



**PLANNING COMMISSION
MEETING MINUTES
MONDAY, AUGUST 11, 2008**

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

Members of the Planning Commission

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

*Patricia Miller, Secretary
Linda Gregory, Recording Clerk
Scott Porter, Legal Counsel*

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

ROLL CALL OF PLANNING COMMISSION

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

Staff present: Director of Planning and Environmental Services Steve Chase, Current Planning Manager Patricia Miller, Legal Counsel Scott Porter, Principal Civil Engineer Marti Schultz, Senior Planner Cindy Moore, and Recording Clerk Linda Gregory.

PUBLIC FORUM

No speakers.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None.

A. ADMINISTRATIVE AGENDA

A.1 Planning Commission Minutes for July 21, 2008

Recommendation:

Approve the Planning Commission minutes for the Special Meeting of July 21, 2008.

MOTION: Commissioner Kavanagh moved/Vice Chair Daniels seconded to approve Planning Commission Special Meeting minutes of July 21, 2008, as submitted.

VOTE: Motion approved by unanimous voice vote.

B. PUBLIC HEARING

B.1 Case No. 08-045-RZ: HCR Ltd; 6466 Hollister Avenue and 170 Los Carneros Way; APN 073-070-034 and 073-070-035 (Miller/Moore)

Recommendation:

Adopt Planning Commission Resolution 08-___ (Attachment 1), entitled "A Resolution of the Planning Commission of the City of Goleta Recommending to the City Council Approval of Various Actions Related to the HCR Ltd Rezone Project, Case No. 08-045-RZ at 6466 Hollister Avenue and 170 Los Carneros Way; Assessor Parcel Number 073-070-035".

Staff Speakers:

Current Planning Manager Patricia Miller
Senior Planner Cindy Moore

Senior Planner Cindy Moore, presented the Staff Report and PowerPoint entitled "HCR Ltd. Rezone, City Case No. 08-045-RZ".

PUBLIC HEARING OPENED AT 6:08 P.M.

Speakers

Jonathan Leech, Dudek, agent for the applicant, stated that the applicant concurs with the staff recommendation and requests approval of the project.

PUBLIC HEARING CLOSED AT 6:10 P.M.

MOTION: Commissioner Solomon moved/seconded by Vice Chair Daniels to adopt Planning Commission Resolution No 08-07 (Attachment 1), entitled "A Resolution of the Planning Commission of the City of Goleta Recommending to the City Council Approval of Various Actions Related to the HCR Ltd Rezone Project, Case No. 08-045-RZ at 6466 Hollister Avenue and 170 Los Carneros Way, Assessor Parcel Number 073-070-035".

VOTE: Motion approved by unanimous voice vote.

RECESS HELD FROM 6:10 P.M. TO 6:17 P.M.

B.2 Case No. 07-007-OA, -DP, -TPM and 07-167-DP AM: Marriott Residence Inn and Hollister Center Project; 6300 Hollister Avenue; APN 073-050-020 (Miller/Bridley)

Recommendation:

Adopt Planning Commission Resolution 08-____ (Attachment 1), entitled "A Resolution of the Planning Commission of the City of Goleta Recommending to the City Council Approval of Various Actions Related to the Marriott Residence Inn and Hollister Center Project; Case No. 07-007-OA, -DP, -TPM and 07-167-DP AM; 6300 Hollister Avenue; APN 073-050-020".

Staff Speakers

Director of Planning and Environmental Services Steve Chase
Current Planning Manager Patricia Miller
Principal Civil Engineer Marti Schultz
Legal Counsel Scott Porter

Current Planning Manager Patricia Miller presented a PowerPoint entitled "City of Goleta Planning Commission, August 11, 2008, Marriott Residence Inn and Hollister Center Project, 6300 Hollister Avenue".

Documents:

Letters received from: 1) Trey Pinner, dated August 8, 2008; 2) Frank Arredondo, Chumash, dated August 8, 2008; and 3) Freddy Romero, Santa Ynez Band of Chumash Indians Elders Council, dated August 11, 2008.

Scott McChesney, Vice President, R. D. Olson Development, applicant, summarized what the applicant believes will be the benefits of the project for the community that include: a) provide rooms that meet the hotel needs of adjacent businesses, UCSB and residents; b) the residence inn concept would provide the opportunity for tourists who stay longer; c) transient occupancy tax revenues for the City; and d) contribution to the RDA. He stated that the Marriott company is known for its commitment to the community and that the project will incorporate innovative building techniques and green principles.

Tony Wrozek, Vice President, R. D. Olson Development, applicant, presented the proposed plans including the site plan, building design, landscape and grading. He stated that the project has been reviewed and improved as a result of past DRB and Planning Commission meetings. As a result of the meet and confer sessions, the southeast mass was moved to the northwest portion of the site, resulting in the reduction of building mass along the Hollister Corridor. An interpretive Chumash garden is proposed where the southeast mass was located, and the lobby was redesigned to allow a large patio alongside this garden.

PUBLIC HEARING OPENED AT 7:07 P.M.

Speakers:

Gil Unzueta, Barbareno Chumash descendent, stated that burial sites are his primary concern. He noted that not finding burial sites does not indicate that no burial sites are present. He commented that the developer has done pretty well with regard to helping some of the Native Americans with concerns regarding protecting burial sites. He expressed concern that all subsurface disturbances should be monitored by a qualified archaeologist and Chumash representative. He requested that a cultural easement be set in place that would prevent development on the site in the future to further preserve and secure what remnants are left. Aside from his archeological and Native American concerns, he likes the project and it seems like it would do something for the area's appearance.

Dean Pananides, General Manager, South Coast Inn, expressed concern that several hotel projects are moving forward which he believes will be destructive to the City. He requested that the Commission members rethink their vision for the City and not sell out the community with easy mitigation requirements for unneeded hotel rooms.

Sam Cohen, representing Santa Ynez Band of the Chumash Indians, stated that he believes there is a Class 1 impact with regard to CA-SBA-58 and that an EIR and Statement of Overriding Considerations are needed. He pointed out the following five items of concern: 1) The top eighteen inches of soil will be excavated off the top of the site. 2) There will be between 207 and 211 pilings (commented that piles are destructive). 3) Expressed concern regarding the size and weight of the proposed hotel. 4) There are no guarantees that the piles will not settle or that there are no other resources underneath that have not been excavated. 5) There are some serious problems with the research design.

Janet D. Garcia, representing Coastal Band of Chumash Nation, expressed appreciation for the opportunity to be involved in the meet and confer process and with some of the planning for the extended Phase 1 testing. She expressed disappointment in the lack of communication at the beginning and with the field work, and also regarding the opportunity to have input in the final report. She believes in spite of the efforts that there will still be significant destruction to the cultural site and stated that it is not known how much the weight of the hotel will impact the site. She supports the preparation of an EIR on this project.

Frank Arredondo, Chumash, stated that he attended all meet and confer sessions and that he prepared reviews of extended Phase 1 report and the Scope of Work materials which he provided to the City on August 8, 2008. He summarized his letter with attachments dated August 8, 2008, regarding Summary Statement for MND for the Marriott Residence Inn Project. He commented with regard to his review of the field notes and report summary for the scope of work, that he believes more unnecessary work was done that caused more impact than was necessary. He read from the letter his requests for conditions of approval to be included if this project is to move forward. He amended the request in his letter that the excavation size be brought back up to 1 x 1 meters, to an amended request that all piling locations be excavated within the

defined three boundaries. He spoke in support of the need for a Statement of Overriding Conditions and also requested a conservation easement for the site. He expressed appreciation for the efforts of the applicant.

Freddy Romero, Santa Ynez Band of Chumash Indians Elders Council, read his letter dated August 11, 2008, into the record, that included issues of concern.

Ben Williams, Professional Investment Planning, spoke on behalf of Trey Pinner, to dispel the rumor that the City is in need of new hotel rooms, and requested that a pathway not be provided for an overbuilt hotel market. He stated that the hotel market is not underserved and that adding more hotel rooms will have a significant negative impact on existing hotels in the City with regard to room rates and transient occupancy tax. He noted that there are approximately 520 hotel rooms in the City, not including Bacara, and that the current average occupancy is approximately 70 percent, therefore approximately 156 rooms are unsold each day with the exceptions such as UCSB graduation.

Barbara Massey, Goleta, requested that an EIR be prepared for this project. She expressed concern that the Supplemental Phase 1 Archaeological Investigation and the Air Quality report were prepared by Dudek, the applicant's agent. She stated that a survey of the need for additional hotel rooms in the City would be valuable. She also expressed concern that the addition of more hotel rooms would impact existing hotel rooms. She requested that the applicant be required to add additional landscaping on Parcel 1, which would only have 10 percent. She questioned whether the story poles included the increased height of the finished grade. She requested careful consideration of this project and its impact on the community.

PUBLIC HEARING CLOSED AT 7:35 P.M.

RECESS HELD FROM 7:36 P.M. TO 7:47 P.M.

David Stone, project archeologist, provided details with regard to the Supplemental Extended Phase 1 Archaeological Investigation conducted by Dudek in June 2008. He commented that the work was consistent with the overall goal of trying to define additional archaeological materials on the project site while preserving Locus 1 soils. He clarified that two Chumash Native American descendents, who were recommended by Gil Unzueta, were on site as observers during the excavations.

Tony Wrozek, applicant, provided the following additional information for clarification: 1) There is some flexibility with regard to placement of the pilings. The applicant offers, if remains are found and the Chumash prefer to leave the remains intact, that the applicant's structural engineer would redesign the piling system around that specific location. 2) The financial impact of the cost to excavate every pile would add approximately \$400,000 to the project. 3) The hotel design is for three stories.

RECESS HELD FROM 9:10 P.M. TO 9:17 P.M.

Director of Planning and Environmental Services Steve Chase provided an overview of the project's consistency with the applicable General Plan/Coastal Plan Use Plan

policies. He stated that this site was selected for the hotel overlay. He also stated that General Condition 69 requires that prior to land use permit approval for each phase of development, preparation of a Monitoring and Compliance Program shall be funded by the applicant and submitted to the City for review and approval.

Current Planning Manager Patricia Miller stated that staff has discovered that Condition 20 is the same as Condition 19.c; and recommended that Condition 20 be deleted.

Chair Knight requested that the Community Services condition letter require approximate 4.5' to 5' sidewalk and approximate 4.5' to 5' parkway along Robin Hill Road, with flexibility to include bulb outs to provide space for trees.

Commissioner Solomon requested that the applicant be required to add as much landscaping as is feasible and reasonable on Parcel 1, which has the appearance of mostly concrete.

Vice Chair Daniels proposed that fifty-percent of the total piling locations shall be excavated within the entirety of Locus 1, as a compromise, with the methodology for excavation to be a modification of Condition 19.

Commissioners Kavanagh and Solomon concurred with Vice Chair Daniels' proposal. Chair Knight stated that he appreciates the effort to make a compromise but he is not sure that this is the appropriate process.

Commissioner Easton stated that he cannot support Vice Chair Daniels' proposal at this time, noting the archaeological value of this site, and stating that he believes there should be more time for consultation to try to develop a consensus.

Chair Knight requested that staff provide information regarding the number of employees that would be generated by the new hotel for the City Council's review when considering housing policies.

Chair Knight requested that staff provide a briefing at a future date with regard to how the City's Capital Improvement Program accommodates traffic impact mitigations, although this item will not change any conditions regarding the current project review.

Chair Knight requested that staff provide a briefing at a future date with regard to how the General Plan Amendments are being prepared to accommodate the State requirements with regard to limiting greenhouse gases.

Chair Knight requested that the green roof concept be added as a suggestion for consideration with regard to future projects.

Commissioner Easton commented that he cannot support the current proposed hotel on this site at this time, stating that he believes the need has not been established, and also that there seems to be a rush in the process to get more transient occupancy tax. He expressed concern that the building is too big for the site and that exemptions for setbacks will be needed. Other concerns included: a) the height exceeds the

City's designated limit; b) the floor area ratio was increased to accommodate the project; c) the potential for stormwater management problems; d) potential impacts to the views of the mountains from the Hollister corridor; and e) suggested there could possibly be a consensus between the Native American community and the applicant with a better degree of consultation

Commissioner Kavanagh stated that her concern is with regard to the height of the project, being located at the airport where planes fly over, which would set a precedent, and also whether the towers are needed. With regard to the whether there is a need for more hotel rooms in the City, she commented that from her personal experience, she was unable to find a room in Goleta three times this year for visitors. She noted that the type of rooms in a residence inn is somewhat different than a hotel room. Also, the residence inn rooms would provide the opportunity to cook a meal.

Vice Chair Daniels commented that several of Commissioner Easton's comments address aspects of design and suggested that it may be appropriate to provide these types of concerns in some form to the DRB for consideration.

Commissioner Solomon commented that Vice Chair Daniels' suggestion is very practical. She suggested that with more time, the applicant and the Native American Chumash community may be able to work towards a better consensus with regard to archaeological elements.

Chair Knight commented that the site has an overlay for hotel purposes and that he believes the proposal is an excellent project for the site. He noted that there are a few details that will need further attention; for example, a) some design details, including height; and b) whether there is an opportunity for agreement or consensus with regard to the archaeological site.

Current Planning Manager Patricia Miller clarified that the staff recommendation was changed by the Planning Commission during the hearing by the following amendments: 1) Revision to Finding 2.1, *The request is in the interests of the general community welfare*, per amended language provided by staff. 2) Modification to Condition 19, per the recommendation of Vice Chair Daniels, that fifty-percent of the piling locations shall be excavated with the methodology for excavation to be a combination of Conditions 19.a and 19.b, to be determined in the Phase 3 work program. 3) Deletion of Condition 20 because it is the same as Condition 19.c. 4) Revision of the Community Services condition letter to require approximate 4.5' to 5' sidewalk and approximate 4.5' to 5' parkway along Robin Hill Road, with flexibility to include bulb outs for trees. 5) Modification to Aesthetics/Visual Resources Condition 1 to direct the Design Review Board to address peak heights for Preliminary and Final review. 6) Staff shall provide an estimate of the number of employees at the proposed Marriott Residence Inn in the City Council staff report. 7) The addition of a new condition requiring enhancement of overall landscaping on Parcel 1, including the addition of trees approximately every 4 spaces in existing parking areas, with regard to the Hollister Center DP Amendment.

MOTION: Vice Chair Daniels moved/ seconded by Commissioner Kavanagh, to adopt Planning Commission Resolution No 08-08 (Attachment 1), entitled "A Resolution of the Planning Commission of the City of Goleta Recommending to the City Council Approval of Various Actions Related to the Marriott Residence Inn and Hollister Center Project, Case No. 07-007-OA, -DP, -TPM and 07-167-DP AM; 6300 Hollister Avenue; APN 073-050-020", as amended at the hearing on August 11, 2008.

VOTE: Motion approved by the following voice vote. Ayes: Chair Knight, Vice Chair Daniels, Commissioners Kavanagh and Solomon. No: Commissioner Easton.

C. DIRECTOR'S REPORT

Current Planning Manager Patricia Miller stated that the Citrus Village project, located at 7388 Calle Real, will be ready for review on August 25, 2008, if the Planning Commission would consider scheduling a Special Meeting.

There being no objections, the Planning Commission directed that a Special Meeting of the Planning Commission be held on August 25, 2008, at 6:00 p.m. with regard to the Citrus Village project, 04-226-TM, -DP, -RN.

D. PLANNING COMMISSION COMMENTS

Commissioner Solomon commented that she believes it is important to move forward with the concept in support of the Planning Commission providing earlier input in the conceptual review process.

Chair Knight stated that he and Commissioner Easton plan to address the City Council with regard to providing input earlier in the review process on August 19, 2008, when the agenda item is considered regarding revisions to the City's Environmental Review Guidelines.

Chair Knight stated that he would not be able to attend the regular Planning Commission on October 13, or October 20, 2008, if a special meeting is scheduled.

Vice Chair Daniels stated that he will not be able to attend the joint Planning Commission/DRB workshop on August 18, 2008, regarding Building Intensity Standards in the General Plan; however he will attend the workshop on September 15, 2008.

E. ADJOURNMENT: 11:15 P.M.

Prepared by Linda Gregory, Recording Clerk.

GOLETA PLANNING COMMISSION