



City of Santa Barbara California

NOTICE OF A PUBLIC HEARING OF THE PLANNING COMMISSION TO THE PROPERTY OWNERS WITHIN 300 FEET

THURSDAY, DECEMBER 12, 2013
1:00 P.M.* (SEE NOTE BELOW)
CITY HALL – 735 ANACAPA STREET
CITY COUNCIL CHAMBERS

APPEAL BY KENNETH LEVIN OF THE STAFF HEARING OFFICER'S DECISION FOR THE APPLICATION OF CEARNAL ANDRULAITIS, LLP ARCHITECT FOR AVENUE 26 HOLDINGS, LLC, 101 S. LA CUMBRE ROAD (FORMERLY KNOWN AS 100 S. LA CUMBRE ROAD), APN 051 022 027, C-2 COMMERCIAL AND SD-2 SPECIAL DESIGN DISTRICT 2 ZONES, GENERAL PLAN DESIGNATION: COMMERCIAL/ MEDIUM HIGH RESIDENTIAL (15 27 DU/ACRE) (MST2013-00018)

The 25,765 square foot site is developed with a 1,737 square foot gas station (closed since 2005), a surface parking lot, and related structures, all of which are proposed to be demolished. The project site is actively undergoing soil remediation for ground water contamination caused by Leaking Underground Storage Tanks. The proposal includes the redevelopment of the site with a one-story, 4,737 square foot commercial building, a 25-space parking lot, soil excavation, installation of remediation equipment and vapor intrusion barriers, and site improvements. The improvements include an outdoor seating area, installation of new landscaping, construction of a trash enclosure, and elimination of driveway aprons along the La Cumbre Road and Lane frontages. The discretionary applications requested for the project are:

1. A Front Setback Modifications to allow a building greater than 15 feet in height to be constructed within the required 20-foot front setback on La Cumbre Road and La Cumbre Lane (SBMC §28.45.008 and §28.92.110);
2. A Front Setback Modification to allow a trash enclosure within the required 10-foot front setback on La Cumbre Lane (SBMC §28.45.008 and §28.92.110); and
3. A Development Plan for the allocation of 3,000 square foot of additional commercial development from the Prior Pending Category (SBMC §28.85).

On October 30, 2013, the Staff Hearing Officer partially approved the Modification requests, subject to several conditions. The appellant is appealing the partial approval of the project and related conditions of approval.

The project activity is within the scope of the 2011 General Plan and the Program EIR analysis for the General Plan. No further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183). City Council environmental findings adopted for the 2011 General Plan remain applicable for this project.

You are invited to attend this hearing. Written comments are welcome and will be entered into the public record. Written information should be submitted prior to the meeting at the Planning Division Office, 630 Garden St; by mail attention Planning Commission Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990; or by email at PCSecretary@SantaBarbaraCA.gov, and received no later than 4:30 P.M. on the Monday before the Planning Commission hearing. Please submit 12 copies of any written materials over 2 pages. Written comments are accepted at and up to the time of the hearing; however, the Planning Commission may not have time to consider materials submitted after the Monday deadline.

This is the only notification you will receive for this development application. The scope of this project may be modified under further review. If you have any questions, wish to review the plans, or wish to be placed on a mailing list for future agendas for this item, please contact Suzanne Riegle at (805) 564-5470, extension 2687, or by email at SRiegle@SantaBarbaraCA.gov. Office hours are 8:30 a.m. to 4:30 p.m., Monday through Thursday, and every other Friday. Please check our website under City Calendar to verify closure dates.

If you, as an aggrieved party or applicant, disagree with the decision of the Planning Commission regarding the outcome of this application, you may appeal the decision to the City Council. The appeal, accompanied by the appropriate filing fee per application, must be filed in the City Clerk's Office within ten calendar days of the Planning Commission decision.

If you challenge the permit approval or environmental document in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the public hearing.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the Planning Division Office at (805) 564-5470, extension 4535. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

* **NOTE:** On Thursday, December 5, 2013, an Agenda with all items to be heard on Thursday, December 12, 2013, will be available at 630 Garden Street. **AGENDAS, MINUTES and REPORTS:** Copies of all documents relating to agenda items are available for review at 630 Garden St. and posted online at www.SantaBarbaraCa.gov/pc. Please note that online Staff Reports may not include some exhibits. **Agenda items are subject to change.** It is recommended that applicants and interested parties plan to arrive for the meeting at 1:00 p.m. However, for longer agendas, all parties are encouraged to monitor Channel 18 and when the item prior to the application of interest begins come to the Commission hearing. Continuances will not be granted unless there are exceptional circumstances.

Meetings can be viewed live on City TV-18, or on your computer at www.SantaBarbaraCA.gov/CityTV. A rebroadcast schedule can be found at www.SantaBarbaraCa.gov/CityTVProgramGuide.