



**UNAPPROVED
PLANNING COMMISSION
SPECIAL MEETING MINUTES
MONDAY, NOVEMBER 17, 2008**

6:00 P.M.
City Hall
130 Cremona Drive, Suite B
Goleta, California

Members of the Planning Commission

*Brent Daniels, Vice Chair
Edward Easton
Doris Kavanagh
Julie Kessler Solomon*

*Patricia Miller, Secretary
Tim W. Giles, City Attorney
Linda Gregory, Recording Clerk*

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:00 p.m. by Vice Chair Daniels followed by the Pledge of Allegiance.

ROLL CALL OF PLANNING COMMISSION

Present: Planning Commissioners Daniels, Easton, Kavanagh, and Solomon.
Absent: None.

Staff present: Director of Planning and Environmental Services Steve Chase, Advance Planning Manager Anne Wells, Contract Planner David Stone of DUDEK; Principal Civil Engineer Marti Schultz; City Attorney Tim W. Giles, and Recording Clerk Linda Gregory.

PUBLIC FORUM

Barbara Massey, Goleta, requested that the public hearing on the Haskell's Landing Project be continued until the new Planning Commissioners are appointed. She stated that the application deadline for appointment to the Planning Commission is December 1, 2008.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None.

A. ADMINISTRATIVE AGENDA

A.1 07-102-GPA, -TM, -DP: Haskell's Landing Project located at Hollister Avenue/Las Armas Road; APN 079-210-049.

Recommendation:

1. Adopt Planning Commission Resolution No. 08-__ (Attachment 1), entitled "A Resolution of the Planning Commission of Goleta Recommending to the City Council Approval of Various Actions Related to the Haskell's Landing Project; Case No. 07-102-GP, -OA, -TM, -DP, -RN; Northwestern Corner of Hollister Avenue / Las Armas Road Intersection; APN 079-210-049".

Recused: Commissioner Easton recused himself.

Site Visits and Ex-parte conversations: Commissioners Kavanagh and Solomon reported a meeting with Chuck Lande, applicant, and Mary Meaney Reichel, agent. Vice Chair Daniels reported a site visit with Chuck Lande and Mary Reichel.

Documents: 1) Letter received by e-mail on November 17, 2008, from Diane Conn, representing Citizens for Goleta Valley (CGV), indicating that they are concerned that the environmentally sensitive habitat including native grasslands would be adversely impacted by a secondary trail and bridge across Devereux Creek as requested by the City Design Review Board; and 2) Letter from Molly Pearson, Air Quality Specialist, Santa Barbara County Air Pollution Control District (APCD) pertaining to concerns regarding the location of the subject project within 500 feet of U.S. Highway 101, and potential adverse health risk effects of diesel particulates generated by traffic on proposed resident sensitive receptors.

David Stone, Contract Planner, provided a brief overview of the project and a PowerPoint presentation. He stated that the plans were reviewed at five meetings of the Design Review Board (DRB). He noted that the project has been revised in response to DRB comments to eliminate red tile roofs and Spanish Mediterranean architectural styles. He stated that one important aspect of this project is the Vegetation Enhancement Plan for Devereux Creek that would provide for complete restoration, enhancement and creek flow through the project site.

Steve Chase, Director of Planning and Environmental Services, discussed the proposed Development Agreement between the project applicant and the City, providing funding for the development and infrastructure for a new County Fire Station No. 10 to the west of the proposed project site.

Chuck Lande, Oly Chadmar Sandpiper, applicant, presented an overview of the project. He stated that after several years of community input and collaboration with staff, the applicant has made refinements to the plans. He stated that all of the architectural changes requested by the DRB were made. A secondary trail and pedestrian bridge across the Devereux Creek corridor and pervious "grass-crete" paving on a portion of the eastern loop access road has been proposed as an option

in response to DRB concerns, though these components are not supported by the applicant in deference to concerns identified by the environmental community. He summarized what the applicant believes are the benefits of the project: a) Funding in the amount of \$1.5 million to be provided for development of a new fire station in western Goleta; b) Vegetation enhancement and preservation of native grasses; c) Twenty percent of the project is affordable housing to be constructed onsite; d) The affordable housing units are integrated and mixed alongside the market units in the site plan; and e) The proposed project is located on an infill site; and e) The project provides 63 percent open space.

Mary Meaney Reichel, agent, presented details of the project and a PowerPoint presentation. She pointed out that the proposed design concept was chosen to minimize the massing and scale of the buildings through the use of different architectural elements and detailing. She stated that 18 more parking spaces are provided than required by code. She commented that there are approximately 108 additional ancillary spaces that could be accounted for on site. She noted that the project incorporates green building elements that exceed the threshold for the California Green Builders Program.

Marti Schultz, Principal Civil Engineer, clarified that at this time the City is proposing to condition standard curb and gutter project improvements only on the western side of Las Armas Road. She stated that the east side of Las Armas Road would be improved with future related development in the area, and that these future conditioned improvements would mirror those on the western side implemented by the proposed project.

PUBLIC HEARING OPENED: 7:11 P.M.

Keith Busby, a 20-year resident of the area, spoke in support of the project, stating that the affordable housing providing by the project is needed in the community. He noted that his daughter and son have both moved away because they could not afford housing in this area.

John Kiffee, Goleta, encouraged acceptance of the project, stating that the housing is needed in the area and that the revised plans for the homes are very nice. He appreciates that funding will be provided by the applicant to build a fire station in western Goleta.

Paul Giambo, member of a six-generation family and long-time resident in the area, spoke in support of the project, stating that it would be of benefit to the community and improve the quality of the area. He stated that more housing is needed and it would allow families to stay in the community. He believes that the plans are professional and compatible with the environment. He sees no negative impacts, and believes the project is a quality development.

Jonathan Raimer, Goleta, who stated that he is a recent graduate of Westmont College and works in the area, spoke in support of the project. He pointed out that it is important that more housing opportunities be provided that would allow people his age to remain in the community. He also expressed appreciation for the addition of

funding to build a fire station, stating that fire fighter response is very important, particularly when considering the recent local Gap Fire and Tea Fire disasters.

Barbara Massey, Goleta, spoke in opposition to the project, stating that she believes the project is too dense, with too few parking spaces for the site, and that the project has other numerous problems. She expressed concern that changes to the General Plan will be required, whereas she believes that allowing modifications are a disservice to the community. She believes there should be a section in the document that clearly states each proposed change to the General Plan. She believes that the following items are not consistent with the General Plan: a) Policy CE 2.2b Streambed Protection Area, because there is a 100-foot setback requirement; b) Policy CE 8.2 Protection of Habitat Areas, because there are California red-legged frogs in the vicinity of the project; and c) Policy HE 11.5 Establishment of Unit Percentages and Income Levels, because these units are not affordable under the General Plan or Regional Housing Needs Assessment (RHNA) because they are proposed for higher incomes. She noted that currently the proposed project, which is 138,000 square feet for 101 units, is larger than the originally proposed design that was 126,000 square feet for 102 units; and that the structural height has increased from 24 feet to 27 feet. She believes that the following items have not been adequately addressed: a) The proposed fire station; b) Noise; and c) Visual Resources with regard to the historical view corridor. She also expressed concern that driveways should not be counted as guest parking space and that the units with 3,050 square feet require an additional enclosed parking space, or garage, according to Section 35.26 of the Zoning Code. In summary, she believes there are a number of problems that need to be discussed over a longer period of time. She requested that the documents, which contain a large amount of material, be made available sooner, particularly for those who do not have internet access.

Hans Balke, resident in the area, spoke in support of the project, stating that he believes it is well-proportioned and will be of benefit to the community. He believes it is time to do something productive in this area.

Robert Rice spoke in support of the project because it serves the housing needs in the area and provides a twenty percent affordable housing component. He appreciates that the site will now have some positive development and that the project design is environmentally sensitive and includes green building elements. He supports the concept that the project is an infill site that protects agricultural land from further development. He is in favor of the proposed fire station.

PUBLIC HEARING CLOSED AT 7:30 P.M.

RECESS HELD FROM 7:30 P.M. TO 7:40 P.M.

PUBLIC HEARING REOPENED AT 7:41 P.M.

Frank Arredondo, Chumash, stated that the proposed project is within a vicinity or district of known Chumash sites. He requested serious consideration with regard to conducting background research, and spoke in support of checking with many different sources, stating that he would not want to see any unexpected occurrences.

He recommended that the Army Corps of Engineers and Caltrans be contacted. He believes that Senate Bill 18 (SB 18) procedures should be initiated early. He requested further clarification of the SB 18 process at this time before the project moves forward.

PUBLIC HEARING RECLOSED AT 7:45 P.M.

Commissioner Solomon requested clarification with regard to the General Plan Consistency Analysis in the staff report, and also regarding whether all affordable housing sites would be subject to the proposed General Plan Amendment to Housing Element Policy HE 11.5.

Steve Chase, Director of Planning and Environmental Services provided an explanation and clarification with regard to the General Plan Consistency Analysis and the proposed amendments to the Goleta General Plan as part of the project. The proposed amendments, if approved, would apply city-wide. The proposed wording of the proposed General Plan Amendments may be further considered prior to the City Council review.

Anne Wells, Advance Planning Manager, read into the record the staff recommended revised language for General Plan Policy CE 2.2 Streamside Protection Area. She stated that the revision is part of Track 3 of the General Plan Amendment work program.

Mary Meaney Reichel, agent, stated that the applicant's intention for the proposed General Plan Amendment with regard to affordable housing inclusionary standards (Housing Element Policy HE 11.5) was to provide a range of options that she further explained.

Chuck Lande, applicant, suggested that the local preference for affordable housing be conducted as a tiered process.

Commissioner Solomon commented that she appreciates the applicant's explanation of the proposed amendment with regard to proposed affordable housing inclusionary standards, but she is not completely comfortable at this time with a change that may apply throughout most of the City. She noted that the proposed project is complex and addresses some important matters that require consideration.

Commissioner Kavanagh commented that she is impressed with the proposal that twenty percent of the housing is affordable, but she agreed with Commissioner Solomon's concerns regarding a change that may apply throughout most of the City.

Commissioner Kavanagh requested information with regard to the time frame associated with development of proposed County Fire Station No. 10.

Anne Wells, Advance Planning Manager, summarized the proposed two amendments, to Public Facilities Policy 3.2 New Fire Station in Western Goleta and Figure 8, that are associated with locations identified for constructing a County Fire Station directly west of the site.

David Stone, Contract Planner, clarified that Senate Bill 18 applies to the project as a result of the proposed General Plan Amendments associated with this project, and provided an overview of the SB 18 process. He stated that an updated Phase 1 archaeological survey had been performed on the project site by a city-qualified archaeologist to supplement a similar investigation that was completed in 1974. The current Phase 1 survey was prepared consistent with professional standards and City cultural resource guidelines. He said that the City's intent is to provide the most thorough information and evaluation of the project site to the local Native American Tribes for their reference during the SB 18 process. He reported that no potentially significant prehistoric archaeological resources were located during the original Phase 1 survey in 1974, and that these negative results were confirmed during the current Phase 1 archaeological survey performed. He stated that the City requested consultation with local Native American tribal governments including the Santa Ynez Indian Reservation and Coastal Band of the Chumash Nation, but both of these organizations had declined the invitation to engage in the SB 18 consultation process as yet. He noted that the City hopes that this consultation is initiated in the near future.

David Stone, Contract Planner, addressed the letter received from the Santa Barbara County Air Pollution Control District (APCD) that expressed concerns with regard to the location of the project adjacent to U.S. Highway 101 relative to health risks associated with diesel engine particulates. He noted at this point that no thresholds have been identified by the California Air Resources Board, the County Air Pollution Control District, or the City to identify the level at which a significant impact could occur under CEQA, and that the information presented by the APCD is a recommendation, not a requirement.

Vice Chair Daniels requested that the applicant be prepared to further discuss the following items at the next meeting:

1. Issues related to APCD's letter regarding development setbacks from U.S. Highway 101.
2. Fifty-five year affordable housing resale restrictions vs. the applicant's request for thirty years; and also local preference provided for available affordable units, with possible additional approaches presented for consideration.
3. Revised language recommended by staff for Policy CE 2.2 Streamside Protection Areas in the upcoming Track 3 General Plan Amendment process.
4. The mitigation measure under Aesthetics/Visual Resources to address littering during project construction activities.
5. Will the proposed sound wall be vegetated to screen this visual impact?
6. Review language in Geology Soils on Page 10 of the staff report with regard to expansive and compressive soils.
7. Explain proposed General Plan Amendment relative to Transportation Policy TE 13.4 Options If Traffic Mitigations Are Not Fully Funded.
8. Impacts at the Storke Road/Hollister Avenue intersection; and the relationship of the project with the proposed Hollister Avenue/Cathedral Oaks Interchange project to the west.
9. More clarity in the language in Section 4.01.03.03 of the Development Agreement with regard to the application process for affordable housing; and clarification with

regard to obligations of parties in the Development Agreement, on Page 8, including public information and “affordable range” language.

Commissioner Solomon requested that the following be discussed at the next meeting:

1. Possible solutions to provide for improvements to the eastern side of Las Armas Road by the time of proposed project occupancy.
2. Recommendations for a specific plan for the project site with regard to the affordable Housing Element Policy HE 11.5, and if that does not meet legal requirements, perhaps language that would be acceptable with regard to properties outside the site (with emphasis on specific language that applies just to the proposed project).

MOTION: Commissioner Kavanagh moved/seconded by Commissioner Solomon, to continue the public hearing for the Haskell's Landing Project located at Hollister Avenue/Las Armas Road; 07-102-GPA, -TM, -DP: APN 079-210-049; to December 8, 2008.

VOTE: Motion carried by the following voice vote. Ayes: Vice Chair Daniels; Commissioners Kavanagh and Solomon; Recused: Commissioner Easton; Noes: None .

C. DIRECTOR'S REPORT

Steve Chase, Director of Planning and Environmental Services, reported that the Goleta Valley Cottage Hospital project and the Marriott Residence Inn project will be on the City Council agenda for November 18, 2008. He also reported that the City is currently in the process to consider updating the Cost Allocation User Fees.

D. PLANNING COMMISSION COMMENTS

Commissioner Easton re-entered the meeting at 10:00 p.m. He commented that he has enjoyed his service on the Planning Commission and his role as the first Chair. He stated that he looks forward to serving as a member of the City Council and also receiving recommendations from the Planning Commission to the City Council.

Commissioner Solomon expressed appreciation for the opportunity to work with Commissioner Easton and wished him the best as a member of the City Council.

Commissioner Kavanagh expressed appreciation to Commissioner Easton for his service on the Planning Commission and wished him well as a member of the City Council.

Vice Chair Daniels thanked Commissioner Easton for his service on the Planning Commission and expressed good wishes on his new role as a member of the City Council.

In the spirit of Thanksgiving, Vice Chair Daniels expressed thanks for the services of all the men and women who helped during the Gap Fire in Goleta last summer and the Tea Fire in Santa Barbara last weekend.

E. ADJOURNMENT: 10:05 P.M.

Prepared by Linda Gregory, Recording Clerk.

GOLETA PLANNING COMMISSION