



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

June 9, 2005

CALL TO ORDER:

Chair Jonathan Maguire called the meeting to order at 1:03 p.m.

ROLL CALL:

Present:

Vice-Chair John Jostes

Commissioners, Stella Larson, Bill Mahan, George C. Myers, and Chair Jonathan Maguire

Absent:

Commissioner Harwood A. White Jr.

STAFF PRESENT:

Jan Hubbell, Senior Planner

Allison De Busk, Associate Planner

Debra Andaloro, Project Planner

Susan Reardon, Project Planner

John Ledbetter, Principal Planner

Trish Allen, Associate Planner

Victoria Greene, Project Planner

Barbara Shelton, Environmental Analyst

Marisela G. Salinas, Associate Planner

N. Scott Vincent, Assistant City Attorney

Liz N. Ruiz, Planning Commission Secretary

II. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

Senior Planner Jan Hubbell announced there were none.

- B. Announcements and appeals.

There were none.

C. Comments from members of the public pertaining to items not on this agenda.

No one wished to speak.

III. CONSENT ITEM:

ACTUAL TIME: 1:03 P.M.

APPLICATION OF ISAAC ROMERO, AGENT FOR SUN PARTNERS, LLC (PROPERTY OWNER), 1827 DE LA VINA STREET, APN: 027-021-010, R-4 HOTEL-MOTEL-MULTIPLE RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL – 12 UNITS PER ACRE (MST2004-00827)

The proposed project involves the conversion of a triplex currently under construction into three attached condominium units. Six garage parking stalls in garages would serve as the required parking. A Modification is requested to reduce the minimum dimension of the required outdoor living space for Unit A from 10 feet to 6 feet, 8 inches. The discretionary applications required for this project are:

1. Modification of the outdoor living space requirements for Unit A (SBMC §28.21.081);
2. Tentative Subdivision Map for a one-lot subdivision for three (3) residential condominium units (SBMC §27.07 and 27.13); and
3. Condominium Conversion Permit to convert three (3) residential units to three (3) condominium units (SBMC §28.88).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15315 (minor land divisions) and Section 15303 (conversion of small structures).

With no one wishing to speak, the public hearing was opened and closed at 1:04 p.m.

MOTION: Mahan/Jostes To waive the presentation of the staff report.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Jacobs & White)

Commissioners' comments and questions:

1. Several Commissioners stated that they are in support of the modification request.
2. One Commissioner asked if it would be necessary for the project to go through the Staff Hearing Officer, and does not support the modification for that reason. The project overwhelms the site and there is no delineated pedestrian connection between the sidewalk and the units in the back.

3. A delineated pedestrian pathway was requested separate from the driveway from each unit to the sidewalk, which the Commissioners agreed to include in the motion.

Commissioner Jacobs arrived at 1:10 p.m., and took her seat at the dais.

Joe Campanelli, Owner, addressed the Planning Commission.

MOTION: Mahan/Myers

Assigned Resolution No. 043-05

Make the necessary findings and approve the modification, tentative subdivision map and condominium conversion permit with the conditions of approval outlined in the staff report and add a condition requiring a separate pedestrian path from each unit to the sidewalk.

This motion carried by the following vote:

Ayes: 5 Noes: 1 (Maguire) Abstain: 0 Absent: 1 (White)

Chair Maguire announced the ten calendar day appeal period.

IV. DISCUSSION ITEMS:

ACTUAL TIME: 1:14 P.M.

A. GENERAL PLAN UPDATE 2030 – NOISE AND AIR QUALITY CONDITIONS, TRENDS, AND ISSUES REPORTS (MST 2005-00002)

Planning Staff, with the assistance of Staff from the Air Pollution Control District, will present Conditions, Trends and Issues Reports for Noise and Air Quality. This presentation is the sixth in a series of baseline reports being prepared for the General Plan Update (GPU) 2030 process. The Planning Commission will be asked to review and comment on these reports.

With no one wishing to speak the public hearing was opened and closed at 1:14 p.m.

Debra Andaloro, Project Planner, gave a brief presentation regarding air quality and noise.

Ron Tan, Planning Technology Supervisor, Air Pollution Control District, provided a brief overview of air quality.

Vijaya Jammalamadaka, Principal Transportation and Land Use Planner, Air Pollution Control District, commented on the baseline for GPU and issues for consideration. The three types of pollutants that cause most concern in Santa Barbara include: Ground level ozone (reactive organic gases, oxides of nitrogen); fugitive dust and fine particulate matter, lastly air toxics. Of all toxic airborne contaminants, diesel toxics are the number one airborne carcinogen in California. The APCD would like to see a proactive approach relative to nuisance odors in the GPU. Energy consumption is a regional air quality issue. The APCD works together with the City to maintain and

enhance air quality to attain State ozone standards, and reduce cancer risks from diesel exhaust. APCD is also working to require stricter emission standards for marine shipping.

Commissioner White arrived at 1:44 p.m.

Commissioners' comments and questions:

Air Quality:

1. Asked if aircraft emissions are considered in air quality planning.
2. Asked if there is natural gas production in the channel and who regulates it.
3. Asked about composting site and recycling center and how they are monitored.
4. Stated that City Parks staff has created pesticide free guidelines and asks if in the City, pesticide use in parks is a problem or being addressed by the Air Pollution Control District.
5. Asked if the monitoring station on Carrillo and Chapala Streets is still in use.
6. Curious as to what modeling can be done on PM10 and CO2 along transportation corridors.
7. Asks how to get a handle on transit-oriented mixed/use development and wonders if the Commission is doing the right thing exposing more residents to air pollution.
8. Assumes standards are aggregate and the measurements are aggregated numbers. Asked if there are areas where collection is worse than others due to geography, such as the Riviera.
9. Asked how natural pollutants are a factor in the overall picture.
10. Concerned with traffic corridors and asked what real measurement has been taken.
11. Commented that it would be helpful to have maps with contours of pollution for the General Plan Update. Asked if it is possible to generate maps, such as those that are done for noise contours.
12. Asked if it would be possible when looking at a project requiring an EIR near the freeway, if the Commission could ask that testing be set up and a contour map of pollution sources and impacts be provided.
13. Asked if oil rigs have diesel generators and with the potential for more oil rigs, if it is possible in the permitting process to mitigate the diesel exhausts. Asked when big projects are reviewed, such as Cottage Hospital, that have diesel generators, would natural gas be less polluting than diesel gas. Asked for follow-up on construction projects that involve diesel vehicles.
14. Struggled in the past removing eucalyptus trees from projects and now has learned that their removal will mitigate other sources of pollution. Feels this should be kept in mind for projects.
15. Asked if specific information from existing and past monitoring stations could be provided for the Conditions, Trends and Issues Report, instead of for the whole County. Whatever local information is available would be useful in this report.
16. Recalls a Public Works staff report around 2002-3 that did some analysis that showed what people's commute times, commute means, etc. Feels that type of information would be useful to have here.
17. Concerned about discussion from the APCD citing different land uses and asked for some specifics when referring to "500 feet from highway 101"; encompasses large percentage of people who live in the city and it not going to be rezoned. Asked about the reasoning.

18. Asked about odors and what is being referred to.
19. Asked staff if odor issues can be revisited again. Feels this type of issue needs an ordinance i.e., odor ordinance.
20. Stated that APCD had mentioned they needed help controlling emissions from vessels; asked how the Commission could help.
21. When first looking at issues and trends, expressed concern about the continuing jobs/housing imbalance and the impact on day to day environment; would like to see continued emphasis on discussion of planning to address the concern, primarily through transportation, regional rail, and planning for attractive transportation hubs, and use of solar energy. Would like to include a goal to reduce the use of fossil fuels. Urges Commission to support reducing off-shore shipping emissions.
22. Feels that wild fire is an unquantified, but known, source of air pollution; asks that it be mentioned somewhere in the text. Should also discuss the benefits of controlled burns and other fire management tools over wild fire.
23. When looking at building materials, expressed concern about the introduction of artificial materials into what is being built (i.e., vinyl windows, Styrofoam, moldings, etc.); asked if there is a public health risk over and above the smoke and byproducts of fire from these artificial materials.

Mr. Tan addressed the Planning Commission. Aircraft emissions are included when doing Air Quality Planning, but trains, planes and boats are out of APCD jurisdiction; ground and on-shore facilities are subject to APCD review. Offshore oil and gas facilities are regulated by the APCD. APCD has no authority over pesticides. Where pollution is found may not necessarily be where sources of pollution are; depends a lot on meteorology and topography. There are some models that attempt to look at air pollution effects along transit corridors, but they are not very accurate. Known areas of higher air pollution concentrations include Las Flores Canyon and Paradise Road. Difficult to do air pollution contours. APCD has no data on oil seeps, but there is some emission data on vegetation. Acknowledged that wild fires are an air pollution problem. Carbon monoxide emissions tend to be a localized problem. The County has met the carbon monoxide emission standard since 1988, mostly because car emission requirements are strict. Odors are generally the biggest concerns for people who live or work adjacent to places with ovens, coffee roasters, wood-burning ovens and others, mostly due to the fact they are there for three to six hours or more. Mr. Tan asks for City's involvement in supporting pending legislation in reducing emissions from vessels and will keep City apprised on when that is appropriate. APCD does have regulations that allow for and encourage prescribed burns. Wild fires are not a long-term health risk and short-term risks are small.

Both Ms. Hubbell and Ms. Andaloro answered questions of the commissioners. Ms. Hubbell suggested that when looking at specific developments that include things like a coffee roaster, a wood burning oven, deep fryer, etc., they include a control filter to reduce odor and smoke as part of equipment requirement.

Ms. Jammalamadaka, noted that health risk is reduced by 80% when sensitive receptors are 500 feet away from freeways. Health risk assessments can be done for individual projects.

Noise:

Susan Reardon, Project Planner presented the Noise Conditions, Trends and Issues Report.

Commissioners' comments and questions:

1. Asked how to manage commercial/amplified events in parks. Suggested looking at how County Bowl is regulated in terms of event end times, mike monitoring stations, and maybe apply those regulations to other regional parks. Feels that noise level in commercial and amplified events in parks located in residential areas should be managed/reduced.
2. Suggested utilizing traffic calming measures to reduce noise generated by road traffic.
3. Asked what the current significance threshold for noise is and stated a percentage or numerical guideline. A quantifiable number is recommended.
4. Regarding construction noise and construction hours, they suggested exploring two sets of standards, one for residential zones and one for commercial projects that are not adjacent to residential uses. Could support different construction noise standards for downtown area with no adjacent residential uses.
5. Recognized that the focus for housing now is in downtown. The General Plan Update needs to look at the commercial area of downtown as a different kind of area where residential private outdoor space may not be needed. Need to take a fresh look at thresholds and other options for outdoor areas for residential units in downtown area.
6. Stated a need to better refine noise contour maps and take topographic changes into account. Suggested noise levels in individual neighborhoods.
7. Stated noise in Central Business District and along transportation corridors needs to be recognized and accepted. It is not possible to mitigate every noise.
8. With respect to parks, feels there needs to be a distinction between generation of noise and exposure to noise in the noise level guidelines.
9. Would like to see enforcement for loud motorcycles. During 101 Operational Improvement Project, discussion was held on paving materials; materials exist that reduce noise and perhaps City could look at paving materials and paving techniques to bring down noise.
10. Stated that the Commission should look at noise guidelines embodied in a new noise element that would be based on the zone or neighborhood in which a project is located in.

Ms. Reardon, Ms. Andaloro, and Ms. Hubbell all addressed the Commissioners' questions listed above. Ms. Hubbell stated that City has a tighter noise threshold for residential development than other cities. We use 60 decibels, whereas most cities use 65 decibels.

ACTUAL TIME: 2:48 P.M.

B. APPLICATION OF DAVE TABOR, AGENT FOR CASA ESPERANZA, PROPERTY OWNER, 816 CACIQUE STREET & 110 SOUTH QUARANTINA STREET, APNs 017-240-021 & 017-240-034, M-1, LIGHT MANUFACTURING, C-2, GENERAL COMMERCE AND S-D-3, COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: INDUSTRIAL (MST99-00432)

The Planning Commission reviewed and approved amendments to the Conditional Use Permit, the Parking Modification, and the Coastal Development Permit for Casa Esperanza to increase the parking spaces and clarify the program elements on November 18, 2004. The Commission requested that Casa Esperanza return within six months to provide a progress report to address condition compliance, followed by an annual report. A subsequent progress report will be scheduled every two years hereafter, although the Commission may require interim reports as necessary.

Trish Allen, Associate Planner, gave a brief presentation of the project.

Rob Pearson, Casa Esperanza Board of Directors, addressed the Planning Commission

Commissioners' comments and questions:

1. Asked for definition of increase in staff; who they are, what they do, why they are needed.

Roger Heroux, Interim Executive Director, stated that a Physician Assistant addresses higher quality of medical care for patients who have no transportation to County clinics. Volunteers increase on that day, too.

The public hearing was opened at 2:57 p.m., and the following person spoke about the project in general:

Bob Ludwick, Milpas Action Task Force.

With no one else wishing to speak, the public hearing was closed at 3:04 p.m.

Commissioners' comments and questions:

1. Would like to see a more comparative method of citing statistics; for example; how many complaints were there in 2004 vs. 2005. There should be more year-to-year data. Prefers more reporting rather than less.
2. Appreciates efforts of Casa Esperanza; asks if there is a distinction between outreach and public awareness and what is being done about more outreach into general area. Asks if where number of fifteen citations comes from for defining chronic offender.
3. Supports increase of additional staff; would like to see effort in addressing restrooms and correlation of problems happening at the tennis facility and Casa Esperanza.
4. Asked staff if homelessness has been discussed in the General Plan. Feels that those in the Milpas Action Task Force know what the problems are and need to come back with solutions to the problems; bring input to Planning Commission to move toward solutions.
5. Agrees with other Commissioners and feels that the additional employees substantially conform with the intent of the Conditional Use Permit. Has reservations about abbreviating annual reporting process; feels it is a good checkpoint in time.
6. Cites example of the secondary impact when a bar owner is held liable for behavior of intoxicated client who goes on to harm a person or property; wonders if the non-profit would have similar legal exposure if a customer hurts another person's property or well-being.

7. Feels continued in-depth reporting is very helpful. The shelter has gone from small to something larger and PC is in the reverse planning process of trying to see effects and impacts with eye toward making it right for neighbors and businesses in area. In Conditional Use Permit resolution, states a phone number should be issued to local businesses so that they can be in contact with Casa Esperanza; asked if this has been done, if a log is kept, and if that number can be posted somewhere.
8. Feels there has to be public access to a bathroom provided for clients who cannot use Casa's bathrooms.
9. Feels the geographic information is enlightening and that perhaps other communities are under serving the homeless and could be lobbied to address the homeless, too.
10. Asks if outreach includes shopping centers; asks if regional approach by County, then perhaps other cities should participate. We should know about County's plan.
11. Agrees with Commissioner Jostes and feels annual reports will continue for years to come and thinks they are very valuable. Feels if we had specific recommendations from the Milpas Action Task Force, they would be well received; would like more information on police activity and offer a description of what happens to a person who is turned away. Would like annual report to include a breakdown on clients as to how they heard about Casa Esperanza and why they are there. Feels that if it was known that there are public restrooms available twenty four hours a day at a particular location, could be problematic.
12. Asked staff if there is a State office that deals with homelessness.

Mr. Vincent stated that there is difference between Commissioner Jacob's analogies; the bar is the party in control of intoxicating agent; the situation with Casa Esperanza is different in that they do not serve alcohol and are not in control of the intoxicating agent. As far as Casa Esperanza's responsibility for actions of clients removed from facility; the practice is to contact police when they eject the party; does not see the same parallel as a bartender.

Roger Heroux spoke before the Planning Commission about outreach, including trash clean-up. With regard to use of restrooms, stated that building is closed at 7:30 pm and clients are locked in for the evening; hence only individuals that are at the shelter at that time have access to the restrooms.

Ms. Hubbell stated that the City is very involved on a regional level with the County and other cities in dealing with homeless issue; curious about having geographical data that shows comparisons to other shelters on State and National level.

Mr. Ludwig, once again addressed the Planning Commission and defined the make-up of the Milpas Action Task Force and feels it is inappropriate for the Planning Commission to ask that the Milpas Action Task Force to come before them with solutions as they serve as a reporting function for the City. He has no issue with the parking and wonders what staff is available at night. Suggest City urge, as a condition, that they use their other lot for parking to free up on-street parking for local businesses.

Ms. Hubbell reviewed reporting process condition of Milpas Action Task Force and stated that the Task Force is required to submit recommendations on how to improve operations to reduce neighborhood impacts.

The Planning Commission is all in favor of additional staff as being in substantial conformance and would like an interim report next year as opposed to waiting two years.

Chair Maguire recessed at 3:55 p.m., and stepped down for the next item to avoid the appearance of a conflict of interest.

Vice-Chair Jostes reconvened at 4:05 p.m.

V. NEW ITEMS

ACTUAL TIME: 4:05 P.M.

A. APPLICATION OF GARCIA ARCHITECTS, INC., AGENT FOR SAN PASCUAL COTTAGES, INC., PROPERTY OWNERS, 1822 SAN PASCUAL STREET, APN 043-163-013, R-3 LIMITED MULTIPLE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE (MST2004-00546)

The proposed project involves demolition of an existing single family residence, an unpermitted unit, garage and shed, and the construction of seven new residential condominiums with twelve covered and two uncovered parking spaces. Units would range in size from 980 to 1,930 square feet. Fourteen parking spaces would be provided. Access would be provided by a driveway off of San Pascual Street.

The discretionary application required for this project is approval of a Tentative Subdivision Map pursuant to SBMC §27.07.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15332, which provides for in-fill development projects in urban areas where it is determined that there will be no significant effects.

Victoria Greene, Project Planner, gave a brief presentation of the project.

Commissioners' comments and questions:

1. Wondered about new overhanging garage roof over landscaping easement and asked if a landscape easement restricts the overhang of a roof.
2. Asked for a point of clarification on page 5 and wonders if something is missing on page 6; both pages are provided, just not in right spot.

Gil Garcia, Architect, gave the applicant presentation.

Mr. Vincent stated he could not answer the question regarding the roof overhang because he has not seen the easement agreement; it is a private agreement between the property owners. Recommend that the City not get involved with determining the private property interests between the parties. In general the PC should consider whether the design represents sound community planning.

Mr. Garcia, Garcia Architects, addressed the Planning Commission stating that the neighborhood is predominantly a single-family neighborhood; however larger lots in that neighborhood allow for more density. Responded to trash placement on site; concerned with elimination of easement from lot area calculation and defacto subdivision issue.

Wayne Fitch, Penfield Engineers, addressed the Planning Commission on grading issues and the slope drainage to San Pasqual.

The public hearing was opened at 4:33 p.m., and the following people spoke in opposition to the project:

Martha Cody-Valdez, neighbor
Vernon Schalbert
Kay Condron, neighbor
Tony Fischer, representing Carolyn Rice, a neighbor
Carolyn Rice, neighbor and owner of driveway easement
Susan Edelmann, neighbor
Charlotte H. Allen, neighbor
Rodney Edwards, neighbor
Tim LaDouce, neighbor

The following person spoke in favor of the project:

William D. Costigan, neighbor

With no one else wishing to speak, the public hearing was closed at 5:01 p.m.

The Commissioners made the following comments:

1. Appreciates neighborhood input. Feels project is large, dense, and not ready to leave ABR's review yet. Feels that it should be continued; returned to ABR, scaled down, and worked out with neighbors. Feels pressure to provide housing, but feels that housing solutions should be livable.
2. Asked if ABR had seen the excellent story poles or have a chance to go by and see them; commend applicant on the changes he has made thus far, however, cannot make findings today for tentative subdivision map due to volume still too overbearing for neighborhood. Inclined to agree to continue this; would like to see, under conditions of approval. a CC&R regarding graffiti; would also like gate to access railroad side of sound wall, placement of trash enclosure, and reduction of one unit to allow cars visibility when entering street and provide for space for kids to play; suggested eliminating unit #7.

3. Feels the design of the project is truly overbearing; everything else already said.
4. Agrees with comments made; wonders if the 250 sq ft dedicated to an easement would make a difference in unit count if it were not counted in the density by dropping at least 200 sq ft. Feels that seven units could fit on property, but smaller size units. This project is mid-block; asks how to fit this project in a dense area. Supportive of a multi-family project and feels it should come back to the Planning Commission instead of ABR.
5. In R-3 zone there will be increased density; agrees this project can be more sensitive to the neighborhood. Stated that the Commission does not have authority to protect private views; recognizes that view corridors help to mitigate effects, so cantilevers need to be minimized so as not to hurt the view corridor; good engineering policy for drainage; need to set sound wall in from property line. Address retention of water; would like to hear more about how sump pump water discharge will be handled. Asked for removal of bedroom from front unit. Feels front yard setback could be bigger and that it would address neighborhood compatibility.
6. Feels if this is continued and changes are made this project can be approved.
7. Feels need for attention to on-street parking demands.

MOTION: Jacobs/Mahan Move to continue to July 21, 2005 at 9:00 a.m. asking applicant to work on reducing apparent volume, neighborhood compatibility, front yard setback, working with the neighbors especially those adjacent to the property on fencing materials and landscape, and maintenance of wall included as part of project.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Maguire)

THIS ITEM IS BEING CONTINUED

B. APPLICATION OF BRIAN CEARNAL (ARCHITECT), AGENT FOR HOWE PROPERTIES, 202 STATE STREET, APN: 033-051-018, HRC-2/S-D-3 HOTEL AND RELATED COMMERCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: HOTEL AND RELATED COMMERCE II (MST2003-00890) (CDP2005-00006)

The proposed project consists of a 900 square foot addition to an existing 3,450 square foot restaurant (Paoli's) located in a mixed-use building at the northeasterly corner of State and Yanonali Streets. The project also includes reconfiguring the parking lot (1 net new stall), constructing a new trash enclosure and terminating the existing easement agreement for shared parking and access with the adjacent parcel. The discretionary applications required for this project are:

1. A Modification to reduce the required front yard setback (SBMC§28.22.060) and
2. A Coastal Development Permit for development in the non-appealable jurisdiction of the Coastal Zone (SBMC§28.45.009).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301, Existing Facilities.

VI. DISCUSSION ITEM:

ACTUAL TIME: 5:30 P.M.

101 IN MOTION DISCUSSION AND RECOMMENDATION

Staff from the Santa Barbara County Association of Governments (SBCAG) will provide a progress report on the remaining four 101 In Motion alternative transportation improvement packages for the Highway 101 Corridor in south Santa Barbara County.

Case Planner: John Ledbetter, Principal Planner

Email: jledbetter@SantaBarbaraCA.gov

Mr. Gregg Hart, Public Information and Government Affairs Coordinator for SBCAG, gave a presentation of this recommendation.

Commissioners' comments and questions:

1. With regard to Measure D, need to change the public's perception. Time lost to commuting cannot be regained. Public transportation gives us back that time – an investment in yourself. We need to invest in our time and in public transportation; will study issue more to understand funding.
2. Asked if the option with the toll roads and \$5-600 million price tag, is it offset by toll revenue, or is it the price with no offset. Asked if toll revenue would then subsidize the road.
3. Feels this type of transportation is vital not only for air quality, but that we need to include subsidies. Liked Option B, although very expensive; suggested marketing needs to happen and partnering with like-minded organizations, such as Coastal Housing Partnership. We actually do have people who are commuting by rail from Ventura to Goleta; would like to know what makes it worth their while. Can subsidy or incentive like free rider miles increase users; can we work with employers for flexibility.
4. In the interest of time just wants to say good job, remarkable progress made on a hard and complex project.
5. Asked why commuter rail package that includes two trains, costs one million dollar's and achieves some level of traffic amelioration in the year 2030 does not look at three or more trains.
6. Project solutions include freeway construction that this area has never seen; asked if projections include the increased freeway congestion during the construction period.
7. Asked if reauthorizing Measure D will be an adequate source of funding to address transportation problems; asked if there is potential for doing it for more than 25 years.
8. Commented on the analysis of what happens to area north of Milpas when only area south of Milpas is widened. The same problem will happen on local interchanges and intersections regardless if freeway is widened; asked if 101 in Motion will address any problems that the local municipality will be faced with as greater number of vehicles enter local interchanges

and intersections. Feels strongly that City of Santa Barbara needs to get workers from outside of City to and from work without driving their cars.

9. Asked if there was any idea of how the 16,000 people commuting from Ventura are distributed into the community and where they are headed (ie, downtown, UCSB, Research Park). Have to recognize once people get off train they need to be reasonably close to work. Asked if thought is being given to commuters from Buellton and Lompoc.
10. When looking at SBCAG, asks if Ventura pitches in, too, since they are also part of problem.
11. Appreciates hearing tolls are on the table; feels funding sources are needed and that we are not investing in ourselves enough for the long term. Asked how much gridlock affects rail use.
12. Evident that the next step is a massive marketing effort; information and knowledge are needed to disseminate to public and that calls for some creative way of selling Measure D long before people have to make a decision on it. Feels the logistics of a toll road are a challenge and will need to be well thought out and the public educated. Use of polling is a magnificent marketing tool. Asked if the dollars being looked at today are in current dollars.
13. Need an aggressive Measure D.

Mr. Hart addressed commissioners' questions; stated that, with the introduction of hybrid and other fuel efficient cars, gas revenue is decreasing; the Highway Transportation Fund envisions a deficit in ten years; and why Measure D is a significant source of transportation revenue that needs to be renewed. Rail transportation into North County is not a viable option. Another benefit of Measure D is that, with a local reliable revenue stream, bonds can be used ahead of receipt of revenue stream and projects can be constructed without having to wait for 30 years for revenue to be generated.

Chair Maguire recessed the meeting at 6:34 p.m.

VII. DINNER BREAK

ACTUAL TIME: 6:34 P.M.

The meeting was reconvened at 7:43 p.m.

VIII. ENVIRONMENTAL HEARING:

ACTUAL TIME: 7:43 P.M.

INTENT TO ADOPT DRAFT MITIGATED NEGATIVE DECLARATION - MST1999-00714; MST99-00513; MST98-00706; MST2003-00652; & MST1999-01043

PROJECT DESCRIPTION: The project consists of five inter-related applications located at the end of the lower portion of La Vista del Oceano Drive (which is currently unimproved), centrally located in that neighborhood. The affected project site totals approximately an acre and a half with the individual residential lots averaging approximately 13,700 square feet. Four of the vacant lots

are proposed for development with new residences and associated improvements: 1568 La Vista del Oceano Dr. (035-180-085); 1570 La Vista del Oceano Dr. (035-180-084); 1575 La Vista del Oceano Dr. (035-170-023 & -022); and 1576 La Vista del Oceano Dr. (035-180-058). The upper three lots (1568, 1570 and 1576 La Vista del Oceano Dr.) would be accessed from a private driveway that comes off of La Vista del Oceano Drive. Each site proposes a single-family residence with two covered parking spaces (ranging from approximately 2,700 to 3,900 square feet) and one uncovered guest space. Estimated grading for the homes and roadway would consist of approximately 3,427 cubic yards of cut and 3,076 cu. yds. of fill outside the main building footprints and 1,543 cu. yds. of cut and 5 cu. yds. of fill within the building footprints. The proposal includes raising the La Vista del Oceano Drive road bed a maximum of 8 feet (where the unimproved roadway abuts this project) and completing the connection from Ricardo Avenue to the lower paved portion of La Vista del Oceano Drive. Due to topographical constraints, the raising of the road bed and a shared driveway for the upper lots, numerous retaining walls (which vary in height) will be required for this project. These tallest retaining walls would be approximately 11 feet tall, although most would be less than 6 feet. Additionally, guard rails/fences will be required in certain areas for safety purposes. Overall construction time for the proposal would be approximately 14 months.

DRAFT ENVIRONMENTAL DOCUMENT: An Initial Study and Draft Mitigated Negative Declaration that evaluate environmental effects of the project have been prepared and are available for review and comment. The analysis identifies potentially significant but mitigable environmental effects in the following issue areas: geophysical conditions, hazards, noise (short term), and water environment. Also evaluated in the document as less than significant impacts are aesthetics, air quality, biological resources, cultural resources, hazards, noise, population and housing, public services, recreation, transportation/circulation, and water environment issues. Mitigation measures are identified to reduce potentially significant impacts to insignificant levels, and to minimize less than significant impacts.

DOCUMENT AVAILABILITY: The Draft Mitigated Negative Declaration is available for review at the Planning Division, 630 Garden Street between 8:30 a.m. to noon and 1:00 p.m. to 4:30 p.m., and at the Public Library at 40 E. Anapamu Street during hours of operation.

STORY POLES: Story poles to assist in visualizing the project dimensions will be placed on the site from Thursday, June 2, 2005 to Thursday, June 16, 2005, 4:30 p.m.

Barbara Shelton, Environmental Analyst, gave a review of the purpose of the hearing, indicating that no action will be taken tonight.

Marisela G. Salinas, Associate Planner, gave a brief presentation of the project.

David Geyer, Stakeholder, addressed the Planning Commission.

Bob Goda, Penfield and Smith, addressed the Planning Commission.

Kevin Conner, Engineer, Penfield and Smith spoke about drainage for the project.

Commissioners' comments and questions:

1. Stated that it looks like the contours indicate that water will still come across to the other side of the road. Is this true? A new curb and gutter will be put on the opposite side of the road.
2. Asked whether drainage from properties above the project site would be intercepted.
3. Concerned that the drainage needs to be properly addressed at the bottom of La Vista del Oceano Drive.
4. Asked staff if the road width is 16 feet. Asked what the Fire Department's comments were regarding the road width, and if the Fire Department has different standards.
5. Asked if parking was allowed on Ricardo Street and if there will be "No Parking" signs designated on the new road.
6. Stated that it is not clear that upon the completion of the road there will not be an increase in traffic, and whether the Rogers Tract development will also have an impact. This should be addressed.
7. Requested more discussion on aesthetics, particularly the project sites' visibility from Cliff Drive and Mesa Park. There is a proposal to remove the eucalyptus trees near Mesa Park, which will make the project site more visible.
8. Stated that numerous studies were done on various design options. Architectural Board of Review members met with the applicants and discussed putting garages on the street among other possibilities. All were turned down because of major design flaws.
9. Expressed concerns about the amount of useable open yard available on each site and asked whether the open yards complied with the Zoning Ordinance.
10. Document is suitable with the exception of the traffic discussion.

The public hearing was opened at 8:19 a.m. and the following person expressed his concerns:

The following people spoke in opposition to the project:

Edward M. Tebo suggested taking a different approach. He believes there is a lot of fill and retaining walls proposed that are not necessary.

Connard Hogan does not believe the water flow mitigation is adequate or appropriate. He is also concerned about the amount of silt that accumulates at the bottom of the road on Cliff Drive and would like to see mitigation of the existing situation. He does not believe that the catch basin will resolve the problems. He would like to see some traffic speed mitigation imposed due to the increased traffic and the current lack of adequate visual sighting. He is also concerned that parking might not be allowed on the lower portion of La Vista del Oceano Drive.

Janet Napier stated that she is concerned about the proposed development of five large houses on the hill above her property. Ms. Napier's four main concerns are: 1) The waivers that would be required to allow the houses to be built non-conforming to the Hillside Design District and Neighborhood Preservation Ordinances; 2) The lack of compatibility with lower La Vista del Oceano; 3) Potential flooding on lower La Vista del Oceano; and 4) Increased traffic that will be put onto La Vista del Oceano by joining what is now a cul-de-sac to upper La Vista del Oceano and Ricardo.

The public hearing was closed at 8:34 p.m.

Ms. Shelton, Ms. Salinas, and Ms. Hubbell addressed the Planning Commissioners' questions.

Mr. Geyer once again addressed the Planning Commission and clarified some of their concerns.

IX. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

Commissioner Larson spoke about the street light subcommittee.

B. Review of the decisions of the Modification Hearing Officer in accordance with SBMC §28.92.026.

None were requested.

X. ADJOURNMENT

Chair Maguire adjourned the meeting at 8:54 p.m.

Submitted by,

Deana Rae McMillion, Admin/Clerical Supervisor for Liz N. Ruiz, Planning Commission Secretary