



**NOTICE OF PUBLIC HEARING
CITY COUNCIL
Hybrid Public Meeting – Held in Person and via Zoom**

Tuesday, August 16, 2022 at 5:30 pm

**Goleta Gardens LLC (SyWest) Development Agreement Amendment
907 S Kellogg Avenue; APN 071-190-035
City of Goleta Case No. 22-0003-ORD**

ATTENTION: The meeting will be held in person and via the Zoom platform. The public may also view the meeting on Goleta Channel 19 and/or online at <https://cityofgoleta.org/goletameetings>.

NOTICE IS HEREBY GIVEN that the City of Goleta City Council will conduct a hybrid public hearing to consider a Development Agreement Amendment between **Goleta Gardens LLC (SyWest)** and the City of Goleta. The date and time of the City Council meeting is:

DATE/TIME: Tuesday, August 16, 2022, at 5:30 PM

LOCATION: Goleta City Hall, 130 Cremona Drive, Goleta, CA, 93117 and Teleconference Meeting; this meeting will be held in person and via Zoom (with detailed instructions for participation included on the posted agenda).

PROJECT DESCRIPTION AND LOCATION: The subject property (APNs 071-190-035) is an 11.71 -acre parcel located at the south terminus of Kellogg Avenue at 907 S. Kellogg Avenue, within the California Coastal Zone. The site is currently operating as the Westwind Drive-In Theater and Public Market. The property is zoned Service Industrial (I-S) and the land use designation is Service Industrial (I-S). The applicant proposes to amend a Development Agreement that grants a license to the City of Goleta to use a private access road to the San Jose Creek Channel in exchange for an extension of the deadline to use the City's former zoning ordinance (Article 35 Coastal Zoning Ordinance) to December 31, 2023 for review of applicant's pending development proposal (Case No 17-121-DP-DRB). The proposed amendment, as directed by the California Coastal Commission, will change the end date to use the City's former zoning ordinance to either the date the Coastal Commission certifies the City's Local Coastal Program or December 31, 2023 whichever occurs first.

On July 25, 2022, the Planning Commission held a publicly noticed hearing to consider the Development Agreement Amendment and recommended the City Council adopt the Development Agreement Amendment. The City Council is the final decision maker for the Development Agreement Amendment.

The project was filed by Robert Atkinson of SyWest Development on behalf of Goleta Gardens, LLC.

ENVIRONMENTAL REVIEW FINDINGS: A Notice of Exemption (NOE) has been prepared pursuant to the requirements of the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., CEQA), the regulations promulgated thereunder (14 California Code of Regulations, §§ 15000, et seq., CEQA Guidelines), and the City's Environmental Review Guidelines. The City of Goleta is acting as the Lead Agency. The NOE is appropriate pursuant to CEQA Guidelines §15061.b.3 because the act of approving a Development Agreement Amendment will not cause development of the project site itself, but will change the extension timing to use the City's former zoning ordinance to either the adoption date of the City's Local Coastal Plan or December 31, 2023 whichever occurs first.

CORTESE LIST: The Project site is not listed on the EnviroStor online database of hazardous site records maintained by the California Department of Toxic Substances Control TSC in coordination with the California State Water Resources Control Board consistent with Government Code § 65962.5 (the "Cortese list").

PUBLIC COMMENT: Interested persons are encouraged to provide public comments during the public hearing in person or virtually through the Zoom webinar, by following the instructions listed on the City Council meeting agenda. Written comments may be submitted prior to the hearing by e-mailing the City Clerk at CityClerkgroup@cityofgoleta.org. Written comments will be distributed to Council and published on the City's Meeting and Agenda page.

DOCUMENT AVAILABILITY: Staff reports and related materials for the City Council hearing will also be posted on this website at least 72 hours prior to the meeting on the City's web site at www.cityofgoleta.org.

FOR PROJECT INFORMATION: For further information on the project, contact Kathy Allen, Supervising Senior Planner at 805-961-7545 or Kallen@cityofgoleta.org. For inquiries in Spanish, please contact Marcos Martinez at (805) 562-5500 or mmartinez@cityofgoleta.org.

Note: If you challenge the City's final action on this Project in court, you may be limited to only those issues you or someone else raised in written or oral testimony and/or evidence provided to the City on or before the date of the public hearing (Government Code Section 65009(b) [2]).

Note: In compliance with the Americans with Disabilities Act, if you need assistance to participate in this hearing, please contact the City Clerk's Office, at (805) 961-7505. Notification at least 72 hours prior to the hearing will enable City staff to make reasonable arrangements.

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