

Craig L. Christenson
557 Mountain Drive
Santa Barbara, CA 93103
(805) 966-5941

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March 26, 2007

Santa Barbara City Council
C/o Susan Tschish
City Clerk's Office
City of Santa Barbara
827 Anacapa Street
Santa Barbara, CA 93101

Subject: Request to Appeal Planning Commission Approval of 561 W. Mountain Drive 4-Lot Subdivision, March 15, 2007

Dear Members of the City Council,

Please accept this request for an appeal hearing to contest the Planning Commission approval of the proposed subdivision at 561 W. Mountain Drive.

During a hearing held March 15, 2007, the Planning Commission narrowly approved, by a four to three vote, a controversial application for a 4-lot subdivision of this parcel. With this decision, the Planning Commission made a surprise reversal of clear direction they gave the Applicant at the Concept Review Meeting in July 2005 to scale down the Project to a 2-lot subdivision.

The parcel is landlocked by private property having no public street frontage and therefore is only accessible by a private drive across private property. The SB City Municipal Code (Section 22.60.300) requires that each lot created by a new subdivision shall front upon a public street or be accessed by a private driveway serving no more than two lots. The private drive already provides access to five homes and the Applicant is proposing adding another three for a total of eight, well above the limits prescribed by the Municipal Code. The fact that the subdivision would be accessed by an already overburdened private road combined with the fact that the parcel is located in the City's High Fire Hazard area creates obvious density related public safety issues with respect to vehicular and pedestrian safety, fire prevention and emergency evacuation.

In order to approve this Project, the Planning Commission had to grant four Lot Frontage Modifications (SBMC 28.15.080), three Garage Size Modifications (SBMC 28.92.110), a Public Street Waiver (SBMC 22.60.300), and make the necessary findings required by the Neighborhood Preservation Ordinance (SBMC 22.68.060). Based on the data presented prior to and at the hearing, the findings made by the Planning Commission are not supportable. Therefore, please accept this request for an appeal hearing before the Santa Barbara City Council based on the following grounds:

1. The findings made by the Planning Commission in order to approve the Public Street Waiver (SBMC 22.60.300) are not supportable in that the City is proposing to rely on a potentially unreliable Homeowner's Association governed by an experimental Declaration of Covenants, Conditions and Restrictions for adequate maintenance of a 1000-foot long private roadway, fire hydrants, and critical water supply lines, as

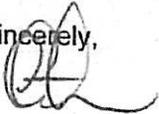
well as parking enforcement, in the City's High Fire Hazard Area putting public safety at risk;

2. The findings made by the Planning Commission in order to approve the four Public Street Frontage Modifications (SBMC 28.15.080) are not supportable in that all four lots have access only via a private road with the aforementioned questionable homeowner obligation to maintain critical public works infrastructure;
3. The necessary findings required by the Neighborhood Preservation Ordinance (SBMC 22.68.060) for approval cannot be made in that the Project puts the public's health, safety and welfare at risk;
4. The determination made by the City's Environmental Analyst and Planning Commission Staff that this Project is Categorically Exempt from further review per California Environmental Quality Act (CEQA) guidelines is flawed considering the cumulative impacts of the Project including but not limited:
 - o The parcel contains two sensitive creek drainages that flow into Mission Creek that support riparian areas and wildlife habitats that may be negatively impacted by the 3225 cubic yards of grading required for this project, including road widening adjacent to, and over one these creeks;
 - o Removal of several mature native coast live oak trees and scrub oaks, some of which are considered rare by the California Native Plant Society
 - o Public safety issues related to fire prevention and evacuation burden that come with increasing housing density in a high fire hazard area;
 - o Public safety issues due to access and circulation issues due to the network of intersecting private roads that service this subdivision and adjoining parcels

All of the above issues indicate that the approval of this subdivision should be rescinded because it is inconsistent with the General Plan and Zoning Ordinance of the City of Santa Barbara, and the California Environmental Quality Act. The overwhelming majority of neighbors in this area have expressed their clear disapproval of this subdivision as approved and submitted a petition to the Planning Commission at the hearing containing approximately 100 signatures.

For these reasons, but not limited to these reasons, please grant this request for an appeal hearing.

Sincerely,



Craig Christenson