



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES SPECIAL MEETING

April 17, 2008

CALL TO ORDER:

Chair George C. Myers called the meeting to order at 9:02 A.M.

ROLL CALL:

Present:

Chair George C. Myers

Commissioners Bruce Bartlett, Charmaine Jacobs, John Jostes, and Harwood A. White, Jr.

Absent:

Commissioners Addison Thompson; Stella Larson

STAFF PRESENT:

Dave Gustafson, Acting Community Development Director

Jan Hubbell, AICP, Senior Planner

Steve Wiley, City Attorney

Irma Unzueta, Project Planner

Julie Rodriguez, Planning Commission Secretary

I. PUBLIC COMMENT:

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

Commissioner Myers opened the public comment at 9:03 A.M. and, with no one wishing to comment on items not on the agenda, closed the hearing.

II. NEW ITEM:

ACTUAL TIME: 9:03 A.M.

RECUSALS: To avoid any actual or perceived conflict of interest, the following Commissioners recused themselves from hearing this item:

Commissioner Bruce Bartlett recused himself from hearing this item due to a working relationship with Cottage Health System. Commissioner Stella Larson recused herself due to her husband's professional relationship with Cottage Hospital.

EX PARTE COMMUNICATION: Chair Myers disclosed an ex parte communication with Tony Fischer regarding meeting logistics.

APPLICATION OF BRIAN CEARNAL FOR THE SANTA BARBARA COTTAGE HOSPITAL FOUNDATION, 601 E. MICHELTORENA STREET, 027-270-030, C-0, MEDICAL OFFICE, GENERAL PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTIONAL/MEDICAL CENTER (MST2003-00827)

On September 21, 2006, the Planning Commission approved the Santa Barbara Cottage Hospital Foundation Workforce Housing Project. The project approval was appealed to the City Council and on November 21, 2006, the City Council upheld the Planning Commission's certification of the project's Final Environmental Impact Report and approved the project. In addition, the project received Preliminary Approval from the Architectural Board of Review on January, 28, 2008. **The applicant has made changes to the project site plan and architecture and is requesting a Substantial Conformance Determination from the Community Development Director, who is requesting comments from the Planning Commission prior to making a decision.**

The applicant is proposing changes to the project site plan and architecture that are intended to refine and improve the approved proposal to develop 115 residential units on a 5.94 acre lot. In addition, during the refinement process, discrepancies were discovered in some of the original project statistics shown on the project plans approved by the Planning Commission and City Council. What was actually shown on the plans was not accurately reflected in the statistics. The project applicant has recalculated all project statistics and has identified where the miscalculations occurred. The differences from the approved project are as follows:

- Revised the site plan in the following manner:
 - Incorporated a "woonerf" which serves as a street where pedestrians and cyclists have priority over motorists.
 - Created an additional open space area on the upper portion of the project site.
 - Reconnected the lower and upper portion of the project site.
 - Reoriented units toward the street to enhance street presence.
 - Reduced the number of buildings and overall building footprint.
 - Eliminated one building fronting Micheltorena Street, relocated the fire turnaround and improved the pedestrian entrance at the corner of Micheltorena and California Streets, and provided additional pedestrian access on California Street.
 - Enhanced and enlarged the courtyard connection.
- Increased the net floor area for the dwelling units by approximately 5,113 square feet.

- Increased the net floor area for the garage/storage/mechanical by approximately 1,302 square feet.
- Reduced the number of buildings on the project site from 49 to 43 buildings.
- Increased open space area by approximately 841 square feet.
- Reduced the overall building footprint by approximately 4,277 square feet.
- Increased the paved areas by approximately 8,212 square feet.
- Decreased the landscaped areas by approximately 3,935 square feet.
- Reduced the grading quantities by 9,800 cubic yards.
- Eliminated six of the 23 distance between building modifications approved with the original project.
- Increased the distance for 13 of the 23 distance between building modifications.
- Reduced the distance for four of the 23 distance between building modifications.
- Eliminated one of the six front yard modifications.
- Increased the setback distance for the remaining five front yard modifications.

The Environmental Analyst has determined that the addendum to the Final Environmental Impact Report prepared for the project adequately addresses the revisions to the project and that the level of impact associated with the project has not substantially changed.

Case Planner: Irma Unzueta, Project Planner

Email: iunzueta@SantaBarbaraCa.gov

Ms. Hubbell requested that the Planning Commission allow the applicant to present the proposed project changes first, followed by Staff's presentation. She emphasized that no decision would be made by the Planning Commission regarding the Substantial Conformance Determination. The purpose of the hearing is to provide comments to the Community Development Director regarding the applicant's request.

Brian Cearnal, Architect gave the applicant presentation, and clarified for the Commission the comparison and changes in landscaping from what was originally approved. He explained the reduction in landscaping numbers in the new landscape plan.

Mr. Cearnal explained the on-site parking and circulation for residents and guests; provided the Planning Commission with a status on the shuttle for residents; and stated that the project is required to meet conditions of approval related to on-site drainage retention.

Irma Unzueta, Project Planner, gave the Staff presentation and, emphasized that the purpose of the hearing was to provide comments to the Community Development Director regarding the request for a Substantial Conformance Determination for the project.

Mr. Cearnal clarified for the Commission the paving for the project walkways and indicated that some of the hardscape proposed for the project is permeable.

Clay Aurell, Architectural Board of Review (ABR) Member, summarized the ABR's preliminary approval of the project and the evolution of a reduced project footprint. He stated that the articulation of the units has resulted in a better project and architecture, and believes that the streetscapes for California and Micheltorena Streets have been improved and enhanced. He further commented on the cooperation of the applicant in working with the ABR on landscaping suggestions. Mr. Aurell made himself available to the Commission for questions.

Mr. Aurell responded to the Planning Commission's question about the massing of the size, bulk and scale of the Craftsman style of project elements.

Chair Myers opened the public hearing at 10::04 A.M.

The following people spoke in support of the project:

1. Marshall Rose, Board of Directors, Santa Barbara Cottage Hospital Foundation, expressed support for the Substantial Conformance Determination request. Believes the proposed changes are positive, especially the reduction in grading quantities.
2. Ron Biscaro, Vice President for Project Management, Cottage Health System. Expressed support for the Substantial Conformance Determination request. Feels that the project is much improved with the proposed changes.
3. Courtney Siegal, Neighbor, expressed support for the Substantial Conformance Determination, indicating that the project needed "fine tuning". Feels that the project is a significant improvement compared to the former hospital buildings. Positive aspects of the proposed changes include less grading, less building footprint, reduced number of modification, and more private landscaped areas.
4. Mickey Flacks, expressed support for the project stating that it has been improved through ABR's review. Stated that the environmental review is insufficient in that it does not calculate the amounts of CO generated by commuting hospital employees from Ventura and other areas or the lives saved by these employees.

The following people spoke in opposition to the project or with concerns:

1. Jenniffer Miller, Neighbor, did not feel the "woonerf" was safe for children. Would like the City to be more attentive to detail, especially in reviewing the applicant's information. Felt the changes proposed are too substantial.
2. Jim Westby, St. Francis Friends and Neighbors, voiced concern over square footage errors presented and requested a thorough review of the applicant's numbers prior to granting a Substantial Conformance Determination. Concerned with the "woonerf" not being a legal road and the City's liability implications.

The following people gave the next speaker their speaking time: Sharon Westby, Benita Wilson, Michael Self, Cheri Rae McKinney, Walter Stine, Jennie Stine, Art Barron, S. Nicholas, and Stephen Fountain:

3. Tony Fischer, Attorney representing the St. Francis Friends and Neighbors, asked the Planning Commission to review the project approved by City Council, since it differs from what the Planning Commission approved. Mr. Fischer questioned the legitimacy of the Community Development Director's authority to make the Substantial Conformance Determination. Asked the Commission to review the full size Penfield and Smith grading plans. Expressed concern that grading calculations were erroneous and that corrected documentation for further review was not provided. The additional debris caused by the basements from the revised project will have a significant impact on the neighbors that has not been addressed. Suggested that open space be calculated using the Municipal Code that excludes any front yards. Stated that gross numbers have never been presented. Would like to see a better design with less "bloated" buildings. Feels that the Commission is being asked to comment with less information than was presented to the ABR.
4. Betsy Ingalls, neighbor, expressed concern over the 400 new residents that would occupy the neighborhood; the change in the shuttle pick-up location; and the impact on the intersection.
5. Jan Winford commented on the project's violation of the Conditional Use Permit (CUP) for the Villa Riviera and the impacts to the ingress and egress for that area. Asked the Commission to review the CUP. Concerned about the density by the increase of 115 units in an area with very limited access.
6. John McKinney submitted a letter with his comments that included the increase in the size of the project from what the Planning Commission approved and the departure from a Craftsman motif; asked the Commission to review the project approved by the City Council. Concerned about the 41 units proposed in one building.
7. Lisa Ann Kelly, Neighbor, questioned the need for an ABR representative to be at the hearing "selling" the project. Also questioned why the Historic Landmark Commission only gave the project 2 hours of review time. Objected to the project density and the impact on the neighborhood, as well as the number of modifications needed for the project.

With no one else wishing to speak, the public hearing was closed at 10:47 A.M.

Chair Myers called for a recess at 10:47 A.M. and reconvened the hearing at 10:55 A.M..

Chair Myers allowed Staff and the Applicant to provide clarification and respond to public comments.

Ms. Hubbell responded to the public comment that City Council approved a different project from what was approved by the Planning Commission stating that, while there were changes in the Conditions of Approval that occurred from the time the project was approved by the Planning Commission, there were no changes to the plans presented to Council. In addition,

she clarified that the demolition and grading numbers in question were calculated by two different parties; therefore, basements and lower levels of the existing buildings were considered as part of the demolition debris numbers. Contrary to what was stated during public comment, there is no definition of open space in the City's Zoning Ordinance. Staff will follow up on the Villa Riviera Conditional Use Permit that is in effect.

In responding to the open space issue, Mr. Cearnal stated that 15% of the site's requirement for open space would be 38,812 square feet, and noted that the project exceeds the requirement by offering 114,259 square feet of open space. Mr. Cearnal acknowledged the error made by himself and Penfield and Smith, but also noted the corrections made once the errors were discovered. Penfield and Smith did the grading calculations, not the demolition figures; those were prepared by Dudek & Associates. He added that the increase in unit size resulted from meeting accessibility standards. Mr. Cearnal stated that the Transportation Division and the Fire Department have reviewed the revised plans and did not have concerns.

Chair Myers acknowledged correspondence that was submitted during the hearing by Jan Winford and John McKinney.

Commissioner's comments:

1. Some Commissioners are troubled by the numerical miscalculations in landscaping, but acknowledge that the applicant has done all that is possible to reconcile. Feels that the project presented is in substantial conformance and that the merits of the project redesign will be reviewed by City Council. Both applicant and Staff should cross-check harder. Several Commissioners felt the loss of landscaping is unfortunate.
2. The Architectural Board of Review has improved the faces to the street; sees the expanded podium as an increased efficiency and is consistent with the approved plan.
3. Commissioners want to see quality landscaping incorporated to mitigate the neighborhood concerns. Impressed with collaborative process taken by the applicant in the development review process. Believes the project is improved and serves to meet a critical housing need.
4. Would like reconsideration of the shuttle from a public street to onsite; and for the Historic Landmarks Commission (HLC) to review the commemorative display conditioned in the project.
5. All Planning Commissioners found that the revised project is in substantial conformance with the previously approved project and supported the Substantial Conformance Determination request. Additional project conditions included reviewing the Villa Riviera CUP; incorporating trees and light wells into the podium; and increasing the permeable paving to the greatest extent possible, such as 50% or greater.



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

April 17, 2008

CALL TO ORDER:

Chair George C. Myers called the meeting to order at 1:01 P.M.

ROLL CALL:

Present:

Chair George C. Myers

Vice-Chair Stella Larson arrived at 1:09 P.M.

Commissioners Bruce Bartlett, Charmaine Jacobs, John Jostes, Addison S. Thompson and Harwood A. White, Jr.

STAFF PRESENT:

Jan Hubbell, Senior Planner

N. Scott Vincent, Assistant City Attorney

Steve Foley, Supervising Transportation Planner

Debra Andaloro, Senior Planner

Allison De Busk, Project Planner

Kathleen Kennedy, Associate Planner

Julie Rodriguez, Planning Commission Secretary

I. PRELIMINARY MATTERS:

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

Senior Planner Jan Hubbell announced that appeal Item II, 2420 Calle Galicia, that had been rescheduled for May 15, 2008, has been withdrawn by the appellant.

- B. Announcements and appeals.

Ms. Hubbell made the following announcements:

1. The Planning Commission decision on 1298 Coast Village Road has been appealed to City Council and will be heard in July.
2. The Staff Hearing Officer decision on 810 Bond Avenue has been appealed to the Planning Commission.

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

3. Chair Myers opened the public hearing at 1:03 P.M. and, with no one wishing to speak, closed the public hearing.

II. STAFF HEARING OFFICER APPEAL

Please note that the following item has been continued to May 15, 2008.

APPEAL OF STANTON HOWELL ON THE APPLICATION FOR 2420 CALLE GALICIA, APN 041-423-014, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2007-00518)

The 10,000 square foot project site is currently developed with a single-family residence, attached garage, "as-built" pergola, fireplace, and counter. The proposed project involves legalization of the "as-built" structures. The discretionary applications required for this project are Modifications to permit the pergola, fireplace, and counter to be located within the required ten-foot (10') interior yard setbacks (SBMC §28.15.060).

On January 16, 2008 the Staff Hearing Officer (SHO) approved the pergola with conditions and denied the fireplace and counter which are both located within interior yard setbacks. This is an appeal of that decision.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Roxanne Milazzo, Assistant Planner
Email: rmilazzo@SantaBarbaraCA.gov

III. NEW ITEM:

ACTUAL TIME: 1:03 P.M.

APPLICATION OF THE CONCEPTUAL MOTION COMPANY, AGENT FOR DBN CARRILLO LLC, 210 W. CARRILLO STREET, APN 039-271-025, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2007-00554).

This is a revised project. The proposal involves the demolition of the existing Carrillo Plaza/Radio Square shopping center which consists of 18,547 sq. ft. of commercial space and the construction of a new two- and three-story mixed-use development on a 1.17 acre parcel. The commercial portion of the project would consist of 12,851 square feet of commercial space that would be divided into five commercial condominium units. Utility and service areas would comprise an additional 3,450 square feet. The residential portion of the project would consist of 32 condominium units (27 market rate and 5 affordable). The proposal includes one more affordable unit than is required by the Inclusionary Housing Ordinance. A total of 122 parking spaces would be located within

a two-level subterranean garage. The previous proposal under MST2005-00772 has been withdrawn.

The discretionary applications required for this project are:

1. A Modification of the lot area requirements to allow five (5) density bonus residential units on a lot in the C-2 Zone (SBMC§28.21.080 & 28.43); and
2. A Tentative Subdivision Map for a one-lot subdivision to create thirty-two (32) residential condominium units and five (5) commercial condominium units. (SBMC§27.07 and 27.13).

The Planning Commission will consider approval of the Mitigated Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Sections 15074.

Case Planner: Kathleen Kennedy, Associate Planner
Email: kkennedy@SantaBarbaraCA.gov

Kathleen Kennedy, Associate Planner, gave the Staff presentation and noted that Bill La Voie from the Historic Landmarks Commission was present.

Steve Delson, DBN Development, gave the applicant presentation joined by Ian Brown and David Dunser from DBN Development. Steve Yates, The Conceptual Motion Company, continued the presentation and introduced his team: Gerhard Mayer, Lead Architect; and Dan Weber, Project Architect.

Mr. Yates answered the Planning Commission's questions about the 90% minimum of project materials that will be recycled from the demolition; affirmed that Leadership in Energy and Environmental Design (LEED) certification objectives will be used for the project, clarified the plan for trash pick-up; clarified the trash and loading docks; explained the units that will have the non-operable windows; and reviewed the floor-to-ceiling heights for each level.

Mr. Delson used the PowerPoint diagram to show the location of trash receptacles for each building.

Staff responded to the Planning Commission's questions about the loading zones for trash pick-up and the collaboration with the applicant to resolve the issues.

Mr. Foley explained that there is currently no on-street parking at this site. Therefore, the only impact will be the addition of a loading zone for trash pick-up.

Mr. Yates clarified for the Planning Commission the north elevation landscaping and walls against the property line; explained the increase in square footage of unit sizes; explained the sustainability factors that included natural ventilation, tankless heating systems, and use of solar panels; location of mechanical operations on rooftop; described the pedestrian experience along the arcade; and the decorative design of the bollards.

Staff interjected that the project will comply with the new City Energy Ordinance and meet Santa Barbara Built Green Two-Star Standards, as a condition of approval.

Chair Myers opened the public hearing at 2:06 P.M. Chair Myers recapped two letters received for public comment.

Bill La Voie, Chair, Historic Landmarks Commissioner (HLC), summarized the historical significance of the neighborhood area and the recommendations made by the HLC. Acknowledged that the applicant has been very cooperative.

The following people spoke in support of the project:

1. Lincoln Gray, owner and direct neighbor of adjoining property.
2. Shiva Polefka
3. Chris Daraneette
4. Sara Semegen (could not stay, but left supportive comments to be read into the record)

The following people spoke in opposition of the project or with concerns:

1. Cathie McCammon, League of Women Voters, asked for the Commission to continue the hearing to provide sufficient time for the public to review the environmental documents. Even with the reduction in height, the project remains too big and bulky. The non-operative windows are still too close to the noise source.
2. Patricia Hiles acknowledges the project improvements, but still feels that it is too large and too dense. Feels that Plan Santa Barbara is still defining what the public wants. Does not support Smart Growth. The project will result in additional traffic. Agrees with League of Women Voters that a full EIR should be done and made available with ample public review time.

With no one else wishing to speak, the public hearing was closed at 2:22 P.M.

Debra Andalaro, Senior Planner, answered additional Planning Commission questions about CEQA's requirements for public review of documents and public notice of their availability, stating that the City goes above and beyond CEQA requirements and was in compliance with CEQA and City requirements for making these documents available to the public.

Commissioner's comments:

1. The project has come a long way from its initial vision. The project contributes significant community benefits and provides a tax increment to the Redevelopment Agency and housing. The project is a model for mixed use and raises the bar for vitality in the Downtown. Appreciates the landscaping consideration for preservation of tree roots.

2. The consensus of the Commission was supportive of the project.
3. One Commissioner suggested that the trash pick-up area be reviewed for adequate size of recycling bins.
4. The Applicant was encouraged to pursue Leadership in Energy and Environmental Design (LEED) certification, if at all feasible. Asked the Applicant to take sustainability aspects of the project as far as can be taken.
5. One Commissioner would like to see some changes to the project, but thinks that the applicant has taken all measures to remain within the rules and that is why the building looks as it does. Still thinks that the building is overparked, but that is due to not being in the Central Business District.
6. Would like to see more inclusionary housing units, yet acknowledges that the project does exceed the current minimum requirement.
7. Traffic needs to be calculated differently; currently, traffic from small units are calculated the same as large units, but generate less traffic.
8. Some Commissioners felt that this project fits the area and respect the comments and decisions that have been by all review boards.
9. Many Commissioners struggled with the size of the individual units and would like to see an affordable unit added.
10. Concern that the studios are the size of houses. Otherwise, feels that the applicant has been forthright with all presentations.
11. Commissioners appreciated the detail for visualization at the site visit and the high level presentation.
12. One Commissioner suggested offering the bar sign to the Historical Museum.

Chair Myers asked for a recess at 2:46 P.M. and resumed the hearing at 3:11 P.M.

13. One Commissioner understood the concern for unit sizes versus unit counts, but felt that we needed to deal with the rules in effect. Appreciation was expressed for the project being very pedestrian oriented, and use of green building techniques and sustainability. No modifications are being requested, except for the inclusionary density.
14. One Commissioner remained concerned with unit sizes and could not support the project.

Ms. Hubbell and Mr. Vincent cautioned the Commission on increasing the number of units or unit sizes. The project already exceeds the minimum requirements under the Inclusionary Housing Ordinance. Also, last year, the City Council declined to increase the percentage of inclusionary units to 20% in the downtown area. Ms. Hubbell reminded the Commission that the only modification being requested is related to a required modification if you meet the inclusionary housing requirement is met using bonus density.

Ms. Hubbell responded that the Housing Element does discuss the reasonable size of units.

MOTION: Jostes/Jacobs

Assigned Resolution No. 013-08

Approve the Mitigated Negative Declaration in compliance with CEQA and approve the Modification, Tentative Subdivision Map, and modified Conditions of Approval, making the findings in the Staff Report with the added condition that the Mitigation Monitoring and Reporting Program require post-occupancy measurement of trip generation.

This motion carried by the following vote:

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

Chair Myers announced the ten calendar day appeal period.

IV. ENVIRONMENTAL HEARING:

ACTUAL TIME: 3:30 P.M.

RECUSIONS: To avoid any actual or perceived conflict of interest, the following Commissioners recused themselves from hearing this item:

Commissioner Charmaine Jacobs recused herself from hearing this item due to her spouse working in the same firm as the Applicant's counsel. Commissioner John Jostes recused himself due to ownership of property in close proximity to the project.

EX PARTE COMMUNICATION: Commissioner Stella Larson disclosed an ex parte communication with Staff for clarification of the Staff Report. Commissioners Bartlett and Thompson reported attending a site visit with Staff on Monday.

APPLICATION OF PEAK LAS POSITAS PARTNERS, 900-1100 BLOCK OF LAS POSITAS ROAD (VERONICA MEADOWS SPECIFIC PLAN); APNs: 047-010-011, 047-010-016, 047-010-056 (A PORTION), 047-010-026; 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 ZONES, (MST99-00608)

PROJECT DESCRIPTION: The project involves the annexation of approximately 50 acres from an unincorporated portion of Santa Barbara County to the City, and a residential subdivision. Approximately 35.7 acres would be dedicated open space and 14.8 acres would be developed for residential uses, roadways, and public passive recreation and open space. A comprehensive creek stabilization and restoration plan for approximately 1,800 linear feet of Arroyo Burro Creek adjacent to the development site is also proposed as part of the project.

Site access to the majority of the residential lots would be provided via a bridge over Arroyo Burro Creek that would intersect with Las Positas Road; the remaining homes would be accessed from a cul-de-sac at the end of Alan Road. A public pedestrian path is proposed along the western edge of the creek to provide access from Alan Road to Las Positas Road.

ENVIRONMENTAL HEARING: The purpose of this environmental hearing is to take public comments on the Draft Revised Environmental Impact Report – Selected Chapters that was prepared for this project, consistent with the provisions of the California Environmental Quality Act (CEQA) Guidelines Section 15088.5. Only the revised portions of the EIR are being circulated as part of this review period and we request that you limit your comments to those revised portions. The public review ends on Monday, **April 28, 2008. Please note the prior date was previously reported as Wednesday, April 30, 2008.**

No formal action on the development proposal will be taken at this environmental hearing.

Case Planner: Allison De Busk, Associate Planner

Email: adebusk@SantaBarbaraCA.gov

Allison De Busk, Associate Planner gave the Staff presentation, joined by Deborah Andalaro, Environmental Analyst.

Staff answered Planning Commission questions about the 5900 units...reasonably feasible; any physical impact, such as any change in level of service; provided justification for the nonx approach that assumes that the City will provide sewer and water service; status of the draft preannexation zoning; and clarification of the number of units.

Steve Amerikaner, Representative for Mark Lee, Applicant, deferred his presentation time to public comment and reserved the right to answer questions after the public comment.

Chair Myers opened the public hearing at 3:55 P.M.

The following people spoke in support of the project:

1. Mike Fealy, resident
 - a. Supports conclusion of the Revised Draft Environmental Impact Report (DEIR).
 - b. Class I impacts to the bridge cannot be mitigated.
 - c. Economic analysis should be done to determine if reduced project is feasible.
2. Mike Jordan, resident
 - a. Supports the EIR and how it shows how the project will provide significant benefits to the degraded creek and property through mitigation and restoration.

The following people spoke in opposition to the project or with concerns:

1. Richard Frickman, resident, unable to stay at hearing, comments read by Chair into the record.
 - a. Project is too big for the creek side location.
 - b. Please ask developer to submit a plan with 1/3 number of units.
 - c. Project is not a sustainable project; City should not annex an existing open space to add housing.
 - d. If development granted, require an economic analysis to determine the minimum number of units feasible for the project site.
2. Naomi Kovacs, Executive Director, Citizens Planning Association
 - a. Formal comments will be submitted later.
 - b. Urges economic feasibility study, by an independent third party, of alternatives capable of reducing or eliminating unavoidable Class 1 impacts, as well as the other alternatives rejected by the Environmental Impact Report (EIR).
 - c. Noted internal inconsistencies found in EIR related to alternatives, especially economic feasibility.
 - d. EIR fails to analyze a reduced density alternative, and is therefore, legally deficient.
 - e. Very concerned with quick 9 day turnaround for Final EIR.
3. Judith Hauer, Ventura resident
 - a. Draft EIR does not include a detailed financial analysis of a smaller project.
 - b. Financial responsibility of the City and homeowners after project completion is not addressed, such as ongoing creek maintenance, hillside landslide areas, and the public use of dedicated land.
 - c. Supports comments of previous speaker.
4. Eddie Harris, President, Santa Barbara Urban Creeks Council
 - a. Formal comments will be submitted later.
 - b. EIR needs to include geological hazards present immediately above the project side; Campanil Hill is an actively eroding slide hazard that can create debris and obstructions in the creek. Analysis is necessary for potential slide impact to the creek restoration project, erosion of creek banks, and high maintenance costs to property owners and the City.
 - c. EIR needs to describe the dynamic stream morphology at and above the project site.
 - d. Project description needs to be clearer with respect to the work proposed in the creek and bank stabilization. Will the creek be channelized? Also, there are inconsistencies in the document about the habitat in the creek. For example page 3-45 states that the project site does not represent a unique refduge or habitat area in the watershed. However, page 3-48 says that Arroyo Burro creek contains year-round aquatic habitat, which is a scarce but highly productive and sensitive habitat type in southern California.
 - e. Concurs with comments made by CPA.
5. Elaine Bowie, resident

- a. Agrees with all public comments made, except those by Mike Jordon.
- b. Supports leaving the valley as it currently exist.
- c. More research needed on the three Class 1 impacts.

With no one else wishing to speak, the public hearing was closed at 4:10 P.M.

Mr. Amerikaner had no comments to make and relinquished his speaking time to the Commission.

Commissioner's comments:

1. There is no discussion of Charter Section 1507 included in the Environmental Impact Report (EIR). Very concerned about development potential in relationship to limited resources, especially water and sewage. Concerned with water and sewer resources based on new information received in General Plan material along with the notion of annexing other properties. Zaca Fire had major impact on resources, much of which has yet to be determined. Limitations on resources like water and sewer are especially important in considering annexations.
2. City has the obligation in alternative section is to include alternatives that mitigate adverse impacts to maximum extent feasible, and still meet the project's objectives.
3. Suggested including an Alan Road access alternative that does not have Class 1 traffic impacts by reducing the number of units.
4. Concerned with feasibility terminology in alternatives section of the report.
5. Asked if it is within the purview of the Commission to request an economic feasibility analysis as a part of the EIR. Recommended that City Council consider an economic feasibility analysis in their deliberations on the project whether or not it is included as part of the EIR.
6. Asked to look at the change at Mission Street and whether the addition of a bike lane and loss of a turn lane has changed the level of service and if it can be reviewed for any additional impact from the project..
7. Concurs that an economic feasibility study is needed and that an additional Alan Road access alternative is also needed.
8. Referenced a recent State Supreme Court decision and asked for more time to be made available for the public to study the EIR.
9. Concerned with the feasibility and cost of designing a bridge for the project with such a long span. Would like to see drawings showing the bridge design in the EIR. Is concerned about the cost of maintenance and operation of the bridge and roads if they become public and the City's responsibility.
10. Creek restoration is a positive attribute of the project.
11. There are too many roads and driveways associated with the project; would like to see an alternative layout that offers less paving and less roads that become dedicated to the City.
12. Concerned with the timeline to produce the final EIR and if it could be met by May 8, 2008.
13. Concurs with many of Commissioners comments.

14. Would like to know if Dr. Meade's report about whether a Class 1 impact was correctly attributed to the bridge would be included in the EIR.
15. Does not find sufficient information to support a Class 1 biological impact.
16. Would like to know why the proposed creek restoration would result in a Class 2 impact related to degradation of the creek; cannot find sufficient information to substantiate the conclusion.
17. Concerned with including this project in a discussion of impacts to living within our resources. Many other projects contribute to water and traffic impacts. Thinks it is important to evaluate the potential future resource issues of Santa Barbara. However, not enough information is known to do that evaluation for this project right now.
18. An economic feasibility analysis can be written many ways and draw many different conclusions. Believes that general public benefits, not feasibility, largely drove previous decisions on the project.
19. Agrees that ecology and upstream impacts should be reviewed.
20. The new document elucidates issues that were not clear in the past.

Staff reviewed the Commission's concerns for clarification.

Scott Vincent, Assistant City Attorney explained.....the revised portions of the EIR that were reviewed today. When the EIR is revised only in part, and those parts are circulated in part, then the public comment is only limited to the revisions.

Ms. Hubbell addressed the Commission's concerns about an economic feasibility study with a review of the CEQA guidelines.

V. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

1. Commissioner Larson shared a letter written to the Historic Landmarks Commission as an exemplary neighbor regarding a project heard.
2. Commissioner Bartlett reported on Airline Terminal Subcommittee.
3. Commissioner Myers reported on attending the Lower Mission Creek Subcommittee. The culvert work that was scheduled to be done in Mid April has now been rescheduled to September.
4. Commissioner Myers also attended and recapped a recent Plan Santa Barbara Outreach Committee . He and recapped

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

Mr. White deferred his report to the next Planning Commission hearing.

- C. Review and consideration of the following the Draft Minutes and Resolutions:
- a. Draft Minutes of January 3, 2008
 - b. Draft Minutes of January 10, 2008
 - c. Resolution 001-08
1236 San Andres Street
 - d. Draft Minutes of January 17, 2008
 - e. Resolution 002-08
1596 Oramas Road
 - f. Resolution 003-08
319 N. Milpas Street
 - g. Draft Minutes of January 24, 2008

MOTION: Thompson/Larson

Continued the review of the Draft Minutes and Resolutions to April 24, 2008

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Jacobs, Jostes)

VII. ADJOURNMENT

On Saturday, April 19, 2008, there will be a Community Workshop on Development Trends at the Faulkner Gallery, 40 East Anapamu Street. Since a quorum of the Planning Commission could be in attendance, the meeting is being noticed as a meeting of the Planning Commission to comply with the Brown Act.

MOTION: Thompson/White

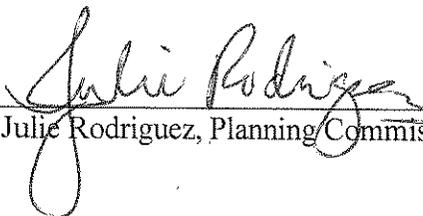
Meeting adjourned to Saturday, April 19, 2008 for the Community Workshop on Development Trends at the Faulkner Gallery.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Jacobs, Jostes)

Chair Jacobs adjourned the meeting at 5:00 P.M.

Submitted by,



Julie Rodriguez, Planning Commission Secretary

