1, 2005, the Planning Commission certified the Final EIR. On December 12, 2006, the City Council certified the Final EIR and approved the project.

This decision was litigated in Santa Barbara Superior Court in 2007, and by Court mandate, in February 2008, the City Council rescinded project approval and certification of the EIR. As discussed previously, the court, in its decision, did not find the EIR deficient or inadequate as an informational document. Instead, the court determined that the environmental findings adopted by the City Council to support project approval were not adequate.

In accordance with Section 15088.5 of the California Environmental Quality Act (CEQA) Guidelines, the City prepared a Draft Revised EIR, with revisions limited to certain EIR Chapters in order to address direction given by the judge in association with the litigation discussed above. On March 14, 2008, the Draft Revised EIR – Selected Chapters was released for public review. On April 17, 2008, the Planning Commission held an environmental hearing to take public comment on the draft Revised EIR. The public review period for the Draft Revised EIR closed on April 28, 2008. All comments received during the public comment period for the Draft Revised EIR (18 letters and seven speakers at the public comment hearing), along with responses to those comments, are included in the Final Revised EIR, which is a part of the proposed Final EIR (FEIR).

The proposed Final EIR (FEIR) is before the Planning Commission for certification. The FEIR includes the entirety of the 2005 EIR as well as the 2008 revisions (Revised EIR), and has been prepared with consideration of comments received on the Draft EIR and Draft Revised EIR. Comments received during the initial EIR review period, and written responses thereto, are included in Appendices D and E, respectively. As appropriate, changes to the text of the EIR were also made. Comments received during the Revised EIR review period, and written responses thereto, are included in Appendices L and M, respectively. As appropriate, changes to the text of the Revised EIR were also made.

### **Summary of Impacts**

The FEIR identified environmental impacts of the proposed project using four classifications: Significant and Unmitigable (or Unavoidable) Impacts, Significant but Mitigable Impacts, Less than Significant Impacts, and Beneficial Impacts.

#### **A. Significant, Unavoidable Impacts (Class I)**

The FEIR determined that the proposed project would result in significant unavoidable impacts to biological resources, traffic (cumulative), and short-term noise impacts due to project construction. No feasible mitigation measures or alternatives have been identified to fully avoid all of these impacts while still meeting the overall project objectives. Therefore, in order to approve the project as proposed, the City Council would need to make a Statement of Overriding Considerations through consideration of the following, per CEQA Guidelines §15093:

*(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."*

*(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.*

A brief discussion of the project's significant, unavoidable impacts and available mitigation measures is provided below. Mitigation measures would be included as proposed conditions of approval. For more details related to the EIR analysis and mitigation measures, please refer to the FEIR and the Certification section of this report (Section VIII).

**Habitat Impacts of New Bridge.** The construction of the bridge over Arroyo Burro Creek would permanently remove native and non-native riparian habitat at the location of the abutments, would require removal of a large oak tree, and may result in temporary damage to the roots of a large sycamore tree. The project would also likely result in the permanent loss of 600 to 800 square feet of willow and giant reed habitats on the creek banks underneath the bridge. The updated restoration plans include restoration of riparian habitats and reshaping and lowering of the creek banks to increase the distance between the bottom of the bridge and the ground. It is still likely possible that the limited light and height restraints under the bridge would limit revegetation of this area. Additionally, the bridge would reduce the creek wildlife corridor from its already restricted width of 430 feet to approximately 140 feet (span of the bridge) or less depending on the reshaping of the creek banks. In light of the narrow riparian corridor at this location, the permanent alteration of habitat underneath the bridge, and the close proximity of other human disturbances that affect wildlife, the overall impact of the bridge on riparian habitat and associated wildlife is considered significant and unmitigable. However, the EIR recommends mitigation measures that would reduce the magnitude of this impact, including narrowing the width of the bridge, minimizing the area of habitat disturbance during construction, and implementation of creek and habitat restoration following construction. It is recognized that the conclusion that these biological impacts can not be mitigated to a level below significance is controversial and evidence may also support a differing conclusion that the impact can be mitigated to a less than significant level. However, based on a thorough review of this issue, and acknowledging a difference among experts, the City continues to accept the more conservative conclusion that the effect of the bridge on the wildlife corridor in Arroyo Burro Creek should remain a significant and unmitigable (Class I) impact.

**Contribution to Cumulative Traffic Impact on Local Intersections.** The proposed project would add 5 to 21 AM and/or PM peak hour vehicle trips at four local intersection which, under future cumulative conditions, would be operating below acceptable levels ( $>0.77$  V/C). The additional trips from this project, while small in magnitude, would contribute enough trips

to result in a significant cumulative impact on the operation of these four intersections, based on the City's significance thresholds. A feasible mitigation measure requiring a fair share contribution of funds for capacity improvements at these intersections has been identified in the EIR, but it would not fully mitigate the potentially significant cumulative impact.

**Construction Truck Noise on Alan Road.** Construction traffic and haul trucks would use Alan Road to access the site during the initial phase of the project, while the bridge over Arroyo Burro Creek is being constructed. Noise from haul trucks using Alan Road would increase the ambient noise levels in outdoor and indoor living areas of residences along the road, which would impact residents during construction. The number of truck trips per day is estimated to be 30 to 40 round trips. Partial mitigation measures include a maximum 15 miles per hour speed limit for large vehicles and construction timing limitations. However, even with the implementation of the mitigation measures, the temporary impact of construction truck noise would not be reduced to a less than significant level.

**B. Significant, but Mitigable Impacts (Class II)**

The proposed project would also result in various significant, but mitigable impacts, which are summarized in the table below. Mitigation measures to avoid these impacts, or to reduce them to less than significant levels, are also presented below, and are described in more detail in the FEIR. Staff will recommend to the City Council that these identified mitigation measures be included as conditions of project approval.

<b>Significant, but Mitigable Impacts</b> (LT = long-term, ST = short-term)	<b>Mitigation Measure</b>
<b>Air Quality</b> Construction dust (ST)	Required dust mitigation (site watering, covered stockpiles, covered trucks, clean roads)
<b>Biological Resources</b> Loss of habitat and oak trees (LT)  Disturbance and possible displacement of wildlife from the creek corridor (ST, LT)	Habitat restoration plan and oak tree replacement  Restrictions on timing and extent of ground disturbance  Limitations on lighting, activities, and development near creek
<b>Cultural Resources</b> Adverse effect of development on historic properties of the site	Retain cluster of oak trees, incorporate gazebo and interpretive signage, use historic street names
<b>Drainage, Flooding, and Water Quality</b> Potential hydraulic impacts and infiltration and bank seepage reduced along Arroyo Burro Creek (LT)  Adverse effects on Arroyo Burro Creek water quality (ST, LT)  Increased bank erosion and instability along Arroyo Burro Creek (ST)	Additional drain outlets to creek, equally distributed  Storm Water Pollution and Prevention Plan Convey runoff water through detention basins and bioswales  Creek corridor restoration plan
<b>Geologic Hazards</b>	

<b>Significant, but Mitigable Impacts</b> (LT = long-term, ST = short-term)	<b>Mitigation Measure</b>
Liquefiable and expansive soil conditions (LT)	Geotechnical investigation; appropriate design and construction techniques
Landslide hazards (LT)	Geotechnical investigation and additional borings
High groundwater conditions (LT)	Geotechnical investigation and additional borings
<b>Public Health and Safety</b>	
Potential exposure to pesticides (LT)	Pesticide management plan
Potential public exposure to radon gas (LT)	Conduct study; EPA-approved construction methods
<b>Traffic and Circulation</b>	
Sight distances (LT)	Prune or modify trees north of project entrance
Entrance road width (LT)	Modify width for adequate clearance
One-way stop controlled intersection (LT)	Modifications to Las Positas Road; turn lanes
Degradation of pavement conditions (ST)	Document road conditions and repair, if needed

**C. Less Than Significant Impacts (Class III)**

Various adverse, but less than significant, impacts would also occur due to the proposed project. These impacts are summarized in Table ES-1 of the Final EIR. They include impacts to air quality, drainage, geological hazards, noise, traffic, public services, visual resources, public health and safety, and cultural resources. Mitigation measures have been recommended, and would be included as conditions of approval, to further reduce these less than significant impacts.

**D. Beneficial Impacts (Class IV)**

The project would also result in beneficial impacts, including enhancing pedestrian and bicycle facilities in the Las Positas Valley, thereby enhancing coastal access and recreation, and implementation of an ambitious creek and riparian habitat restoration plan that would create or enhance approximately 6.8 acres of riparian habitat.

**Reponses to Comments Received on the Draft Revised EIR**

The City received 18 comment letters during the Draft Revised EIR public review period and comments were also made by the Planning Commission and the public at the Draft Revised EIR hearing held on April 17, 2008. Many of the comments related to the following issues:

- Need for inclusion of a reduced density alternative;
- Economic feasibility of alternatives;
- Inconsistencies in alternatives analysis, especially related to "feasibility";
- Benefits of creek restoration; and
- Relationship to City services.

For a complete list of the comments received and all of the responses thereto, please refer to Appendices L and M in the proposed Final Revised EIR.

As noted in the list above, many of the comments received relate to the Alternatives Chapter of the EIR. Several comments were made about the range of alternatives included in the EIR. The alternatives selected and included in the original EIR, and carried through in the Revised EIR, represent a reasonable range of alternatives, as required by CEQA. Additional alternatives were discussed throughout the process but rejected for various reasons. The six-unit residential estate option with access via Alan Road, was specifically discussed in the Planning Commission Staff Report dated January 27, 2005 and at the April 14, 2005 Planning Commission Hearing (Exhibits C and D, respectively). There was no consensus from the Planning Commission to include a residential estate-type alternative in the EIR. The Revised EIR does note that the City Council considered a 15-unit project with access from Alan Road in October 2006, but directed the applicant essentially to return to the project considered in the EIR (24 units with access via the bridge from Las Positas Road).

Several comments were also made regarding the "feasibility" of alternatives, specifically economic feasibility. No economic feasibility study has been prepared to date, nor has staff specifically requested one. Please refer to the Response To Comments document (Appendix M of the proposed Final Revised EIR) for additional information.

#### **EIR Certification and CEQA Findings**

CEQA and the State CEQA Guidelines require that the Final EIR be certified by the Lead Agency (City) prior to actions approving the project. The City CEQA Guidelines provide for certification of EIRs by the Planning Commission, with this action appealable to City Council. In this case, based on the decision by the Judge relative to the lawsuit filed, the EIR must be certified by the City Council. Although the Judge's decision did not reference the need for the Planning Commission to certify the EIR, staff believes that it is important to follow the City's CEQA Guidelines. Therefore, the Planning Commission is being asked to certify the EIR, and the City Council will, in effect, need to re-certify the EIR when they take action on the project.

Required findings for EIR certification are that the Commission has reviewed and considered the EIR, public comments and responses, and that the EIR has been completed in compliance with CEQA and reflects the Commission's independent judgment. A finding is also made that identifies the City Planning Division office as the location and custodian for the record of proceedings on which the environmental process and project decision were made.

When the EIR identifies significant impacts, CEQA also provides that specified findings be made prior to approval of a project. For potentially significant but mitigable (Class II) impacts, findings are made that identify the impact and mitigation measures that would be applied to the project to reduce impacts to less than significant levels. In most cases, mitigation measures are applied as conditions of project permit approval. For significant and unavoidable (Class I) impacts, findings are made that there are no mitigation measures or alternatives to the project that can feasibly reduce project impacts to less than significant levels. For significant and unavoidable impacts, a Statement of Overriding Considerations is also required to be adopted before the project is approved. This is a finding identifying benefits of the project that override the significant environmental impacts and thereby make the environmental impacts acceptable for that particular project. In order for the City Council to approve the proposed project, they must make a Statement of Overriding Considerations.

## **VIII. CERTIFICATION**

### **CERTIFICATION OF THE PROPOSED FINAL ENVIRONMENTAL IMPACT REPORT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The Planning Commission certifies that:

1. The proposed Final Environmental Impact Report for the Veronica Meadows Specific Plan - comprised of the Draft EIR, the Revised Draft EIR, comments on the Draft EIR and Revised Draft EIR, responses to oral testimony, written comments, e-mail messages, and phone messages on the Draft EIR and Revised Draft EIR, and minor changes to the Draft EIR and Revised Draft EIR - was presented to the Planning Commission of the City of Santa Barbara. The Planning Commission reviewed and considered the information contained in the proposed Final Environmental Impact Report, along with public comment and responses to comments, and determined that the document constitutes a complete, accurate, and good faith effort toward full disclosure of the project's impacts and is an adequate environmental analysis of the project.
2. The proposed Final Environmental Impact Report for the Veronica Meadows Specific Plan has been completed in compliance with the California Environmental Quality Act and Guidelines.
3. The proposed Final Environmental Impact Report for the Veronica Meadows Specific Plan reflects the City of Santa Barbara Planning Commission's independent judgment and analysis.
4. The location and custodian of documents and materials that constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, Planning Division, 630 Garden Street, Santa Barbara, CA, which is also the Lead Agency.
5. The Final EIR for the Veronica Meadows Specific Plan will be presented to the City Council before the Council decides whether to approve the Veronica Meadows Project, and at that time the Council will review and consider the information contained in the 2008 Revised Final EIR before it decides whether or not to approve the Veronica Meadows Project.

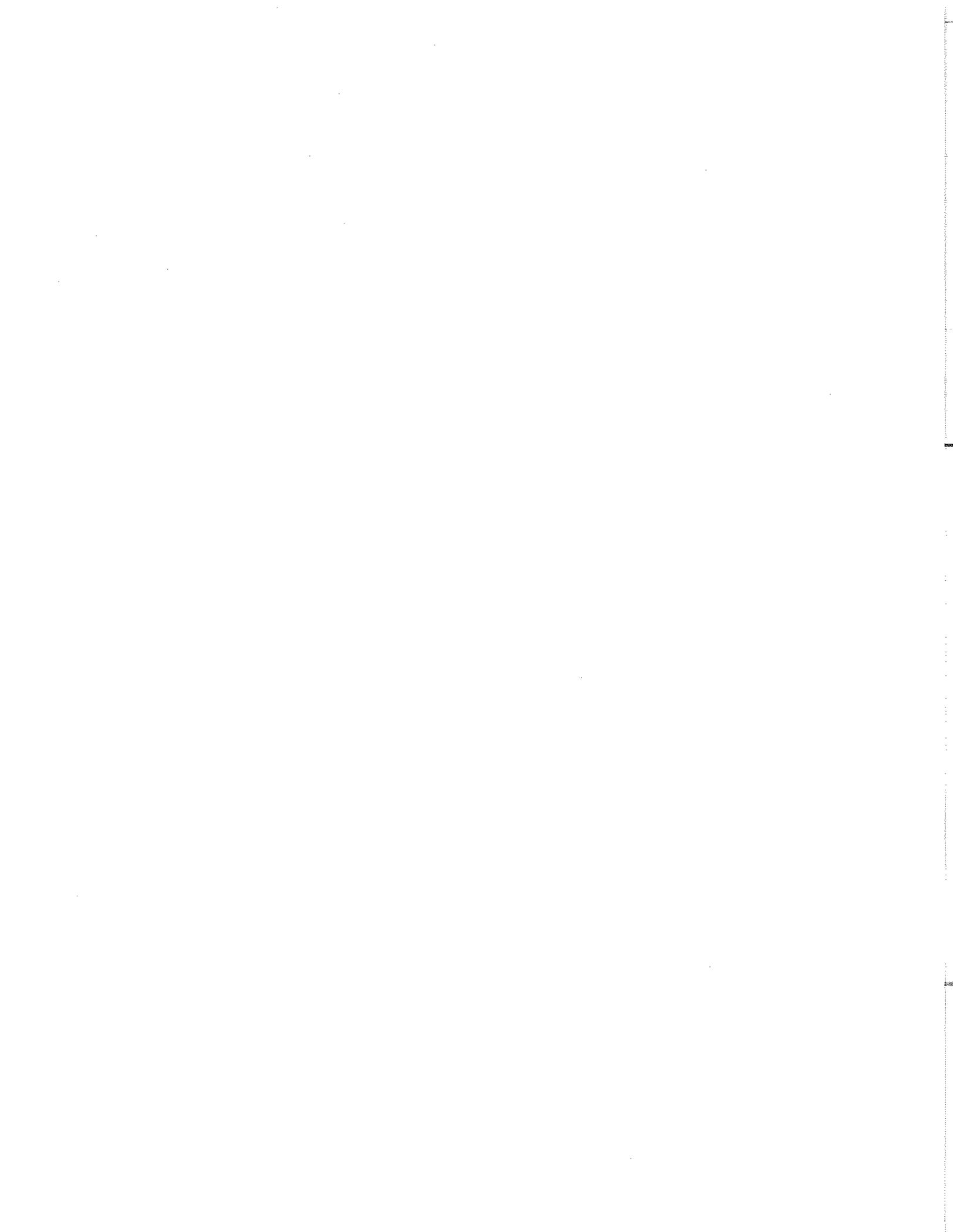
Exhibits:

- A. Final Revised EIR (available at the Community Development Department at 630 Garden Street, the Main Library at the corner of Anapamu and Anacapa Streets, and online at: [www.santabarbaraca.gov/Resident/Environmental\\_Documents/Veronica\\_Meadows\\_Draft\\_Revised/](http://www.santabarbaraca.gov/Resident/Environmental_Documents/Veronica_Meadows_Draft_Revised/))
- B. Original EIR (2005) (previously distributed to the Commission, and available at the Community Development Department at 630 Garden Street, and online at: [www.santabarbaraca.gov/Resident/Environmental\\_Documents/Veronica\\_Meadows/](http://www.santabarbaraca.gov/Resident/Environmental_Documents/Veronica_Meadows/))
- C. Planning Commission Staff Report dated January 27, 2005
- D. Planning Commission Minutes, April 14, 2005

## Final Revised EIR

(available at the Community Development Department at 630 Garden Street,  
the Main Library at the corner of Anapamu and Anacapa Streets,  
and online at:

[www.santabarbaraca.gov/Resident/Environmental\\_Documents/Veronica\\_Meadows\\_Draft\\_Revised/](http://www.santabarbaraca.gov/Resident/Environmental_Documents/Veronica_Meadows_Draft_Revised/))



## Original EIR (2005)

(previously distributed to the Commission, and available at the Community Development Department at 630 Garden Street, and online at:

[www.santabarbaraca.gov/Resident/Environmental\\_Documents/Veronica\\_Meadows/](http://www.santabarbaraca.gov/Resident/Environmental_Documents/Veronica_Meadows/))





# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** January 27, 2005  
**AGENDA DATE:** February 3, 2005  
**PROJECT ADDRESS:** 900-1100 Las Positas Road (MST99-00608)  
Veronica Meadows Specific Plan  
**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
Jan Hubbell, AICP, Senior Planner  
Renee Brooke, AICP, Associate Planner

### **I. SUBJECT**

The purpose of the Planning Commission hearing is to discuss development options on the Veronica Meadows project site. This staff report provides background information and a discussion of issues and alternatives for potential development of the site, based on conclusions in the Final Environmental Impact Report (FEIR) and policy considerations for the project. We are requesting feedback from the Commission on these alternatives, with direction to the applicant about the potential for development of the various alternatives discussed.

### **II. PROJECT DESCRIPTION**

The proposed Veronica Meadows Specific Plan involves the annexation of approximately 50.5 acres of privately-owned land and a 5.89-acre City-owned parcel from an unincorporated portion of Santa Barbara County to the City. The project site is located in the Las Positas Valley, between Arroyo Burro Creek and Campanil Hill.

Approximately 14.8 acres would be divided into 24 residential lots and four open space areas adjacent to the development (Lots 25-28). A 35.7-acre parcel to the north would also be dedicated as open space. All open space areas within the Specific Plan boundary would be privately owned and maintained by the future homeowners' association.

As proposed, site access to all but two lots would be provided via a concrete bridge over Arroyo Burro Creek that would intersect with Las Positas Road. The bridge would be partially constructed over City-owned land, which would require the necessary permits to allow this improvement.

The project would provide a 100-foot buffer between the proposed residences and the top-of-bank of Arroyo Burro Creek. A portion of the private driveway and public loop road would be located within this setback area. A public pedestrian path is also proposed along the western edge of the creek, within 50 feet of the top of bank, to provide access from the end of Alan Road to the new bridge across Arroyo Burro Creek. The project includes habitat restoration along both banks of Arroyo Burro Creek, some of which would occur on a City-owned open space parcel, and would require City approval.

There are several active and dormant landslides on the western portion of the property that would be stabilized through the use of concrete caissons and earthen embankments placed at the toe of the landslide.

### **III. BACKGROUND**

Residential development of the 10-acre site has been considered and reviewed by the City since 1993 when the subject property was initiated for annexation. The current property owner purchased the property in 1999 and submitted an application for development of 36 residential lots in late 1999. In February 2000, the Planning Commission held a concept review of the proposal and initiated annexation of the 4.49-acre portion of the adjacent parcel to the west.

In May 2002, Staff advised the applicant that the 30-lot residential subdivision proposed at that time was inconsistent with City policies and, instead of beginning environmental review, Staff stated that we would proceed to the Planning Commission with a recommendation for denial of the project. In response, the applicant chose to revise the development proposal and continued to work with Staff towards an improved development. Numerous concept reviews by both the Architectural Board of Review and Planning Commission were held during the following year to discuss the appropriate site design and intensity of development for this property.

Staff deemed the current project proposal complete on July 25, 2003, and began the environmental review process. Through preparation of an Initial Study, Staff determined that an EIR would be required to fully evaluate the potential environmental impacts of the project. On October 21, 2004, the Planning Commission conducted an environmental hearing on the Draft EIR to receive comments on that document. Certification of the Final EIR for the project is the subject of a separate item on today's agenda.

### **IV. ISSUES**

As discussed in the Final EIR, the proposed project would result in the following three significant, unavoidable impacts for which there are no feasible mitigation measures or alternatives to avoid, or reduce them to less than significant levels, while still meeting the project objectives: 1) impacts to riparian habitat due to the proposed bridge; 2) contribution to cumulative traffic impacts on local intersections, and; 3) short-term construction truck noise impacts on Alan Road. Therefore, in order to approve the project as proposed, the Planning Commission would need to make a Statement of Overriding Considerations through consideration of the following, per CEQA Guidelines §15093:

*(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."*

*(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR*

*and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.*

In light of the above considerations, and the potential inability of the Commission to make the necessary Statement of Overriding Considerations, Staff has provided a discussion below of three scenarios to consider for the future of the project site.

**A. CURRENT PROJECT PROPOSAL**

Staff does not support the current project proposal (Exhibit A), due to its environmental effects outlined in the EIR and potential inconsistency with General Plan and Local Coastal Plan policies. Therefore, as proposed, Staff would recommend denial of the project at a subsequent Planning Commission hearing. This approach would give the applicant clear direction and a final decision on the project rather than further direction that may require major site design changes in order to be found consistent with City policies. Under this scenario, the proposed land development and associated open spaces, pedestrian trail, and creek restoration would not be implemented. Additionally, the proposed bridge would not be constructed, eliminating the proposed pedestrian and bicycle connection from Las Positas Road and Elings Park, through the site, to Cliff Drive and Arroyo Burro Beach. The project site would remain undeveloped and environmental conditions, property management, and activities on the property (unauthorized BMX and motorcycle use, hiking, dog walking, bird watching) would likely remain the same as today.

Under this scenario, the subject property would not be annexed to the City at this time. Although annexation of this area is envisioned in the General Plan, Staff would not support annexation without an associated development proposal that can be found consistent with City policies. While denial of the request to annex the property is one option, Staff requests that the Planning Commission fully explore other options at this time, including the two presented below.

**B. ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

The Final EIR identifies the Alternative Creek Setbacks alternative as the environmentally superior alternative. This alternative includes three setback scenarios. Staff prefers the scenario shown in Figure 4-4 of the FEIR (Exhibit B), which provides a 100-foot setback for all roads and structures from the adjusted top of bank; only the five-foot pedestrian path would be located within the buffer area. This alternative would reduce the magnitude of impacts on riparian resources, wildlife, aquatic habitats, and water quality in the Arroyo Burro Creek corridor. A wider buffer zone would provide greater distance and vegetation to filter the creek from the adverse impacts of residential land uses and would also provide greater assurance that a creek buffer zone would be present indefinitely, even after catastrophic flood events that could erode the creek banks and adjacent buffer zone.

This alternative would benefit the riparian resources, but it would still not fully mitigate the significant, unavoidable impact of the bridge. Overall, however, it is Staff's opinion that the bridge could be a supportable element in such a revised project. The bridge would provide enhanced pedestrian and bicycle circulation throughout the Las Positas Valley and, although not required by the Fire Department, would allow for a secondary means of access to and from

the area in the event of an emergency. Additionally, the enhanced pedestrian and bicycle access may encourage residents in the area to use alternative means of transportation to get to Elings Park and Arroyo Burro Beach. Under this scenario, the long-term cumulative traffic impacts associated with the project would remain, although slightly reduced, and the short-term noise impact in the Alan Road neighborhood would stay generally the same.

The number of residential lots under this alternative would be reduced from 24 to 18, which would reduce the level of nearly all adverse environmental impacts to some extent. This alternative also results in the loss of Lot 7, located near the middle of the site. Staff has concerns with the location of this lot due to its close proximity to the historic oak grove and the limited area for development as it is located in a "pinch point" area between the creek to the east and steep slopes to the west. With the elimination of Lot 7 and the reconfiguration of lots at the end of Alan Road, the proposed private driveway would also be eliminated from the project, reducing the amount of impervious road material and opening up the center of the site for additional open space. This, in effect, creates two areas of development on the site; a few homes located at the end of Alan Road designed to be compatible with that neighborhood, and the majority of homes accessed from a public loop road via the bridge across Arroyo Burro Creek. A ten-foot wide paved bike path could still be incorporated into the project, connecting the bridge to Alan Road and serving as an emergency access road for residents of either neighborhood.

The extent of creek restoration would likely be the same, even though some impacts may be reduced due to a smaller project, because it would be necessary to mitigate as much as possible the impact of the bridge, and may be required in order for the Commission to find the project consistent with City policies or to make a Statement of Overriding Considerations to approve the project.

Another issue to consider with this alternative is the potential to incorporate some affordable housing units within the development, or require payment of an in-lieu fee for future development of affordable housing elsewhere. This project is exempt from the requirements of the Inclusionary Housing Program (IHP) because the project was deemed complete prior to September 23, 2003. So, while the City could not require the provision of affordable units through application of the IHP in this case, the provision of such units in an amount similar to what would be required through the IHP could be required in order to make a Statement of Overriding Considerations to approve the project.

#### **C. RESIDENTIAL ESTATE DEVELOPMENT**

In order to eliminate two of the three significant, unavoidable impacts identified in the EIR, Staff is requesting feedback from the Commission on the potential for a six-unit residential estate development accessed solely from Alan Road. This scenario would eliminate the proposed bridge and associated impacts to riparian habitat, and cumulative traffic impacts at local intersections. The only significant, unavoidable impact that would remain would be the short-term construction traffic noise on Alan Road, which may increase with this alternative.

The Arroyo Burro Creek corridor was identified as an area for a pedestrian/equestrian trail in the Draft Las Positas Valley & Northside Pre-Annexation Study. As stated previously, the

removal of the proposed bridge across the creek would eliminate the enhanced pedestrian and bicycle access in the Las Positas Valley. While a narrower bridge for pedestrian and bicycle use only may be required in order to find the project consistent with Local Coastal Plan policies regarding public access, it may still have similar, although reduced, impacts to the riparian resources.

Although the potential location of the proposed estate homes has not yet been determined, the same general areas proposed for development under the current proposal would be considered. Due to the narrowness of the developable area in the middle of the project site, it is likely that the extended portion of Alan Road would be located within the 100-foot creek setback in order to access the homes in the interior of the property. It is not known whether this alternative would allow for a reduction in the amount of landslide stabilization work, but it may be possible to locate structures further from the steep hillsides due to the reduced number of residences.

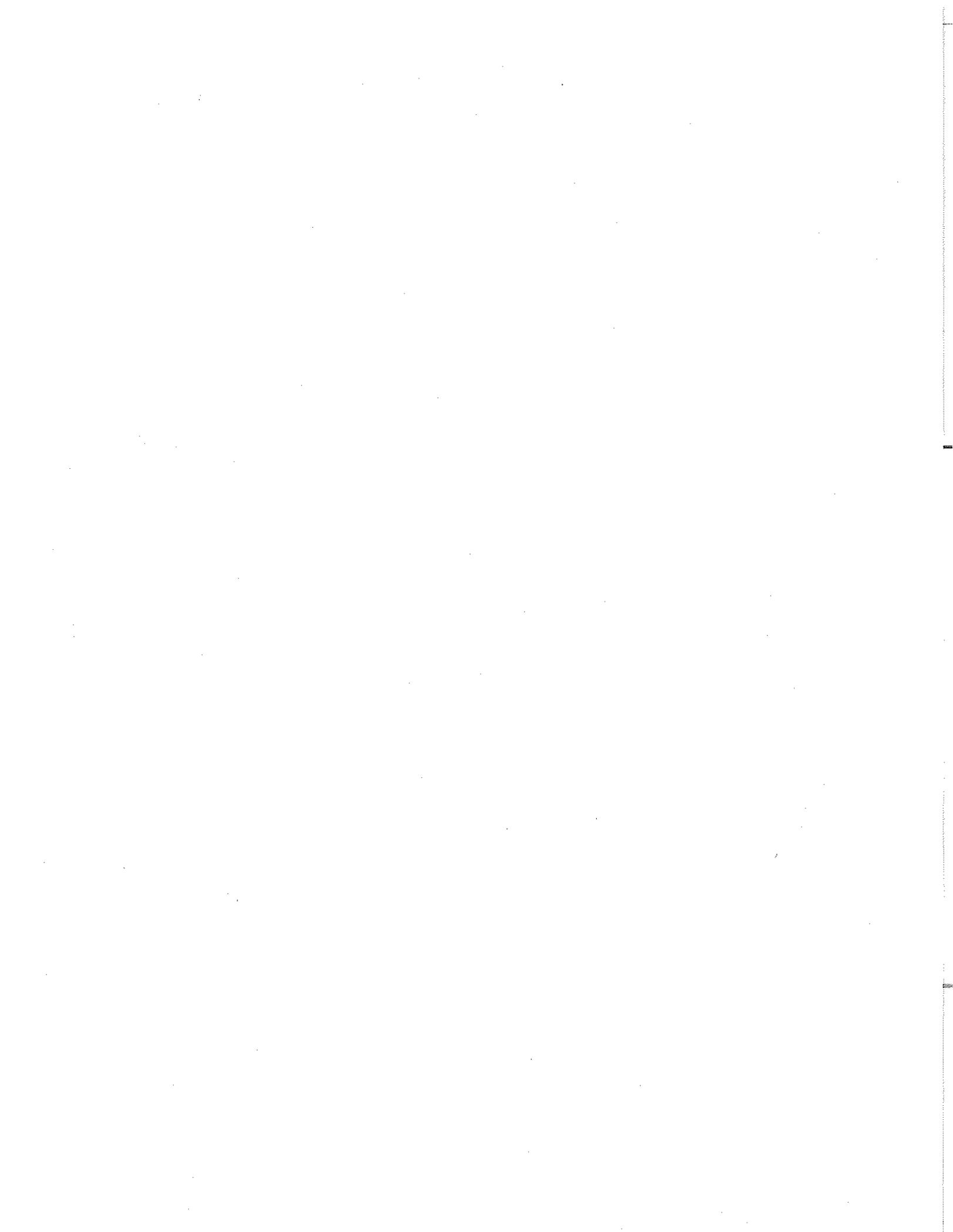
The number of residential lots under this alternative would be significantly reduced, which would reduce the level of nearly all adverse environmental impacts to some extent. Likewise, the extent of creek restoration may be reduced, unless additional restoration efforts would be required in order for the Commission to find the project consistent with City policies or to make a Statement of Overriding Considerations to approve the project. Also, a project of this size would be too small to require the development or funding of affordable housing.

## V. RECOMMENDATION

Staff recommends that the Commission consider the alternatives discussed above, receive public input, and provide clear direction to the applicant about the potential for development of the project site. When considering development alternatives, it is important to evaluate their potential consistency with City policy, while recognizing that a significant reduction in the number of lots may limit the applicant's ability to develop the project and provide privately-funded creek restoration.

### Exhibits:

- A. Figure 2-5 of the Final EIR - Proposed Project Layout
- B. Figure 4-4 of the Final EIR - 100-Foot Creek Setback (Adjusted Top of Bank)



At 6:13 p.m., the Planning Commission went on to address the Administrative Agenda.

**VII. DINNER BREAK:**

**ACTUAL TIME: 6:20 P.M.**

Chair Maguire recessed for dinner at 6:20 p.m.

Chair Maguire reconvened the meeting at 7:39 p.m.

Commissioner Jostes left the meeting during the dinner break.

**VIII. DISCUSSION ITEM:**

**ACTUAL TIME: 7:39 P.M.**

**APPLICATION OF PEAK LAS POSITAS PARTNERS, 900-1100 BLOCK OF LAS POSITAS ROAD (VERONICA MEADOWS SPECIFIC PLAN), APNs 047-010-016, 047-010-053 (A PORTION), 047-010-009, 047-010-011, AND 47-061-026; CURRENT COUNTY ZONING: 8-R-1 SINGLE-FAMILY RESIDENTIAL (8,000 SQ. FT. MIN. LOT SIZE), AND RR-20 RURAL RESIDENTIAL (20-ACRE MIN. LOT SIZE); CURRENT COUNTY COMPREHENSIVE PLAN DESIGNATION: RESIDENTIAL, 4.6 UNITS PER ACRE AND RESIDENTIAL RANCHETTE, ONE UNIT PER 20 ACRES (MST99-00608).**

The proposed project involves the annexation of approximately 50 acres to the City of Santa Barbara. Upon annexation, Assessor's Parcel Numbers (APNs) 047-010-009, 047-010-011, 047-010-016, 047-061-026 and a 4.49-acre portion of APN 047-010-053 are proposed to have various General Plan Land Use Designations, including Residential (Two Dwelling Units/Acre), Major Hillside, Open Space, Buffer/Stream, and Pedestrian/Equestrian Trail. The proposed Zoning designation for most of the property is SP-8/SD-3 [Specific Plan/Coastal Overlay Zone (for the portion within the Coastal Zone)].

The project also includes a Tentative Subdivision Map (TSM) to create 30 lots contingent upon the annexation of the subject properties. Twenty-four (24) of the proposed lots would contain single-family residences, four lots would be dedicated open space, one would be for the proposed public road, and one would be for the completion of the Alan Road cul-de-sac. The proposed residential lot sizes would range from 5,520 square feet (sq. ft.) to 14,140 sq. ft.

Site access would be provided via a concrete bridge that would cross over Arroyo Burro Creek and intersect with Las Positas Road. A traffic signal is proposed at this new intersection. The existing end of Alan Road would be improved with a cul-de-sac and two new homes would front on the new cul-de-sac. No through vehicular access from Alan Road is proposed by the applicant. A sidewalk is proposed along both sides of the new bridge and along one side of the new public road.

Approximately 97 trees would be removed, in addition to the native and non-native vegetation in the areas of proposed grading. The project includes a creek/riparian corridor restoration plan on both banks of Arroyo Burro Creek, oak tree protection plan, and landscaping associated with the new homes and open space areas. Two separate areas of creek bank repair are proposed east of proposed Lot 7.

The project provides a 100-foot buffer between the proposed residences and the top of bank of Arroyo Burro Creek, or edge of riparian corridor, whichever is greater. Development rights would be restricted within the first 50 feet of this area (closest to the creek); a portion of the proposed public road and private driveways would be located within the 100-foot creek setback. A five-foot public pedestrian path is proposed along the western edge of Arroyo Burro Creek, to provide access from the end of Alan Road to Las Positas Road, via the proposed bridge.

Cast-in-ground concrete caissons are proposed on-site to stabilize the hillside. Total estimated grading for the project improvements (homes, roads, etc.) would be approximately 13,459 cubic yards (c.y.) of cut and 10,390 c.y. of fill. Geologic stabilization of the hillside would result in approximately 61,500 c.y. of cut and 61,500 c.y. of fill.

Drainage would consist of underground storm drains, bioswale inlets, swales, and surface sheet flow. In two locations, storm drains would be constructed to daylight in Arroyo Burro Creek. Rock rip-rap would be placed at the terminus of the storm drains to diffuse project run-off discharged at these locations. The project would be served by Santa Barbara City water and sewer services.

**The purpose of this hearing is to discuss development options on the Veronica Meadows project site. While no formal action on the discretionary applications associated with the project will be taken at this hearing, the Planning Commission will discuss and comment on the proposed project and provide direction to Staff and the Applicant regarding the preferred site design. A separate hearing will be scheduled for the Planning Commission to consider certification of the Final Environmental Impact Report (EIR) and formal action on the requested discretionary applications.**

Renee Brooke, Associate Planner, gave an overview of this project.

Commissioners' comments and questions:

1. Stated that there has been some talk about a roundabout at Cliff/Los Positas intersection; where is the City with that process?
2. Asked what are the other mitigations; would the applicant be required to contribute to the Project Study Report for Highway 101 between Las Positas and Mission?
3. Asked if there is a project proposed on the parcel at the northwest corner of Cliff Drive and Las Positas Road.
4. Asked what sort of expectation is on this project because it has been around for a while now.

Rob Dayton, Supervising Transportation Planner, stated that a roundabout at Cliff Drive and Las Positas Road has been designed in concept and is mostly funded. He further explained how the traffic mitigation funding has been spread in the EIR.

Ms. Hubbell stated the owner of the parcel at Cliff and Las Positas has initiated annexation, but has not submitted a complete application. She stated that decisions on Mr. Lee's project are expected to be this year.

Mr. Lee, Applicant, addressed the Commission and noted that his team will give brief presentations.

Jeff Gorrell, Architect, addressed the Commission regarding the history of the development.

Dan Meade, Biologist, addressed the Commission regarding biological resources on the proposed project.

Mitchell Swanson, Fluvial Geomorphologist, addressed the Commission regarding the current condition of Arroyo Burro Creek, and provided a conceptual description of the proposed restoration.

Chair Maguire opened the public comment at 8:45 p.m.

The following people addressed the PC in support of the project:

Patricia Foley, Braemar Ranch Homeowners Association

Jan Abel

Sandy Rice

Diana Bull

Robert H. Uphoff

Jeff DeVine

Jo Wagner

Daniel McCarter

Don Rice

Gary Shumaker

Walter Knapp

Jeff Ruppert

The following people addressed the PC in opposition to the project:

Gordon Forbes

Laurie Moon, Veronica Springs Neighborhood Association

Naomi Kovacs, Citizens Planning Association

Eddie Harris, Santa Barbara Urban Creeks Council

Brian Trautwein, SCWA

The following people spoke to the PC expressing their concerns:

Lee Moldaver

Betty Shumaker

Public Hearing was closed.

Jeff Gorrell, Architect, responded to comments from the public regarding zoned open space, location of area bus stops, and stated the tributary from Campanil Hill will not be piped.

Chip Wullbrandt, Attorney for the applicant, addressed the Commission regarding the Coastal Zone boundary line and various comments from the public.

During the discussion, the Commissioners either individually or collectively:

1. Commissioner White stated that about 10 units are proposed to be built in the area zoned for 20 acres per dwelling unit. The question is, how do you put a viable project on this land? He would have a hard time changing the zoning in the RR-20 portion. We would be adding this property to the City. He does not want to hurt the City's resource base by annexing this open space and converting it to suburban use. With respect to the EIR, he feels that traffic has a much more adverse impact. The City has only made overriding considerations in a few instances (i.e., Fess Parker, maybe Paseo Nuevo, and Cottage Hospital), and does not feel this project meets this consideration. Expressed preference for a six unit project on the site because it would provide a cul-de-sac for Allen Road; would provide for the initial value, and some return for the developer. In conclusion, that becomes a defensible solution for this site. Feels up-zoning and traffic impacts would be bad for the City. While the efforts to restore the creek are laudable, the houses built too close to the creek are a problem. Feels there is no resolution to the Las Positas Road/101 problem, and, in addition, there is a safety issue regarding traffic.
2. Commissioner Mahan feels there is a lot to be said of the experience one has while traveling through the Las Positas Valley, and that it would continue even with the development as proposed. He feels that houses behind this greenbelt will not intrude on the view. The project will ensure 1800 feet of the health of this creek and involve a first class restoration effort. He feels the creek will not be ruined, and would like to approve this big project and get the creek done right as opposed to a small project and not get it done correctly. He is committed to Alan Road being closed, and feels the bridge will be an asset as a pedestrian connection. He stated a lot of money will have to be put into the roundabout, which will help mitigate traffic problems, and feels a big project is necessary to do the slope stabilization. He likes decentralizing the drainage and feels setbacks are reasonable with the 100 foot setback. If the road penetrates into it a little bit, he does not see a problem. He stated he is supportive of this project, and feels the project will fly with some adjustments if necessary.
3. Commissioner Myers agrees with Commissioner Mahan's comments, and most importantly, with respect to creek setbacks. He thanked the applicant for providing what was asked of them. He feels that the bridge and lights will help slow down traffic on Las Positas Road, and that this is a good step in the right direction and would like to see more happen, i.e., posting new speed limits. He does not feel that noise is a big issue, because at the present there is not a serene presence because of the noise coming from below the hill with motor bikes and feels construction noise will be minimal. Commissioner Myers supports the closure of Alan Road, supports this project and feels it will be nice, and the benefits of the project will be good for the community.

4. Commissioner Jacobs feels that a lot of time has been spent looking at the creek and the creek restoration and she would like to look at the valley. She noted the General Plan does not recognize the Las Positas Valley as a neighborhood. She feels that there is some recognition in the General Plan that dense development in this part of the City is not acceptable. She noted it is a very difficult area to develop because it is in a derelict state, and has geologic problems. Commissioner Jacobs feels the developer is giving the property the attention it deserves. She is in favor of something gentle and not intense; supports the residential estates option because the current project would be noticeable from the street, and is not in favor of the bridge. Possibly a lightweight, wooden bridge for bikes and pedestrians, following the footpath to the park would be acceptable. She feels ten or twelve houses seem reasonable. Lastly, considering the balancing act between benefits and the negatives of the project, she wonders why affordable housing has not been proposed for this project.
5. Commissioner Larson stated that she hates arundo, and feels it has no place in any creek. She noted there is a lot of it along Las Positas Road, and it should all be taken away. She thinks of this project in terms of how to get fewer cars on Las Positas, and the best way is creating a pedestrian and bicycle corridor there. She feels they have to think about the roundabout and pedestrian routing and how it will interact. She supports the closure of Alan Road. As for setbacks, she is concerned about the creek, but feels a need to be aware of the whole impact of the auto on the creek. She is in favor of a greater setback, maybe not 100 feet, but 75 feet, which is what Mr. Lee is proposing anyway and would like to see permeable paving and minimal hardscape footprints. She would like to see fewer houses; and is happy to not see a gated community.
6. Chair Maguire agrees with Commissioner Mahan. He feels there are serious traffic problems around the area of Las Positas Road and Hwy 101. He feels it is a cumulative traffic impact, and a tricky problem. The City is in the first stages of addressing that and projects like these contribute to the solution, and every effort to speed the traffic solutions along should be made. This is a project paying a disproportionate amount of money for a traffic mitigation fee for its size and will be contributing to an intersection that is the result of a larger problem. He feels he cannot support this project without a bridge and is in favor of a cul-de-sac at Alan Road. He would like to take advantage of this connection; it rises to a very high level in that you can walk on one bridge and connect with two neighborhoods. He is supportive of this project and feels as a Commissioner this gives him an opportunity to incorporate people into the creeks, as he does not feel that keeping people from the creeks in Santa Barbara is why people voted for Measure B.
7. Commissioner White had forgotten in his comments that he would like to see the cross sections and technical work that goes into determining the top of bank and proposed setbacks. He noted that the 316 West Ortega Street project had the best graphics in that regard and would like to have that provided to the Commission as this project goes forward.
8. Chair Maguire agreed and also requested a copy of the presentation made by the applicant.

Ms. Hubbell answered some of the Commission's questions.

Mr. Lee thanked the Commission for all of their comments and input, and stated he feels they received great input.

