



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: February 26, 2008
TO: Mayor and Councilmembers
FROM: Planning Division, Community Development Department
SUBJECT: Appeal Of The Planning Commission Denial Of Initiation Request For 1400 Rogers Court

RECOMMENDATION:

That Council deny the appeal of Mark Lloyd, L & P Consultants, Agent for Santa Fe Court, LLC, and uphold the Planning Commission's decision to deny the initiation of a Zone Change and General Plan Amendment for an existing lot at 1400 Rogers Court.

DISCUSSION:

Project Description

The project site is a 16%-slope lot, 44,600 square feet (1.02 acres) in size, and located in the Alta Mesa Neighborhood of the City, accessed from Santa Fe Place. This property is part of the original Rogers land division which was illegally created by an unapproved map and a series of deed conveyances beginning in 1929 and completed in the late 1950s. The subject property, which consists of six contiguous Rogers Tract lots, was merged in 2005 to satisfy conditions set forth in a Land Use Agreement approved by City Council on November 19, 1974. The merger was an outstanding condition that was required as part of the approval for the construction of the residence in 1974. That approval was granted prior to the Planning Commission's action in 1979, when the Rogers Tract subdivision was deemed illegal and all undeveloped lots and property owners within the Rogers Tract received Notices of Violation, recorded against the properties involved with the County Recorder's Office. There is currently a single-family residence located on the property.

The original request reviewed by the Planning Commission on July 12, 2007 involved a 12-unit, one-lot condo subdivision with eight market rate and four affordable units. It included initiation requests for a zone change from E-1, Single Family Residential, Zone to R-2, Two-Family Residential, Zone and a General Plan Designation amendment of Residential - 3 Units per Acre and Residential - 5 Units per Acre to Residential - 12 Units per Acre.

REVIEWED BY: _____ Finance _____ Attorney _____ Name of Additional Department(s) That Need to Review CAR

Agenda Item No. _____

On November 26, 2007, the applicant submitted a revised proposal (see Attachment 2). If the initiation request goes forward, the revised project, which involves a nine-unit, one-lot subdivision, would include five units proposed at market rate and four units proposed at affordable rates. The proposal was revised by requesting a reduced number of units and a different General Plan designation as shown in the chart below.

	Existing	Original Request	Revised Request
Zoning	E-3	R-2	R-2
General Plan	3 and 5 Units per Acre	12 Units per Acre	5 Units per Acre
Development	1 unit	12 Units (8 market rate and 4 affordable)	9 Units (5 market rate and 4 affordable)

This would require a Tentative Subdivision Map, a Lot Area Modification to allow more units than allowed by the General Plan and Zoning density, and a Public Street Frontage Waiver. Final approval of the rezone and General Plan Amendment requires City Council approval.

Planning Commission Action

On July 12, 2007, the Planning Commission held a public hearing on initiation of the rezone and General Plan amendment project and denied the request (see Attachments 3 and 4). Ten members of the public spoke, primarily in opposition to the project, expressing concerns about overdevelopment of the area. Numerous issues were mentioned, including concerns related to traffic and safety, given the approved increased density in the area. Additionally, 29 letters and one petition were received opposing the project.

The Commission felt that it was premature to initiate a General Plan Amendment and Zoning change of this magnitude when the City is in the process of updating the General Plan. One Commissioner felt the project lacked sufficient affordable housing. Given that the project site is adjacent to the remaining undeveloped lots originally created as part of the Rogers Tract Subdivision, another Commissioner believed that without knowing surrounding neighbors' plans; it would not be in the best interest of the City to initiate these changes at this time. Two Commissioners stated that the proposed density was too much, given the property's location and slopes, and felt that a two-lot subdivision might be supportable. Following the discussion, the Commission denied the initiation on a 4-0 vote (three Commissioners were not present).

Appeal Issues

On July 20, 2007, the initiation denial was appealed because the applicants do not agree with the findings for denial made by the Planning Commission (see Attachment 1). The appellant believes that the Commission did not adequately consider the public benefits of the initiation requests by providing significant levels of affordable housing

beyond the City's current requirements. Additionally, the appellants believe that they were encouraged in the past by the City Council to further pursue opportunities for additional affordable housing. It is the appellant's position that, by denying the initiation requests, the Commission found that affordable housing is no longer a critical need for the City's citizens and that it demonstrated a misplaced sense of the public's health and welfare. They also believe that the initiation would not have an impact on other decisions for additional development in the City; rather it is an opportunity to consider whether this development would benefit the public at large.

As stated before, the applicant submitted a revised proposal for the Council's consideration.

Affordable Housing

The appellant contends that not enough consideration was given to the request. In the Planning Commission's deliberation, Commissioners had concerns about the timing of the request, the amount of affordability being proposed, and the location of the proposed development. While affordable housing is a critical need in our community, not every site and neighborhood is appropriate for increased development. This neighborhood has recently absorbed additional density with the approval of the adjacent project, and has a balanced mix of varying densities. Additional development on this site may not be in the neighborhood's best interest.

Unlike other affordable projects that have been approved in the City, the original and revised projects require both a Zone Change and a General Plan amendment. The City is undergoing a General Plan update to evaluate its goals, and the Commission did not believe it was appropriate to initiate a study of these changes while a concurrent process is underway. Staff concurs with the Commission's position.

The applicant has revised the proposal to amend the General Plan designation for the entire site to five units per acre in order to propose five market-rate and four affordable units on the property. Although the Planning Commission approved re-zoning adjacent property to the R-2 Zone, the development remained consistent with the existing General Plan designation. Initially, Staff put forth the policy issue and question asking whether all "bonus" units created by the up-zone should be affordable. As approved, the adjacent property was required to have a ratio of 50% affordability for the re-zoned area. That approval also involved the resolution of a long-standing illegal subdivision and included seven affordable units. Staff believes that there should be a higher affordability requirement when a project is proposing a General Plan amendment (in addition to the zone change) for higher densities.

Although the Planning Commission did not review the most recent approval, they felt that it was premature to initiate a General Plan Amendment and Zoning change when the City is in the process of updating the General Plan. While the percentage of affordability now proposed is 50% of the "up-zone" units; concerns remain about the amount of affordability proposed. The proposal is still a significantly higher density than that currently allowed on the site, given the property's location and slopes; therefore, concerns expressed by Commissioners about the amount of development exceeding two units still apply. At its current split General Plan Designation of three and five units

per acre, a two-lot subdivision would be possible with a minor lot area modification. Such a proposal would be more consistent with the neighborhood's transitioning terrain and with the Planning Commission's comments.

It should be noted that staff did state in the Planning Commission report that the Commission could initiate a General Plan amendment to designate the entire property: Residential, five units per acre; however, the Commission did not wish to pursue that alternative. Staff continues to support denial of the request based on the Planning Commission's prior action and comments.

SUSTAINABILITY IMPACT:

Initiation of the Zone Change and General Plan Amendment are the first steps in the process for this proposal. If these initiations are granted and the project moves forward, the sustainability impacts related to the subsequent project would be addressed as part of project review.

RECOMMENDATION:

Staff supports the Planning Commission's denial of the proposed initiation, including the revised proposal, as the limited community benefit proposed does not justify the request for initiation. Additionally, staff is concerned about considering a General Plan Amendment at a time when the City is undertaking a major effort to update the General Plan, Plan Santa Barbara. From a City-wide perspective, Plan Santa Barbara is exploring how much residential development is needed in our community and identifying on a broader level where residential development is appropriate, including higher densities for affordable housing. It is premature to look at additional density here, particularly given the slope of the site and the already increased mixed density in the neighborhood. Therefore, staff recommends that the Council deny the appeal, thereby upholding the decision of the Planning Commission, making the findings contained in Planning Commission Resolution No. 028-07 (see Attachment 5).

NOTE: A set of the project plans is on file in the Mayor and Council Office. Public comment letters received are available on file in both the Mayor and Council Office and the City Clerk's Office.

ATTACHMENT(S):

1. Appellant's letter received July 20, 2007 and original Site Plan
2. Appellant's revised proposal received on November 27, 2007 and revised Site Plan
3. Planning Commission July 12, 2007 Staff Report
4. Planning Commission Minutes dated July 12, 2007
5. Planning Commission Resolution 028-07

Council Agenda Report
Appeal Of The Planning Commission Denial Of Initiation Request For 1400 Rogers
Court
February 26, 2008
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PREPARED BY: Marisela G. Salinas, Associate Planner

SUBMITTED BY: Dave Gustafson, Community Development Director

APPROVED BY: City Administrator's Office



3 West Carrillo Street, Suite 205 Santa Barbara, CA 93101
ph: 805.962.4611 fax: 805.962.4161

P.N. 05-029.01

July 20, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

Dear Honorable Council Members:

On behalf of Santa Fe Court LLC, applicants for the subject General Plan Amendment and Zone Change Initiation application, we hereby request a hearing before the City Council to appeal the denial by the Planning Commission of Agenda Item #3 (1400 Roger Court – MST2006-00736) that occurred at the July 12th, 2007 Planning Commission hearing.

As a matter of record, the applicants do not agree with any of the findings for denial made by the Planning Commission. As an example, the Planning Commission did not adequately consider the inherent public benefits of the General Plan Amendment and Zone Change Initiation request in providing significant levels of affordable housing beyond the requirements of current City policy; the Planning Commission did not adequately consider that the applicants were encouraged in the past by the City Council to further pursue opportunities for additional affordable housing; and that that Commission's finding that affordable housing is no longer a critical need for the City's citizens demonstrates a misplaced sense of the public's health and welfare. Furthermore, a motion by the Planning Commission to initiate the General Plan Amendment and Zone Change request would not have resulted in any decisions for additional development in the City, just the opportunity to consider whether such development would, in part, benefit the public at large. By denying or application, the Planning Commission abandoned all opportunity for further consideration and public input as to the specific application request.

Santa Barbara City Council
July 20, 2007
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If you have any questions, or wish to discuss this matter further, please do not hesitate to contact me.

Very truly yours,

L & P Consultants



Mark Lloyd

Agent for:
Santa Fe Court LLC
3 W. Carrillo Street
Suite 205
Santa Barbara, CA 93101
(805) 962-4611 x-201

Cc: Mayor Marti Blum
Councilman Roger Horton
Councilwoman Iya Falcone
Councilwomen Helene Schneider
Councilman Brian Barnwell
Councilman Grant House
Councilman Das Williams

(MHL-Santa Fe Court PC Denial Appeal Letter.doc)



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CITY OF SANTA BARBARA
PLANNING DIVISION

P.N. 05-029.01

November 26, 2007

Marisela G. Salinas, Associate Planner
City of Santa Barbara
Planning Division
630 Garden Street
Santa Barbara, CA 93101

**Subject: Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

Dear Ms. Salinas:

On behalf of the applicant for subject appeal to the City Council, we provide herewith five (5) copies of a revised proposed Site Plan depicting a property development proposal to be submitted upon approval of a General plan Amendment and Rezone by the City Council. The revised Site Plan intends to respond to Planning Commission comments, staff recommendations and comments from the public addressing a reduction in proposed market rate unit density. Details of the revised proposal are as follows:

Purpose of Request

The purpose of the appeal is to request the City Council to initiate a Change of Zone and General Plan and General Plan Amendment. The application Change of Zone component involves a Rezone of the project site from E-1 single family residential to R-2 multi-family residential. The General Plan Amendment component involves amending the General Plan density for the project site from a "split density" of 3 units and 5 units per acre to a property uniform 5 units per acre. The Change of Zone and General Plan Amendment approval is necessary in order for our proposed development of the property to occur. Application requests to follow the initiation process will include a Tentative Map for a one (1) lot subdivision to create nine (9) airspace condominium units; approval of a Public Works street improvement design waiver; approval of a modification of public street frontage, and obtaining Neighborhood Preservation Ordinance consistency findings.

Project Site Background

The subject property was originally part of the Rogers Tract subdivision recorded in Book 20, Page 44 of Maps and Surveys. The property consisted of Rogers Tract Lots 72, 73, 74, 75, 76, and 77, and was individually conveyed to Keith Spittler during early 1970's. On June 7, 1979, the City Planning Commission determined that the lots created by the Rogers Tract subdivision were created in violation of the Subdivision Map Act, and subsequent to

that determination, a Notice of Violation for Lot 77 was recorded December 5, 1979 as Instrument No. 79-57165 of Official Records of Santa Barbara County. During this timeframe, Spittler had begun processing for a Building Permit for a single family residence on Lot 77. As a condition of issuing the Building Permit, the City required that Spittler merge the six (6) Rogers Tract lots into a single parcel. The Building Permit was issued and construction of the single family residence, utility services and access driveway were completed in the early 1980's. However, the merger was not completed and recorded until 2005 (as Instrument No. 2005-65606 of Official Records). The recordation of the Voluntary Merger operates to extinguish the six (6) Rogers Tract lots, remove the Notice of Violation from Lot 77, and render the merged lots as a single legal parcel.

Project Setting

The project site is a single lot of 44,600 square feet in size located in the Alta Mesa area of Santa Barbara, accessed from Santa Fe Place. The property landform consists of a gently sloping terrace with a range of topography from 5% to 20% gradient, with an average 16% gradient. The gently sloping terrace landforms continues off-site to the east and south. The property is currently improved with a single story 1,200 square foot single family residence, an attached 400 square foot 2-car garage, several accessory sheds, paved driveway access and utility services. Avocado and macadamia trees cover the remaining project site area.

The property has a current General Plan designation of residential, 3 and 5 units per acre. Currently the entirety of the property is zoned E-1 which became effective on July 24, 1975. The project site takes access from Santa Fe Place, an improved public street, and a private road easement of record. Surrounding land uses include vacant property on the north and northwest, multi-family residential development under construction on the west, the SHIFCO Housing Authority multi-family residential development to the south, and single family residential development on the east. The project site is currently served by utilities and infrastructure for water, sewer, electrical, gas, telephone and CATV.

Project Description

The subject application requests initiation of (i) a Change of Zone for the project site from E-1 Single Family Residential to R-2 Duplex Residential and (ii) a General Plan Amendment to amend the density for the project site from a split density of 3 units and 5 units per acre to a uniform 5 units per acre. Upon initiation by the City Planning commission, the applicant would submit applications for a one (1) lot Tentative Map subdivision to create nine (9) airspace condominium units of which four (4) units would be offered as affordable housing per City and State "Bonus Density" requirements (targeted to sale prices of 130 percent of median income), and five (5) market-rate units. The project would also require a Modification of the public street frontage requirement and Public Works Street Frontage Waiver because the project site does not abut an existing public street (Santa Fe Place).

The project proposes unit sizes of approximately 1100 square feet (3 bedroom) for the four (4) affordable rate units, and 2200 square feet (3 bedroom) for the five (5) market rate units.

All units are proposed with attached two-car garages of 400 square feet. Project density pursuant to the R-2 Zone District requirements, when factoring the 16% average slope for the project site, would result in eight (8) units (3,500 SF per unit x 1.5 slope density = 5250 SF per unit; 44,600 SF project area / 5250 SF per unit = 8.5 units). Proposing a project of five (5) market units in the R-2 density would render a project density below the ten (10) unit threshold for required inclusionary affordable housing of 15% of project density. In order to provide a significant public benefit, the applicant is proposing to increase the density through Bonus Density from five (5) units to nine (9) units, and provide 50% of the increased project density (4 units) as affordable units.

The units will be accessed by a private driveway network designed to meet Public Works and Fire Dept. standards for width, gradient and materials. Utility infrastructure is provided by the extension of private mains for water and sewer, along with under grounding of main extensions for electrical, telephone, gas and CATV facilities. Roof, yard and surface drainage will be collected through drainage swales, inlets and pipes, and discharged into Santa Fe Place. All collection inlets will employ BMP storm water filtration treatment techniques prior to discharge to the public systems.

Grading estimates have been calculated and listed on the Tentative Map for the project and include approximately 3,200 cubic yards of cut, 2,800 cubic yards of fill with no export except for clearing and grubbing spoils.

Environmental Considerations

Pursuant to the California Public Resources Code, CEQA review of project impacts will be required. The following is a cursory narrative of project site environmental considerations that may arise in development of the property with 9 condominium units:

Aesthetics/Visuals Resources – The project site is a gently sloping landform located at the base of Alta Mesa hillsides, and as such cannot be viewed from public viewpoints, except for the immediately adjacent Santa Fe Place public Street right-of-way. This lack of exposure to public view areas results from a combination of the relatively low elevation of the project site and blockage of the project site by surrounding structures and vegetation. Potential visual impacts from the project are expected to be less than significant.

Biological Resources – The project site contains an existing single family structure, accessory structures and a paved access driveway. Avocado and Macadamia trees cover the remaining portions of the property. No rare or endangered species or sensitive habitat areas are known to be on the property. No significant biological impacts are anticipated.

Cultural Resources – According to the City's Master environmental Assessment, the project site is not located in any archaeological sensitivity zones. No identified historic structures or recorded cultural or religious sites are present on or near the site. No impacts to cultural resources are expected to occur.

Geology and Soils – A Preliminary Soils and Geology Investigation is being completed. Based on the results of field investigations and laboratory analysis the report will conclude that the site is suitable for residential construction. No large-scale geologic landslides, earthen failures, or other geo-hazards were observed on the property. Additionally, no ground water was observed within the first 40 feet below ground surface, therefore geo-hazards associated with seismic events are not expected to occur on the site.

Transportation/Circulation – Trip generation for the 9 unit condominium project would result in nine (9) A.M. and nine (9) P.M. peak trip(s) and approximately ninety (90) new average daily trips. When distributed and dispersed to the surrounding street network, less than significant traffic impacts are anticipated.

Water Quality - Existing drainage facilities are located on site and would serve as a conductor of drainage from any future development. BMPs consisting of storm water filtration will assure that water quality for drainage discharge meets or exceeds required levels.

Public Services – Adequate public services for water, sewer, electricity, telephone and CATV currently exist in the project site vicinity and can be extended to the site. Impacts from increased use for services should not result in significant impacts.

Summary

The applicant request for initiation of a Change of Zone and General Plan Amendment in order to apply for an “in-fill” project which is consistent and compatible with the surrounding land uses, that has proposed design suitable for the site and that mitigates environmental impacts to a less than significant level, and provides a significant public benefit through construction of affordable housing at the moderate income level. Upon initiation by the Planning Commission, the applicant would prepare a DRT application package with required reports, studies and concept architectural design for floor plans and elevations. Thank you for your consideration.

If you have any questions or wish to discuss this project further, please do not hesitate to contact me.

Very truly yours,
L & P CONSULTANTS



Mark Lloyd
Agent for Santa Fe Court, LLC

cc: Santa Fe Court, LLC w/enc.
Keith Spittler w/enc.

PROJECT SITE INFORMATION:

1000 SQUARE FEET
 4400 SQ. FT. (TOTAL)
 1000 SQUARE FEET
 4400 SQ. FT. (TOTAL)

PROPOSED UNITS:

UNIT 1 - 1000 SQ. FT.
 UNIT 2 - 1000 SQ. FT.
 UNIT 3 - 1000 SQ. FT.
 UNIT 4 - 1000 SQ. FT.
 UNIT 5 - 1000 SQ. FT.
 UNIT 6 - 1000 SQ. FT.
 UNIT 7 - 1000 SQ. FT.
 UNIT 8 - 1000 SQ. FT.
 UNIT 9 - 1000 SQ. FT.

APPLICATION REQUIRED:

1. CONSTRUCTION PERMIT
 2. PLANNING COMMISSION APPROVAL
 3. ZONING DEPARTMENT APPROVAL
 4. HEALTH DEPARTMENT APPROVAL
 5. FIRE DEPARTMENT APPROVAL
 6. ENVIRONMENTAL HEALTH DEPARTMENT APPROVAL
 7. PUBLIC WORKS DEPARTMENT APPROVAL
 8. POLICE DEPARTMENT APPROVAL
 9. FIRE DEPARTMENT APPROVAL
 10. HEALTH DEPARTMENT APPROVAL
 11. FIRE DEPARTMENT APPROVAL
 12. HEALTH DEPARTMENT APPROVAL
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 18. HEALTH DEPARTMENT APPROVAL
 19. FIRE DEPARTMENT APPROVAL
 20. HEALTH DEPARTMENT APPROVAL

GENERAL NOTES:

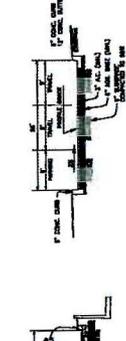
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF SANTA ANA, CALIFORNIA, ORDINANCES AND REGULATIONS.
 2. ALL UTILITIES SHALL BE DEPTH MARKED AND THE EXISTING UTILITIES SHALL BE MAINTAINED.
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BASES OF FINISHES AND DIMENSIONS:

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ESTIMATED EXISTING DIMENSIONS:

1. 1000 SQ. FT.
 2. 1000 SQ. FT.
 3. 1000 SQ. FT.
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PROPOSED MAP:

1. 1000 SQ. FT.
 2. 1000 SQ. FT.
 3. 1000 SQ. FT.
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 6. 1000 SQ. FT.
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 9. 1000 SQ. FT.
 10. 1000 SQ. FT.

VESTING TENTATIVE MAP FOR CONDOMINIUM PURCHASES AND PRELIMINARY GRADING, DRAINAGE ACCESS & UTILITIES IN THE CITY OF SANTA ANA, STATE OF CALIFORNIA

SCALE: 1" = 10'

NOVEMBER 26, 2007





City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: July 5, 2007
AGENDA DATE: July 12, 2007
PROJECT ADDRESS: 1400 Rogers Court (MST2006-00736)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner
 Marisela G. Salinas, Associate Planner *md*

SUBJECT: INITIATION FOR ZONE CHANGE AND GENERAL PLAN AMENDMENT

I. PROJECT DESCRIPTION

The project consists of a request to initiate a Zone Change and a General Plan Amendment for an existing lot at 1400 Rogers Court (formerly known as 1418 Cliff Drive) from E-1, Single Family Residential, Zone to R-2, Two-Family Residential, Zone and from a General Plan Designation of Residential - 3 Units per Acre and Residential - 5 Units per Acre to Residential - 12 Units per Acre. The project site is a 16% slope lot, 44,600 square feet in size, and located in the Alta Mesa Neighborhood of the City, accessed from Santa Fe Place.

If the initiation request goes forward, the proposed project, which involves a 12-unit, one-lot subdivision would include eight units proposed at market rate and four units proposed at affordable rates. This would require a Tentative Subdivision Map, Modifications, and a Public Street Frontage Waiver. Final approval of the rezone and General Plan Amendment would subject to City Council review.

The discretionary applications required for this project are:

1. Initiation of a Zone Change from E-1 (One-Family Residence Zone) to R-2 (Two-Family Residence Zone); and
2. Initiation of a General Plan Amendment from Residential – 3 Units per Acre and Residential - 5 Units per Acre to Residential – 12 Units per Acre.

At this time, the Planning Commission is not being requested to take any action regarding approval of the proposed project nor make any determination regarding environmental review.

II. BACKGROUND

This project site is part of the original Rogers Tract Subdivision that was created by a series of deed conveyances beginning in 1929 and completed in the late 1950s. On June 7, 1979, Planning Commission deemed this subdivision illegal and all undeveloped lots and property owners within this subdivision received Notices of Violation, recorded in the Official Record.

Two Rogers Tract properties were issued permits before the Planning Commission action on June 7, 1979. One of those permits was given to SHIFCO, now the Santa Barbara Housing Authority, to construct senior housing, which is located south of the project site. The second was for this subject property, to build a single-family residence.

The subject property, which consists of six contiguous Rogers Tract lots, was merged in 2005 to satisfy conditions set forth in a Land Use Agreement approved by City Council on November 19, 1974 (Agreement No. 7256). The merger was an outstanding condition that was required as part of the approval for the construction of the residence in 1974.

On November 18, 2004, the Planning Commission approved a project which addressed a majority of the remaining Notices of Violations on the undeveloped Rogers Tract Subdivision. The approval included six market-rate homes at the top of La Vista del Oceano Drive and seven duplexes on the lower portion, accessed from Santa Fe Lane, west of this project site. The property on which the duplexes were developed was rezoned from E-1, Single Family Residential Zone to R-2, Two-Family Residential Zone. As part of the approval, the Planning Commission required that seven of the fourteen lower units be sold at Middle-Income affordable rates. The proposal did not require a General Plan Amendment.

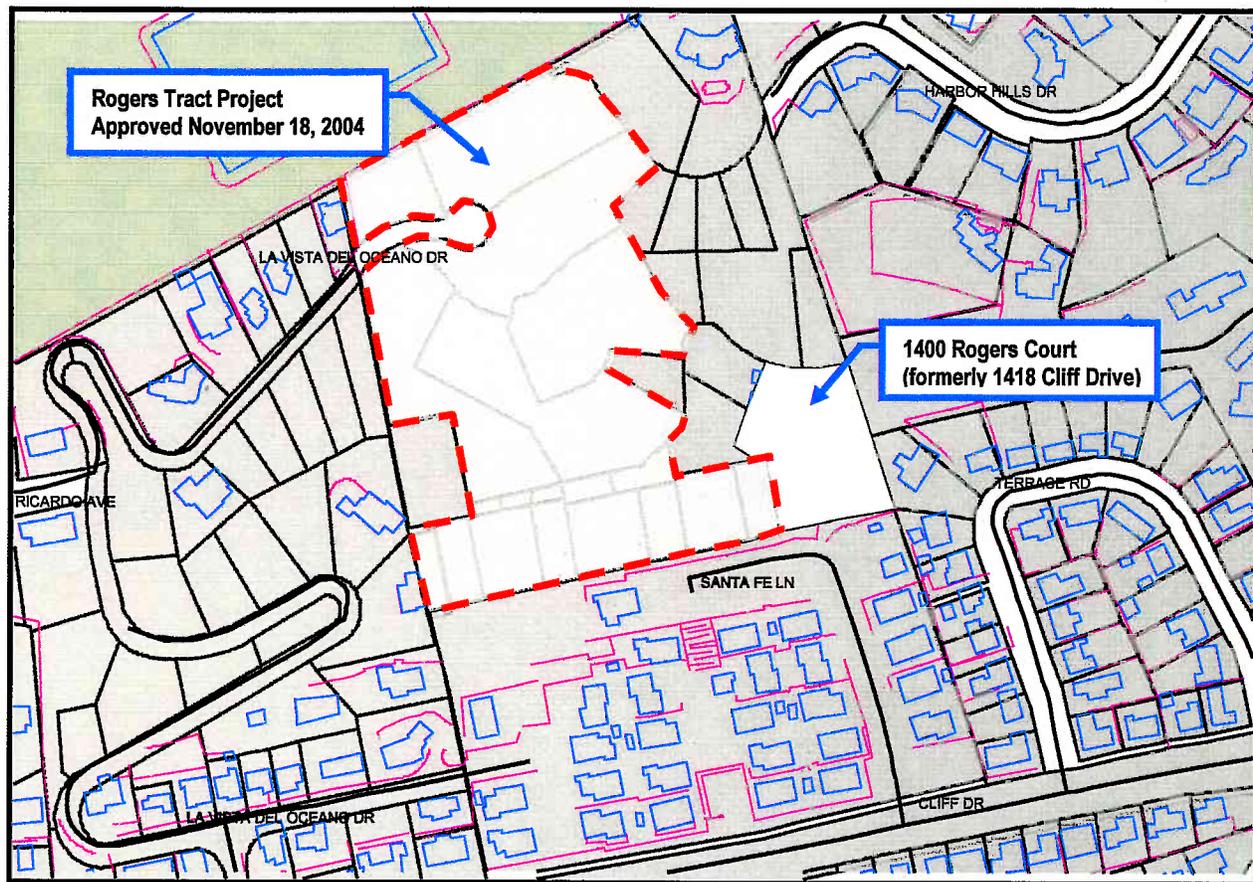


Figure 1 -Vicinity Map

III. DISCUSSION

Both the Rezone and General Plan amendment are legislative processes and the City procedures require that the Planning Commission or City Council initiate the rezoning and General Plan amendment before the applicant can submit a formal application for them. These changes can be initiated by the Planning Commission or City Council. In this case, the property owner is initiating the changes. If, in the opinion of the City, a larger area should be studied, the City may initiate a change of the entire area. The purpose of this hearing is to receive direction from the Planning Commission on the appropriateness of the requests, and to either initiate the rezone and General Plan amendment for further study or to decline to initiate the requests.

As part of these amendments, the Planning Commission and City Council will need to consider the applicability of Section 1507 of the City's Charter as stated below:

Section 1507. General Plan and Zoning Ordinance Amendments Limitations.

It is hereby declared to be the policy of the City that its land development shall not exceed its public services and physical and natural resources. These include, but are not limited to, water, air quality, wastewater treatment capacity, and traffic and transportation capacity. All land use policies shall provide for a level and balance of residential and commercial development which will effectively utilize, but will not exhaust, the City's resources in the foreseeable future. In making land use decisions, the City shall be guided by the policies set forth in this section. In furtherance of these policies, no amendments to the City's General Plan and Zoning Ordinance shall be effective unless approved by five (5) affirmative votes of the City Council. Upon such approval, General Plan and Zoning Ordinance amendments shall be conclusively presumed to comply with the policies set forth herein. (Approved by election held November 2, 1982.)

A. GENERAL PLAN AMENDMENT

The project site is located in the Alta Mesa neighborhood, which is bordered by Loma Alta Drive on the east; by the City limits on the west (Elings Park South); on the south by the existing development oriented to Cliff Drive; and on the north by the base of the steep hillside (north side of TV Hill). The properties to the north, northeast, and northwest have a General Plan Designation of Residential - 3 units per acre. The properties to the south, southeast, and southwest have a General Plan Designation of Residential - 5 units per acre. The subject property has two designations: Residential - 5 units per acre and Residential - 3 units per acre. Between 1/2 and 1/3 of the property is designated Residential, 3 Units per Acre. Based on the current General Plan designation, approximately 3 to 4 market-rate units would be allowed.

The Land Use Element discussion of the Alta Mesa Neighborhood states:

"When minimum lot sizes were smaller, the development trend had been to standard subdivisions in which lots too small for the topography were created. Improved regulations affecting grading and lot size alters this situation so that appropriate development will take place on the remaining vacant land."

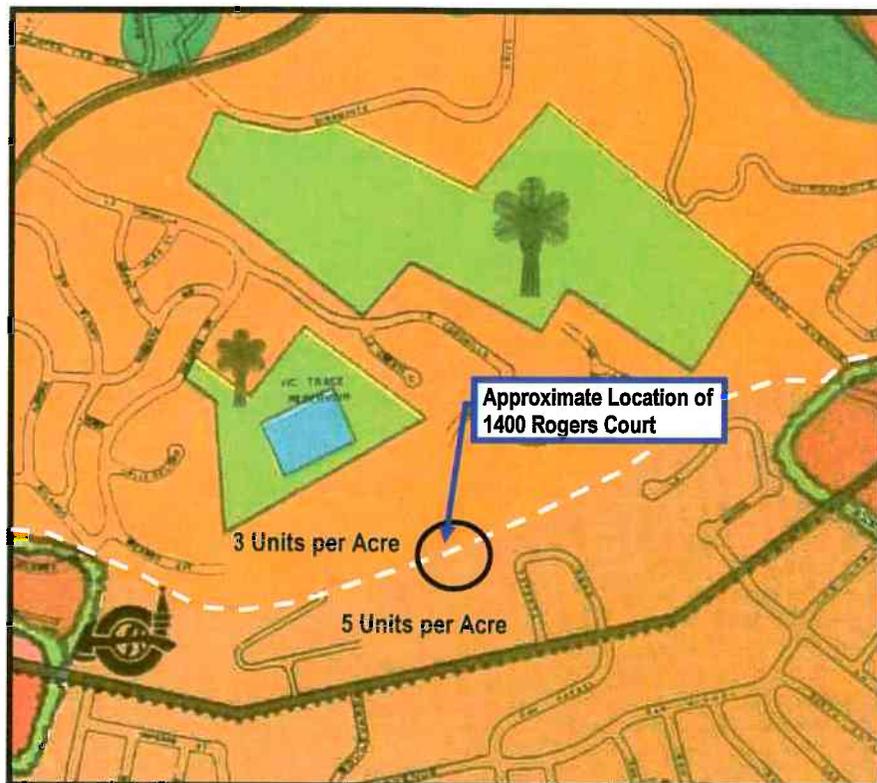


Figure 2 - General Plan Map

The applicant is proposing to amend the General Plan designation to 12 units per acre in order to propose eight (8) market-rate units on the property. Staff does not believe this would be appropriate in this neighborhood. While the Planning Commission approved re-zoning adjacent property to the R-2 Zone, the development remained consistent with the existing General Plan designation. That approval also involved the resolution of a long-standing, illegal subdivision and included seven affordable units.

The subject property is currently conforming to existing standards. In Staff's opinion, creating an area with a higher density (12 units per acre), surrounded by existing areas with 5 and 3 units per acre designations does not appear to be appropriate and would be precedent setting. Staff does not believe that the amount of affordability proposed is enough to merit a change in the General Plan. While there are no clear policies delineating what would constitute an appropriate project, Staff believes that there should be a higher threshold when a project is proposing a General Plan amendment for higher densities. In the interest of promoting affordable units and more conforming improvements, the Commission may wish to amend the General Plan to designate the entire property: Residential, 5 units per acre. This would allow a maximum of 5 market rate units on the project site based on the lot size and provided that a rezone is approved. The Commission would still need to determine the amount of affordability that would be acceptable.

B. ZONE CHANGE

Existing Conditions

This neighborhood is primarily zoned E-1 and E-3, Single Family Residential. The project site is zoned E-1, Single Family Residential and immediately surrounding the site are some vacant parcels remaining from the original Rogers Tract subdivision on the north, single family residences on Harbor Hills to the east, the SHIFCO Housing Authority development to the south and the Rogers Tract project recently approved by the Planning Commission to the west.

The properties to the north, northeast, and northwest are zoned E-1. The SHIFCO Housing Authority development to the south is zoned E-1/S-H, Single Family Residential/Senior Housing. As stated before, the property to the southwest was recently rezoned from E-1 to R-2 as part of a larger project which addresses a number of substandard lots that were created as part of the original illegal Rogers Tract subdivision. Lastly, the properties to the southeast are zoned E-3, Single Family Residential.

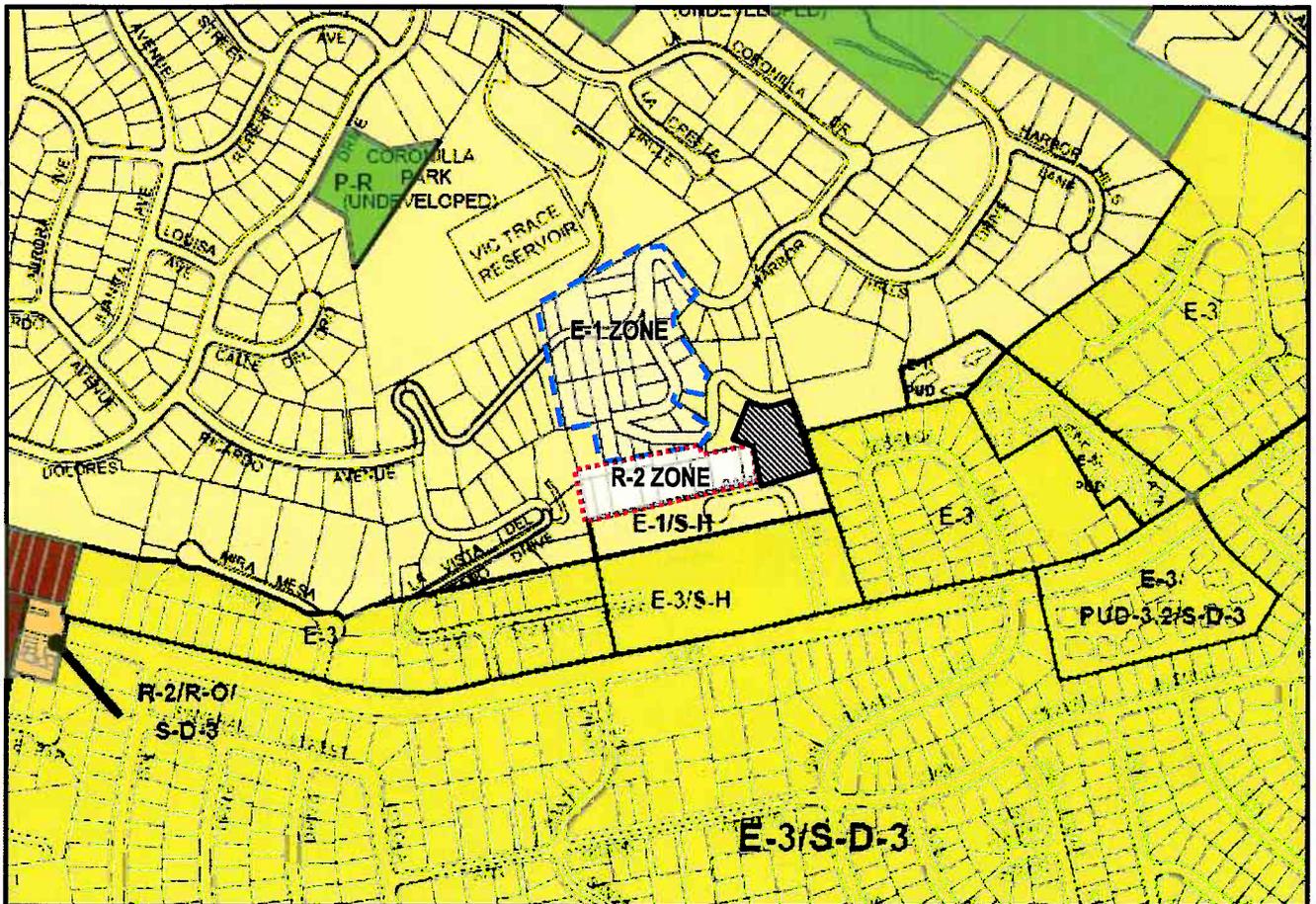


Figure 3 - Zoning Map

Density Calculations

It is important to consider the possible density of residential development that could result on the subject site presently and with the proposed rezone. In the creation of new lots, each residential zone has a minimum lot size and public street frontage requirement. In addition, the slope of a property is a factor in determining the allowable density in single-family and two-family residential zones. The project site has a slope of 16%.

<u>Factor</u>	<u>Percent of Average Slope</u>
1.5 times minimum lot area	10% up to and including 20%
2.0 times minimum lot area	over 20% up to & including 30%
3.0 times minimum lot area	over 30%

Existing

The minimum lot size in the E-1 zone is 15,000 square feet and 90 feet of public street frontage. A minimum of 22,500 square feet is required for each newly created lot under current regulations for a lot with 16% slope. The project site is conforming to density with one single-family residence having a lot size of 44,600 square feet. The property is 400 square feet smaller than required to propose a two-lot subdivision without a lot area modification.

Proposed

The minimum lot size in the R-2 zone is 7,000 square feet and 60 feet of public street frontage. With the application of slope density, a minimum of 5,250 square feet is required for each residential unit created under current regulations for a lot with 16% slope. A maximum of eight market-rate units would be allowed for the existing lot size if it is rezoned to R-2 and the General Plan designation is amended to "12 units per acre".

As stated before, the subject property currently conforms to existing standards. Staff does not believe that the amount of affordability proposed is enough to merit the proposed rezone and the amount of increased market-rate unit potential. The adjacent property was required to have a ratio of 50% affordability. Historically, Staff has viewed all additional units made possible through a rezone as density bonus units, requiring that all excess units be affordable. Given that the project is 400 square feet short of being able to propose a two-lot subdivision, Staff would be supportive of a maximum of two market-rate units with the remaining being affordable.

IV. RECOMMENDATION/FINDINGS

While there are no clear policies delineating what would constitute an appropriate project, Staff believes that there should be a higher threshold when a project requires a Zone Change and General Plan amendment for higher residential densities. Staff does not believe that the limited community benefit being proposed justifies the proposed Zone Change and General Plan Amendment. Additionally, staff is wary of considering a General Plan Amendment at a time when the City is undertaking a major effort to update the General Plan, *Plan Santa Barbara*. General Plan Amendments should be considered carefully, and in light of other policy considerations, if at all, during this time.

Therefore, Staff recommends that the Planning Commission not initiate the Zone Change and the General Plan Amendment because the change of zone is not justified by public necessity, convenience, general welfare or good zoning practice for the reasons outlined in this report. Staff recommends that the Commission consider this application in light of the policies expressed in Charter Section 1507.

If the Commission chooses to initiate the proposed zone change and General Plan Amendment for purposes of environmental review, the Commission should make comments as to the applicability of Section 1507 of the City's Charter. Additionally, the Commission should provide the applicant and Staff with direction regarding the appropriate type and amount of affordability that should be incorporated into the proposal.

If the amendments are initiated, they are not meant to imply any approval of, or formal position on, the proposed project other than acknowledging that the proposed zone change and General Plan amendment can proceed for study and environmental review.

Exhibits:

- A. ~~Site Plan~~ (See Council Agenda Report, Attachment 2)
- B. Applicant's Letter, dated April 11, 2007



3 West Carrillo Street, Suite 205 Santa Barbara, CA 93101
ph: 805.962.4611 fax: 805.962.4161

P.N. 05-029.01

April 11, 2007

Marisela G. Salinas, Associate Planner
City of Santa Barbara
Planning Division
630 Garden Street
Santa Barbara, CA 93101

**Subject: Application to Initiate Change of Zone & General Plan Amendment;
1400 Rogers Court; APN 035-480-001; MST 2006-00736**

Dear Ms. Salinas:

Based upon City Planning staff responses to our PRT application, we are requesting that City Planning staff forward to the City Planning Commission a request to initiate a General Plan Amendment and Rezone of the subject property in order to further the development proposal as described in our PRT application materials. Enclosed herewith please find the following items pertaining to our request:

- Eight (8) copies of Vesting Tentative Map for Condominium Purposes.
- General Plan Amendment and Rezone Application fee.

Purpose of Request

The purpose of the application is to request the City Planning Commission to initiate a Change of Zone and General Plan and General Plan Amendment. The application Change of Zone component involves a Rezone of the project site from E-1 single family residential to R-2 multi-family residential. The General Plan Amendment component involves amending the General Plan density for the project site from 3 units per acre and 5 units per acre to 12 units per acre. The Change of Zone and General Plan Amendment approval is necessary in order for our proposed development of the property to occur. Application to follow the initiation process will include a Tentative Map for a one (1) lot subdivision to create twelve (12) airspace condominium units; approval of a Public Works street improvement design waiver; approval of a modification of public street frontage, and obtaining Neighborhood Preservation Ordinance consistency findings.

Project Site Background

The subject property was originally part of the Rogers Tract subdivision recorded in Book 20, Page 44 of Maps and Surveys. The property consisted of Rogers Tract Lots 72, 73, 74, 75, 76, and 77, and was individually conveyed to Keith Spittler during early 1970's. On June 7, 1979, the City Planning Commission determined that the lots created by the Rogers

City of Santa Barbara, Planning Division

April 11, 2007

Page 2

Tract subdivisions were created in violation of the Subdivision Map Act, and subsequent to that determination, a Notice of Violation for Lot 77 was recorded December 5, 1979 as Instrument No. 79-57165 of Official Records of Santa Barbara County. During this timeframe, Spittler had begun processing for a Building Permit for a single family residence on Lot 77. As a condition of issuing the Building Permit, the City required that Spittler merge the six (6) Rogers Tract lots into a single parcel. The Building Permit was issued and construction of the single family residence, utility services and access driveway were completed in the early 1980's. However, the merger was not completed and recorded until 2005 (as Instrument No. 2005-65606 of Official Records). The recordation of the Voluntary Merger operates to extinguish the six (6) Rogers Tract lots, remove the Notice of Violation from Lot 77, and render the merged lots as a single legal parcel.

Project Setting

The project site is a single lot of 44,600 square feet in size located in the Alta Mesa area of Santa Barbara, accessed from Santa Fe Place. The property landform consists of a gently sloping terrace with a range of topography from 5% to 20 percent gradient, with an average 16% gradient. The gently sloping terrace landforms continues off-site to the east and south. The property is currently improved with a single story 1,200 square foot single family residence, an attached 400 square foot 2-car garage, several accessory sheds, paved driveway access and utility services. Avocado and macadamia trees cover the remaining project site area.

The property has a current General Plan designation of Residential, Five Units per Acre. Currently the entirety of the property is zoned E-1 which became effective on July 24, 1975. The project site takes access from Santa Fe Place, an improved public street, and a private road easement of record. Surrounding land uses include vacant Rogers Tract lots on the north and northwest, multi-family residential development under construction on the west, the SHIFCO Housing Authority multi-family residential development to the south, and single family residential development on the east. The project site is currently served by utilities and infrastructure for water, sewer, electrical, gas, telephone and CATV.

Project Description

The subject application requests initiation of (i) a Change of Zone for the project site from E-1 Single Family Residential to R-2 Duplex Residential and (ii) a General Plan Amendment to amend the density for the project site from 3 units and 5 unit per acre to 12 units per acre. Upon initiation by the City Planning commission, the applicant would submit applications for a one (1) lot Tentative Map subdivision to create twelve (12) airspace condominium units of which four (4) units would be offered as affordable housing per City and State "Bonus Density" requirements (targeted to sale prices of 130 percent of median income), and eight (8) market-rate units. The project would also require a Modification of the public street frontage requirement and Public Works Street Frontage Waiver because the project site does not abut an existing public street (Santa Fe Place).

The project proposes unit sizes of approximately 800 square feet for the four (4) affordable rate units, and 1,900 square feet for the eight (8) market rate units. All units are proposed with attached two-car garages of 400 square feet. Project density pursuant to the R-2 Zone District requirements, when factoring the 16% average slope for the project site, would result in eight (8) units (3,500 SF per unit x 1.5 slope density = 5250 SF per unit; 44,600 SF project area / 5250 SF per unit = 8.5 units). Proposing a project of eight (8) units consistent with the R-2 density would render a project density below the ten (10) unit threshold for required inclusionary affordable housing of 15% of project density. In order to provide a significant public benefit, the applicant is proposing to increase the density through Bonus Density from eight (8) units to twelve (12) units, and provide 33% of the project density (4 units) as affordable units.

The units will be accessed by a private driveway network designed to meet Public Works and Fire Dept. standards for width, gradient and materials. Utility infrastructure is provided by the extension of private mains for water and sewer, along with under grounding of main extensions for electrical, telephone, gas and CATV facilities. Roof, yard and surface drainage will be collected through drainage swales, inlets and pipes, and discharged into Santa Fe Place. All collection inlets will employ BMP storm water filtration treatment techniques prior to discharge to the public systems.

Grading estimates have been calculated and listed on the Tentative Map for the project and include approximately 3,200 cubic yards of cut, 2,800 cubic yards of fill with no export except for clearing and grubbing spoils.

Environmental Considerations

Pursuant to the California Public Resources Code, CEQA review of project impacts will be required. The following is a cursory narrative of project site environmental considerations that may arise in development of the property with 12 condominium units:

Aesthetics/Visuals Resources – The project site is a gently sloping landform located at the base of Alta Mesa hillsides, and as such cannot be viewed from public viewpoints, except for the immediately adjacent Santa Fe Place public Street right-of-way. This lack of exposure to public view areas results from a combination of the relatively low elevation of the project site and blockage surrounding structures and vegetation. Potential visual impacts from the project are expected to be less than significant.

Biological Resources – The project site contains an existing single family structure, accessory structures and a paved access driveway. Avocado and Macadamia trees cover the remaining portions of the property. No rare or endangered species or sensitive habitat areas are known to be on the property. No significant biological impacts are anticipated.

Cultural Resources – According to the City's Master environmental Assessment, the project site is not located in any archaeological sensitivity zones. No identified historic structures or recorded cultural or religious sites are present on or near the site. No impacts to cultural resources are expected to occur.

Geology and Soils - A Preliminary Soils and Geology Investigation has been prepared for adjoining property of identical geological character. Based on the results of field investigations and laboratory analysis the report concluded that the site is suitable for residential construction. No large-scale geologic landslides, earthen failures, or other geo-hazards were observed on the property. Additionally, no ground water was observed within the first 40 feet below ground surface, therefore geo-hazards associated with seismic events are not expected to occur on the site.

Transportation/Circulation - Trip generation for the 12 unit condominium project would result in twelve (12) A.M. and twelve (12) P.M. peak trip(s) and approximately one-hundred twenty (120) new average daily trips. When distributed and dispersed to the surrounding street network, less than significant traffic impacts are anticipated.

Water Quality - Existing drainage facilities are located on site and would serve as a conductor of drainage from any future development.

Public Services - Adequate public services for water, sewer, electricity, telephone and CATV currently exist in the project site vicinity and can be extended to the site. Impacts from increased use for services should not result in significant impacts.

Summary

The applicant proposes the request for initiation of a Change of Zone and Genral Plan Amendment in order to apply for an "in-fill" project which is consistent and compatible with the surrounding land uses, that has proposed design suitable for the site and that mitigates environmental impacts to a less than significant level, and provides a significant public benefit through construction of affordable housing at the moderate income level. Upon initiation by the Planning Commission, the applicant would prepare a DRT application package with required reports, studies and concept architectural design for floor plans and elevations. Thank you for your consideration.

If you have any questions or wish to discuss this project further, please do not hesitate to contact me.

Very truly yours,
L & P CONSULTANTS


Mark Lloyd
Agent for Santa Fe Court, LLC

cc: Santa Fe Court, LLC w/enc.
Keith Spittler w/enc.

III. NEW ITEMS:

ACTUAL TIME: 2:12 P.M.

To avoid any perceived conflict of interest in hearing the following item, Chair Jacobs stepped down because her husband was involved in the sale of the subject property and Commissioner Bartlett stepped down because an adjacent property owner is a client of his architectural firm. Commissioner Jostes assumed the Chair.

A. APPLICATION OF MARK LLOYD, AGENT FOR SANTA FE COURT LLC, PROPERTY OWNER, 1400 ROGERS COURT, APN: 035-180-070, E-1, SINGLE FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 3 UNITS PER ACRE AND 5 UNITS PER ACRE (MST2006-00736). RESCHEDULED FROM JUNE 21, 2007

The project consists of a request to initiate a Zone Change and a General Plan Amendment for an existing lot at 1400 Rogers Court (formerly known as 1418 Cliff Drive) from E-1, Single Family Residential, Zone to R-2, Two-Family Residential, Zone and from a General Plan Designation of Residential - 3 Units per Acre and Residential - 5 Units per Acre to Residential - 12 Units per Acre. The project site is a 16% slope lot, 44,600 square feet in size, and located in the Alta Mesa Neighborhood of the City, accessed from Santa Fe Place.

If the initiation request goes forward, the proposed project, which involves a 12-unit, one-lot subdivision would include eight units proposed at market rate and four units proposed at affordable rates. This would require a Tentative Subdivision Map, Modifications, and a Public Street Frontage Waiver. Final approval of the rezone and General Plan Amendment would subject to City Council review.

The discretionary applications required for this project are:

1. Initiation of a Zone Change from E-1 (One-Family Residence Zone) to R-2 (Two-Family Residence Zone); and
2. Initiation of a General Plan Amendment from Residential – 3 Units per Acre and Residential - 5 Units per Acre to Residential – 12 Units per Acre.

The Planning Commission will not take any action on the proposed project nor make any determination regarding environmental review of the proposed project.

Case Planner: Marisela G. Salinas, Associate Planner
Email: MSalinas@santabarbaraca.gov

Marisela G. Salinas, Associate Planner, gave the Staff presentation.

Mark Lloyd, Agent, gave the applicant presentation.

Ms. Hubbell commented on Mr. Lloyd's presentation citing the history of properties on the Mesa as related to affordability.

Staff answered Planning Commission's questions regarding access to parcels excluded from the project, and the basis for designating the project site as one single family residential unit.

Mr. Lloyd responded to the Planning Commission's question about a proposed private road.

Chair Jostes opened the public hearing at 2:42 P.M.

The following person spoke in support of the project:

Andy Chapman, neighbor, was supportive of the project as long as he could maintain the ingress/egress he has had to his property that is needed for maintenance and that would be of mutual benefit.

The following people spoke in opposition to the project or with concerns:

1. Kathy Sheffield: Affordable housing already offered by SHIFCO, Impact on neighbor's rights and neighborhood character.
2. Rosie Conaway: Increased traffic and safety issues. Suggested City reduce Cliff Drive to one lane in each direction.
3. Dan Hankey: preservation of wildlife nesting in trees on site.
4. Angela Bell: would like to see units built for Habitat for Humanity. Urged safety consideration be given to Santa Fe Place and for neighboring seniors.
5. Mary Norton: concerned with over development on Mesa; increased traffic, dust, and noise.
6. Kathy Carmel: increase in population density for area.
7. Cathie McCammon: La Mesa Neighborhood Association: incompatibility with neighborhood, amendment would be precedent setting. Concerned with increased traffic and erosion of views.
8. Mike Jordan, Creeks Advisory Committee: No watershed; collected water is not filtered and goes directly into the ocean.
9. Barbara Silverander: impact to environmental resources and wildlife endangerment; density.
10. Anthony Purpero, adjacent land owner: concerned with the elimination of necessary easements to neighboring properties.

With no one else wishing to speak, the public hearing was closed at 3:06 P.M.

Commissioners' Comments:

1. Two Commissioners felt that it was premature to initiate a General Plan Amendment and Zoning change when the City is in the process of updating the General Plan and should be part of the general plan process.
2. One Commissioner was supportive of the development but felt it lacked sufficient affordable housing.
3. One Commissioner felt that, without knowing surrounding neighbors' future plans, granting the zone change and General Plan Amendment would not be in the best interest of Santa Barbara, and would inappropriately increase density in the neighborhood.
4. Two Commissioners stated that the proposed density was too high and stated that they might be able to support a two-lot subdivision.

MOTION: Thompson/Larson

Assigned Resolution No. 028-07

Deny initiation of the Zone Change and General Plan Amendment because its analysis should be a part of the current General Plan Update process.

This motion carried by the following vote:

Ayes: 4 Noes: 0 Abstain: 0 Absent: 3 (Myers, Jacobs, Bartlett)

Chair Jostes announced the ten calendar day appeal period.

Chair Jostes called for a recess at 3:15 P.M.

During the break, Commissioner Jostes left for the remainder of the meeting. Commissioners Jacobs and Bartlett returned to the dais.

Chair Jacobs reconvened the meeting at 3:40 P.M.



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 028-07

1400 ROGERS COURT

INITIATION FOR ZONE CHANGE AND GENERAL PLAN AMENDMENT

JULY 12, 2007

APPLICATION OF MARK LLOYD, AGENT FOR SANTA FE COURT LLC, PROPERTY OWNER, 1400 ROGERS COURT, APN: 035-180-070, E-1, SINGLE FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 3 UNITS PER ACRE AND 5 UNITS PER ACRE (MST2006-00736).

The project consists of a request to initiate a Zone Change and a General Plan Amendment for an existing lot at 1400 Rogers Court (formerly known as 1418 Cliff Drive) from E-1, Single Family Residential, Zone to R-2, Two-Family Residential, Zone and from a General Plan Designation of Residential - 3 Units per Acre and Residential - 5 Units per Acre to Residential - 12 Units per Acre. The project site is a 16% slope lot, 44,600 square feet in size, and located in the Alta Mesa Neighborhood of the City, accessed from Santa Fe Place.

If the initiation request goes forward, the proposed project, which involves a 12-unit, one-lot subdivision would include eight units proposed at market rate and four units proposed at affordable rates. This would require a Tentative Subdivision Map, Modifications, and a Public Street Frontage Waiver. Final approval of the rezone and General Plan Amendment would subject to City Council review.

The discretionary applications required for this project are:

1. Initiation of a Zone Change from E-1 (One-Family Residence Zone) to R-2 (Two-Family Residence Zone); and
2. Initiation of a General Plan Amendment from Residential – 3 Units per Acre and Residential - 5 Units per Acre to Residential – 12 Units per Acre.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, 1 person appeared to speak in favor of the application, and 10 people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, July 5, 2007
2. Site Plans
3. Correspondence received in support of the project with concern:
 - a. Andy Chapman, Santa Barbara, CA

4. Correspondence received in opposition to the project:
 - a. Janet Rowse, via email
 - b. Stephen Carmel, Santa Barbara, CA
 - c. Kristen Gravelle, hand delivered letter
 - d. A. Zoll (illegible), hand delivered letter
 - e. (illegible name), hand delivered letter
 - f. Bill Gorly, hand delivered letter
 - g. Shirley Rontowski, Santa Barbara, CA
 - h. Rita Rivest, Santa Barbara, CA
 - i. (illegible name), hand delivered letter
 - j. (illegible name), hand delivered letter
 - k. Jessy Zamoraano, hand delivered letter
 - l. Owen Dell, Santa Barbara, CA
 - m. (illegible name), hand delivered letter
 - n. A. Alvarado, hand delivered letter
 - o. Craig W. Rice, hand delivered letter
 - p. Sally & Mark Hamilton, hand delivered letter
 - q. Gilbert A. Pitney, hand delivered letter
 - r. (illegible name), hand delivered letter
 - s. Alan Vandeburgh, hand delivered letter
 - t. Rafelle Glatter, hand delivered letter
 - u. I. Noppe, Santa Barbara, Ca
 - v. Shawn Petche, hand delivered letter
 - w. Bob Trimble, via email
 - x. Paul and Lynne Martyniuk, hand delivered letter
 - y. Petition from Mary Norton with 20 signatures
 - z. Kathy Sheffield, via email
 - aa. Kathleen and Kevin Kelly, via email

PLANNING COMMISSION RESOLUTION No. 028-07
1400 ROGERS COURT
JULY 12, 2007
PAGE 3

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

Denied initiation of the Zone Change and General Plan Amendment for the reason that it should be a part of the current General Plan Update process.

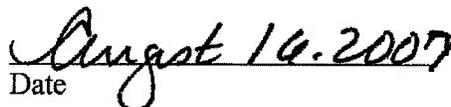
This motion was passed and adopted on the 12th day of July, 2007 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 4 NOES: 0 ABSTAIN: 0 ABSENT: 3 (Myers, Jacobs, Bartlett)

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.



Julie Rodriguez, Planning Commission Secretary



Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

**CORRESPONDENCE REGARDING
APPEAL OF PLANNING COMMISSION DECISION
FOR 1400 ROGERS COURT**

DISTRIBUTED TO: DATE: 07/08/07
 PLANNING COMMISSION (7) ATTACHMENT 5
 SR. PLANNER, ASST. CITY ATTY.
 CASE PLANNER APPLICANT(S)
 AGENT PC SEC, ENTERED AS INT
 PARTY ON DATE: _____
 BY: _____

Salinas, Marisela

From: Janet Rowse [rowse@cox.net]
Sent: Sunday, July 08, 2007 3:23 PM
To: Salinas, Marisela
Subject: Mesa zoning change

Dear Ms. Salinas,

I am writing as a Mesa homeowner against the Zone Change request and General Plan Amendment for 1400 Rogers Court (formerly 1418 Cliff Dr.). I am unable to attend the hearing on July 12 at 1 pm, and I would like my strong objections to be recorded.

If I need to write to someone else would you please let me know who that would be.

Thank you,

Janet Rowse
 201 Las Ondas
 Santa Barbara, Ca 93109
 rowse@cox.net

RECEIVED

JUL 09 2007

**CITY OF SANTA BARBARA
PLANNING DIVISION**

DISTRIBUTED TO: DATE: 07/09/07
PLANNING COMMISSION (7)
SR. PLANNER, ASST. CITY ATTY. 92
CASE PLANNER APPLICANT(S)
AGENT PC SEC, ENTERED AS INT
PARTY ON DATE: _____
BY: _____

July 5, 2007
Stephen Carmel
484 Terrace Rd
Santa Barbara CA 93109

Planning Commission Secretary
P.O. Box 1990
Santa Barbara CA 93102-1990

Dear Commissioners:

I wish to state my objections to the zone change and General Plan Amendment for the existing lot at 1400 Rogers Court.

1. Anyone who has actually seen this property would not agree that the average slope is 16%. Someone must have been doing extreme grading, because the land is very steep on this part of the Mesa.
2. There has recently been very extensive development in this area, ruining the hills that have stood forever. That is mainly because these hills are so steep and therefore difficult to develop. Anyone who has seen the result of the current development can attest to how invasive it has been – the huge houses are obviously too large for the steep hillside. And now we should permit R12 high density building – on this one lot?
3. The current residential area below the proposed site on Terrace Rd has single family houses (R2) – why should it be any different for the houses above? I believe one requirement for development should be neighborhood consistency.
4. It appears that the method of asking for a large amount (R12!) and then settling for less worked in the past for the development above Shifco. Please do not fall into the trap of granting anything more than what is currently on this site – a single family dwelling.

Sincerely,



Stephen Carmel

Santa Barbara Planning Commission
Secretary

DISTRIBUTED TO: DATE: 07/09/07
PLANNING COMMISSION (7)
SR. PLANNER, ASST. CITY ATTY. 2
CASE PLANNER APPLICANT(S)
AGENT PC SEC, ENTERED AS INT
PARTY ON DATE: _____
BY: _____

Re: Request for up-zoning and amendment to the General Plan
Mr. Mark Lloyd, 1400 Rogers Court

Dear Commission:

Please deny the request of Mr. Lloyd and the Rogers Court LLP to up zone and amend the General Plan on the recently purchased parcel on Rogers Court, formerly 1418 Cliff Drive.

There are issues of safety, traffic, and the environment that more building on this tract will affect. **Please, no more high density on the Mesa!**

Sincerely,


Kristen Gravelle

RECEIVED
JUL 09 2007
CITY OF SANTA BARBARA
PLANNING DIVISION

DISTRIBUTED TO: DATE: 07/09/07
PLANNING COMMISSION (7)
SR. PLANNER, ASST. CITY ATTY. 2
CASE PLANNER APPLICANT(S)
AGENT PC SEC, ENTERED AS INT
PARTY ON DATE: _____
BY: _____

To: Secretary and
Santa Barbara Planning Commission

Date: 07-07-07

Ref: Application of Mark Lloyd (MST2006-00736) to up-zone and amend
the General Plan Designation

I respectfully ask you to deny the application of Mr. Lloyd to up zone the tract of land known as 1400 Rogers Court (apn 035-180-070) from E-1 to R-2, and that you deny Mr. Lloyd's application to make a General Plan Amendment from residential single family to 12 Units per acre.

Rogers Court LLP was previously given approval for the homes and townhomes to be built above Shifco. There was one holdout as they acquired the many properties to make up this partnership and development. This is the only existing parcel remaining. It was purchased recently. I believe that they purchased this lot with the premature assumption that it could and would be up zoned. I believe that any more development on that land would disturb natural habitats, jeopardize the residents of Shifco, and bring more traffic into an area where there have been two fatalities within one block of either side of this project. (June 2007). This whole parcel of land was originally zoned environmentally protected. Please do not allow the rezoning of this parcel. It will open the door for up zoning for an adjacent land locked lot, and the split and up-zoning of parcels from Holiday Hills.

Sincerely,



RECEIVED
JUL 09 2007

CITY OF SANTA BARBARA
PLANNING DIVISION

DISTRIBUTED TO: DATE: 07/09/07
PLANNING COMMISSION (7)
SR. PLANNER, ASST. CITY ATTY. 2
CASE PLANNER APPLICANT(S)
AGENT PC SEC, ENTERED AS INT
PARTY ON DATE: _____
BY: _____

To: Secretary and
Santa Barbara Planning Commission

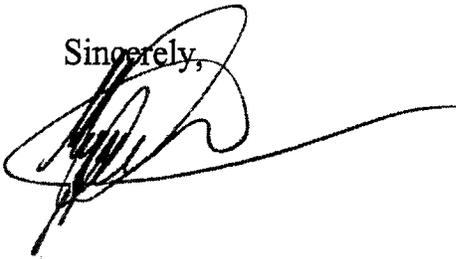
Date: 07-07-07

Ref: Application of Mark Lloyd (MST2006-00736) to up-zone and amend
the General Plan Designation

I respectfully ask you to deny the application of Mr. Lloyd to up zone the tract of land known as 1400 Rogers Court (apn 035-180-070) from E-1 to R-2, and that you deny Mr. Lloyd's application to make a General Plan Amendment from residential single family to 12 Units per acre.

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Sincerely,



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PLANNING DIVISION

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PLANNING COMMISSION (7)
SR. PLANNER, ASST. CITY ATTY. QA
CASE PLANNER APPLICANT(S)
AGENT PC SEC, ENTERED AS INT
PARTY ON DATE: _____
BY: _____

To: Secretary and
Santa Barbara Planning Commission

Date: 07-07-07

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Santa Barbara Planning Commission
Secretary

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There are issues of safety, traffic, and the environment that more building on this tract will affect. **Please, no more high density on the Mesa!**

Sincerely,

Shirley R. Kowalski

1062 MIRAMONTE Dr #5

Santa Barbara 93109

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Sincerely,

Rita Rivers
RITA RIVERS

[Signature]
SANTA BARBARA

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PLANNING DIVISION

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Santa Barbara Planning Commission
Secretary

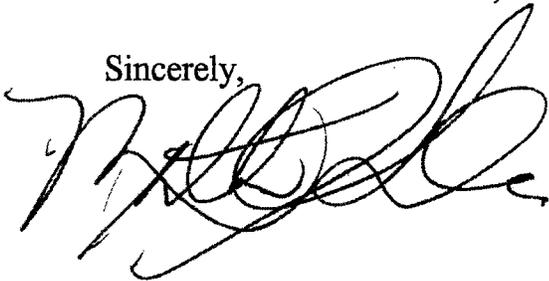
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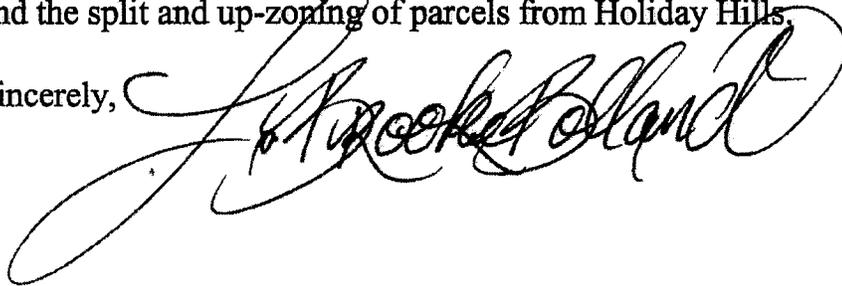
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Sincerely,

Jessy Zambrano

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Sincerely,



OWEN DEU
REGISTERED LANDSCAPE ARCHITECT
234 MESA LANE
SB
962-3253
odello silcom.com

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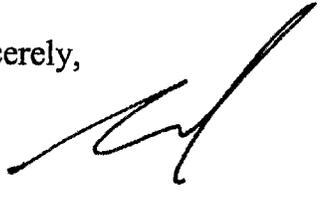
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Sincerely,
A. Alvarez

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Sincerely,

Craig W. Rice
CWR

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Sally & Mark Hamilton

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Gilbert A. Pitney

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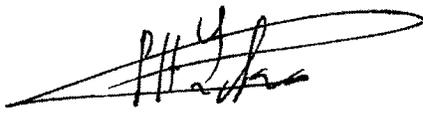
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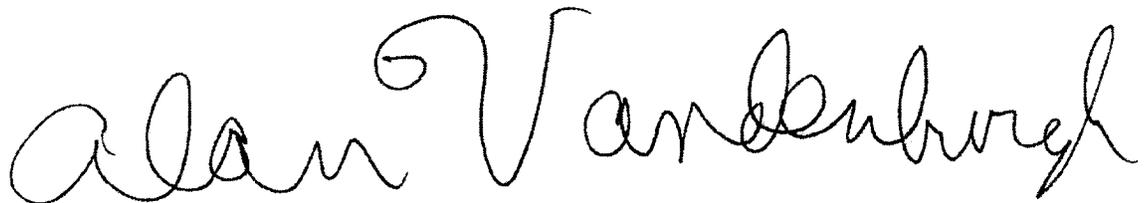
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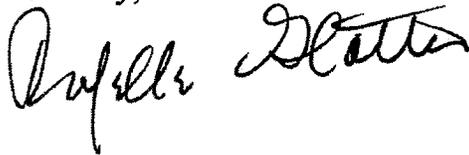
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RAFELLE GLATTER

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Woppe
I WOPPE
218 Highway Drive

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Sincerely,

Shawn Petcher

Shawn Petcher

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BY: _____

Salinas, Marisela

From: Bob Trimble [bob@bobtrimble.net]
Sent: Monday, July 09, 2007 7:18 PM
To: Salinas, Marisela
Subject: Santa Fe Court Application 035-180-070

My name is Robert Trimble, and I own a home at 411 Terrace Road, Santa Barbara. I am extremely grieved at the above application to initiate a zoning change from a single family residence to a two family residence. I am also apposed to the initiation of a general plan amendment to 12 units per acre. My concern is the erosion possibility on the hill behind my residence and the increase traffic between Santa Fe and Terrace Road on Cliff Drive, not to mention the parking concerns. I have students from City College parking in front of my house and occasionally blocking my drive way.

I recently sold a house on the West Side zoned R-2 and the City afforded no leeway on the improvements I had to make to sell my house.

This entire plan seems to be going a different direction than the City of Santa Barbara and the residents of the "Mesa" are moving.

Thank you for your concern. Bob Trimble

7-9-07

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JUL 10 2007

CITY OF SANTA BARBARA
PLANNING DIVISION

To: Secretary and the Santa Barbara Planning Commission

From: Paul and Lynne Martyniuk
469 Terrace Road

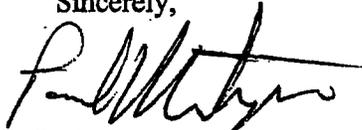
Ref: Application of Mark Lloyd(MST2006-00736) to up-zone and amend the
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As 12 year residents of this unique neighborhood we ask that you deny the
application of Mr. Lloyd to up zone the tract of land known as 1400 Rodgers Court (apn
035-180-070) from E-1 to R-2, and that you deny Mr. Lloyds application to make a
General Plan Amendment from residential single family to 12 units per acre.

Being in the construction trade myself I know that there is always a need for housing
but this is ridicules. This area where they want to build is too steep and has only one
access route. This project will totally alter this unique single family neighborhood. Both
my wife and I were born and raised in Santa Barbara and we stayed here because it is
truly a special place to live. We ask that this project not go ahead-We would not like to
see Santa Barbara look like Newport Beach.

Thank you for this consideration.

Sincerely,


Paul Martyniuk


Lynne Carpenter Martyniuk

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CASE PLANNER APPLICANT(S)
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July 9, 2007

To the Secretary and Santa Barbara Planning Commission:

In regards to APN 035-180-070

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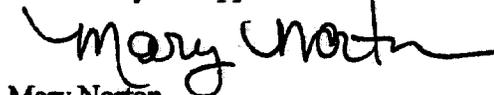
I have spent the last few days walking my neighborhood, trying to inform residents of this application for re-zoning and amending the General Plan. Most residents were not aware of the proposed project. Neighbors were concerned about the geological safety, erosion of our properties, the added noise, the loss of privacy, the loss of our quiet neighborhood, added traffic on Cliff, safety on our streets, density of housing, the Red-tailed Hawk's nest at the top of Terrace, dust from even more construction, and loss of the treasure we cherish, our special community. I have attached our request that you deny this application

I have lived at the top of Terrace for 21 years. I watch the hawks every year. This year the babies did not survive. The loss of habitat for their food source may have been the cause, as they hunt close to the nest while they have babies. I fear that more up-zoning will threaten all our wildlife. The foxes are gone.

In the past when development has occurred above my property, I have had erosion problems. Twice whole sections of the hill slid into my lower yard. One time I filled an entire Marborg container with dirt. Another the sand washed past my house and down the driveway. Any development, including grading, cause me to worry that my yard will erode further.

Finally, I can not give enough reasons to not want townhouses looking into my home. I value the quiet on Terrace Rd. We have families whose children can actually play safely on the sidewalks in front of their homes. We do not need any added traffic. The recent accident was on the corner of Cliff and Terrace.

Please deny this application.



Mary Norton
454 Terrace Rd.

Planning Commission
Santa Barbara Planning Commission
City of Santa Barbara, CA

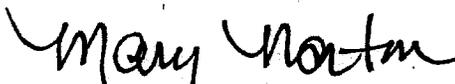
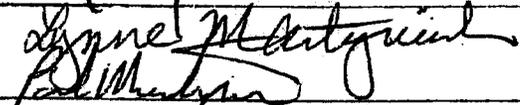
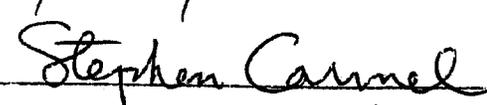
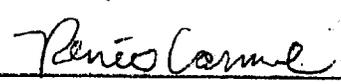
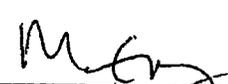
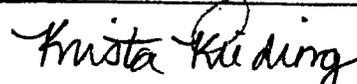
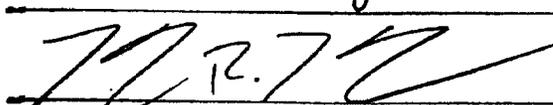
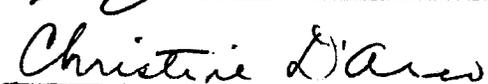
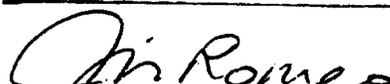
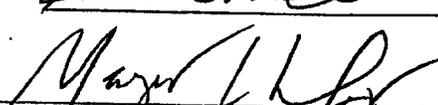
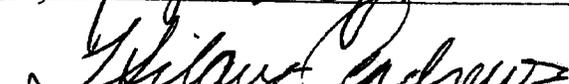
Attention Members of Planning Commission:

Residents of Terrace Road request that you deny the applications for Zone Change and General Plan Amendment as regards the 1400 Rogers Court APN: 035-180-070.

Signed:

Name:

Address:

Signed:	Name:	Address:
	Mary Norton	454 Terrace Rd.
	Lynne Paul Martyniak	469 Terrace Rd.
	TOM Deedee Coockar	475 Terrace Rd.
	Jules Federman	48 Terrace Rd.
	RODGER TRENARY	1320 Cliff Rd.
	Kathleen J Carmel	484 Terrace Rd.
	Stephen Carmel	484 Terrace Rd 9310
	Renée Carmel	484 Terrace Rd.
	Megan Eng	458 Terrace Rd.
	Krista Kieding	448 Terrace
	Kenny Kieding	448 Terrace
	Christine D'Arno	439 Terrace Rd.
	JILL ROMEO	439 TERRACE RD.
	MARGOT C. DEMERT	420 Terrace Rd.
	Hilary Andrews	465 Terrace Rd.

Salinas, Marisela

From: Mesal8dy@aol.com
Sent: Wednesday, July 11, 2007 2:11 PM
To: Salinas, Marisela
Cc: Blum, Marty; Schneider, Helene; Falcone, Iya; Horton, Roger; Barnwell, Brian B.; House, Grant; Williams, Das; mnort19@cox.net; Mesal8dy@aol.com
Subject: Request to Rezone 1418 Cliff Drive

Dear Ms. Salinas;

Thank you for your staff report and work on the request to rezone and change the general plan for the development at 1400 Rogers Court. On the final page of the report, I note that ***you recommend the city planning commission "is not justified by public necessity, convenience, general welfare or good zoning practice" to consider this application and initiate the Zone Change or General Plan Amendment.***

As an adjacent property owner, I can tell you that the Mesa residents are not in favor of this project; nor were they in favor of the other two approved projects which are currently in progress. I stood outside Lazy Acres Market for four hours on July 7, and three hours on July 8 and what I heard is the following:

1. Residents feel helpless about the increasing density of development; they voiced "the little person has no more say about what happens in this community".
2. Most residents were not aware of this project at all. When informed they were unanimously, and vehemently opposed.
3. They wanted to know who the people were in the LLC, because that legal instrument creates a loophole which prohibits the identification of "people of interest that will gain financially (partners)".
4. The residents of Shifco were not directly notified of the proposal; the housing authority of Santa Barbara received the notice.
5. "How much more building and infill will be done in this city? Where will the water come from?"
6. Most people can not attend the planning commission meeting on July 12, because they work; many are also on summer vacation or were unaware of the proposal.
7. Most are extremely concerned about traffic because of the recent two fatalities on Cliff Drive near the project. They are concerned for the residents of Shifco especially during construction, when the big rigs and trucks are utilizing the only street available to the site, Santa Fe Place.
8. They are concerned about dust, because watering cannot be effective because of run off. They have health concerns from the dust; one had a sinus problem.
9. They feel this project does not fit in with the "character of the Mesa"
10. They are worried about environmental issues on the subject property and adjacent parcels. This site is home to foxes, coyotes, skunks and Red Tail Hawks; they have already been adversely affected by the present construction.
11. They are confused about the original zoning on the property. They want to know why City of Santa Barbara had such issues of non-conformance of the lots in the Rogers Tract.
12. They are extremely concerned about this rezoning and general plan amendment setting a precedence for lots splits of the adjacent parcels.

I will be looking at this project from the view portion of my lot. I am extremely concerned about Mr. Chapman's interest in this rezoning issue; he owns the parcel immediately contiguous with both the subject property and my property.

Because I was present at the city planning commission's "site visit", I am sure you can appreciate why ***we want to support you in your decision to keep this parcel from being up-zoned and the general plan amended.*** It is not a suitable project for this site. There is a need for "affordable housing"—but not in this area. The Shifco development provides affordable housing for 120 senior citizens. Many of them cannot speak for their safety, so I am advocating for them.

Cliff Drive has become an alternate route for commuters when highway 101 is backed up. There are many safety issues that can be addressed in connection with this proposal.

I am aware that the planning commission was against the other two projects in this location; I don't know why they were passed. Growth is inevitable; however, the present zoning provides for one single family residence, and that is what it should be.

The general plan protects us from spot rezoning. Please continue to oppose this request.

7/11/2007

Sincerely,
Kathy Sheffield
458 Terrace Road
Santa Barbara

Get a sneak peak of the all-new AOL at <http://discover.aol.com/memed/aolcom30tour>

Salinas, Marisela

From: Kathleen Kelly [kkelly124@cox.net]
Sent: Thursday, July 12, 2007 12:31 PM
To: Salinas, Marisela
Subject: General Plan Amendment for 1400 Rogers Court

Dear Ms. Salinas,

As 27-year residents of the Mesa, we are vehemently opposed to the Zone Change request and General Plan Amendment for 1400 Rogers Court (formerly 1418 Cliff Drive). We are unable to attend the hearing today at 1 pm, having just now arrived back from overseas, but we do want our objections to this terrible idea noted. If there is another meeting about this, be assured that we will be there in person to make our opposition to this project clear.

Thank you,

Kathleen and Kevin Kelly

7/12/2007

DISTRIBUTED TO: DATE: 7-9-07
PLANNING COMMISSION (7)
SR. PLANNER, ASST. CITY ATTY.
CASE PLANNER APPLICANT(S)
AGENT PC SEC, ENTERED AS INT
PARTY ON DATE: _____
BY: _____

Andy Chapman
1175 Harbor Hills Drive
Santa Barbara CA 93109
805 895 7858 - atchapman@gmail.com

Planning Commission
City of Santa Barbara
630 Garden Street
Santa Barbara CA 93101

RECEIVED
JUL 09 2007

CITY OF SANTA BARBARA
PLANNING DIVISION

July 9, 2007

RE: MST2006-00736

Dear Commissioners

My property at 1175 Harbor Hills Drive borders the proposed project at 1400 Rogers Court. My parcel was created in the 1970's and is an interior parcel with no street frontage. It is 1.4 acres with a 30% slope. Access is only possible from Harbor Hills Dr through a driveway that crosses an adjoining parcel. As a result, maintenance of the lower 1.1 acres is basically impossible and the larger brush removal that has been achieved has only occurred when the neighbor at 1400 Rogers Court would allow my workers and equipment to cross his property.

With the initiation of the proposed project I would like to request that a condition of approval be that a permanent easement for ingress and egress across the proposed project road be granted to me in perpetuity for the maintenance and improvement of my property for the following reasons:

Proper Maintenance – This is a large lot that will require continuous maintenance to keep clean and safe. Brush, dead trees and yard waste can only be moved out across the applicant's property.

Fire Control – Historically this lot has been part of the City's high fire district. Ready access for crews to protect neighboring structures can only be provided from Santa Fe Place.

Storm Runoff Control – The west end of my property lies at the base of a large drainage that has, at least once, channeled runoff into houses on Terrace Place. The City has a major storm drain serving the Harbor Hills area that lies within that portion of my property and both issues could be best maintained and abated by the presence of regular and dependable access.

Consistency - The creation of my lot produced 1.1 acres of unmanageable, landlocked brush. By granting a permanent easement the City will bring my lot into conformance with modern standards.

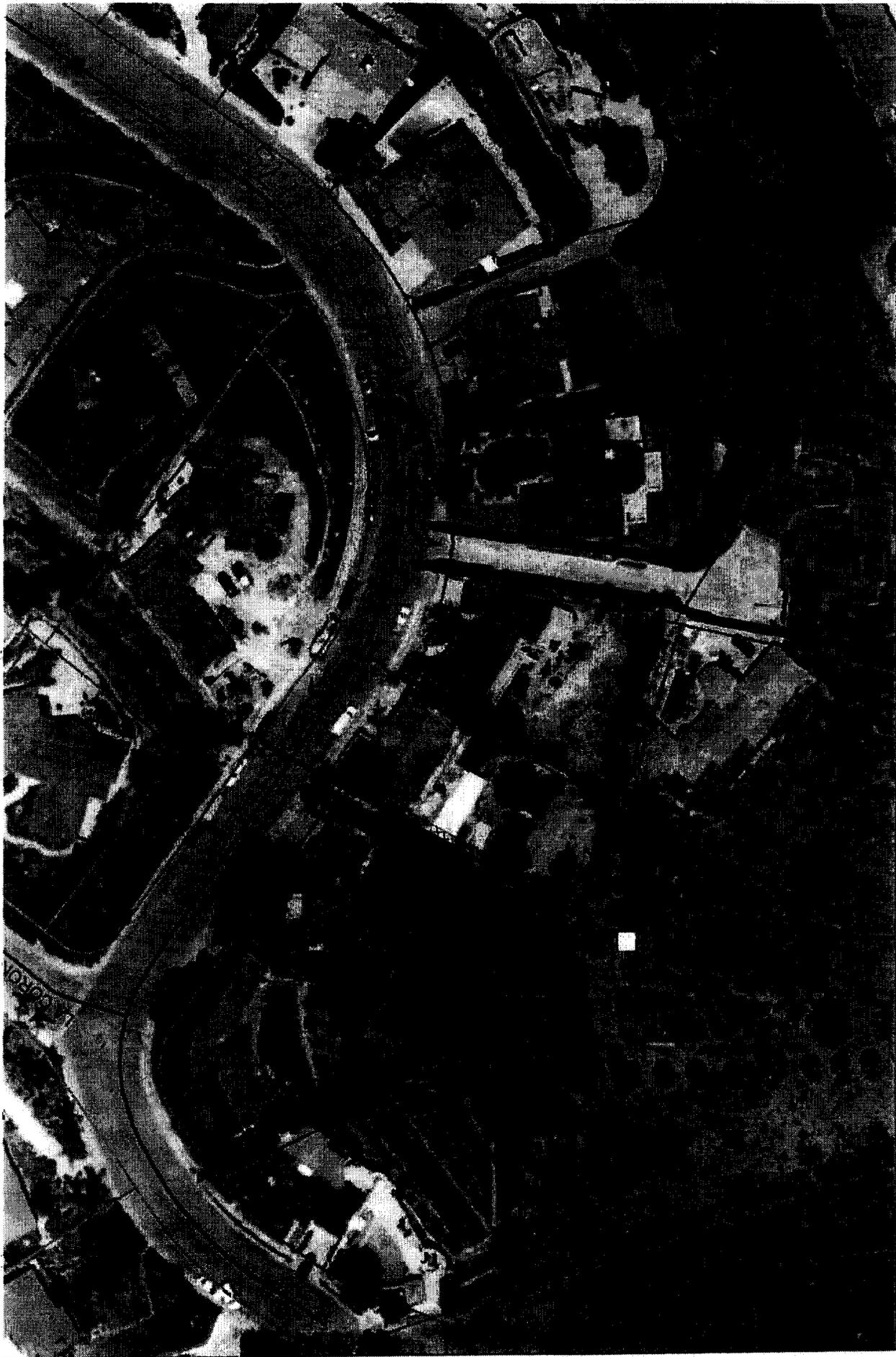
Minimal Impact on the Development – Though maintenance of the property will occur on a regular basis the weekly impacts to the proposed development will be unnoticeable and create no burden on the development infrastructure.

The City is trying to clean up the remaining issues in this part of the Mesa. I believe that the access to and maintenance of my parcel is an element of that. Further, once this project is approved there will never again be an opportunity to resolve this issue. I believe this is the last opportunity for the City to solve the problem of my lot and I urge the Commission to make granting of a permanent easement a condition of approval.

Regards,



Andy Chapman



N



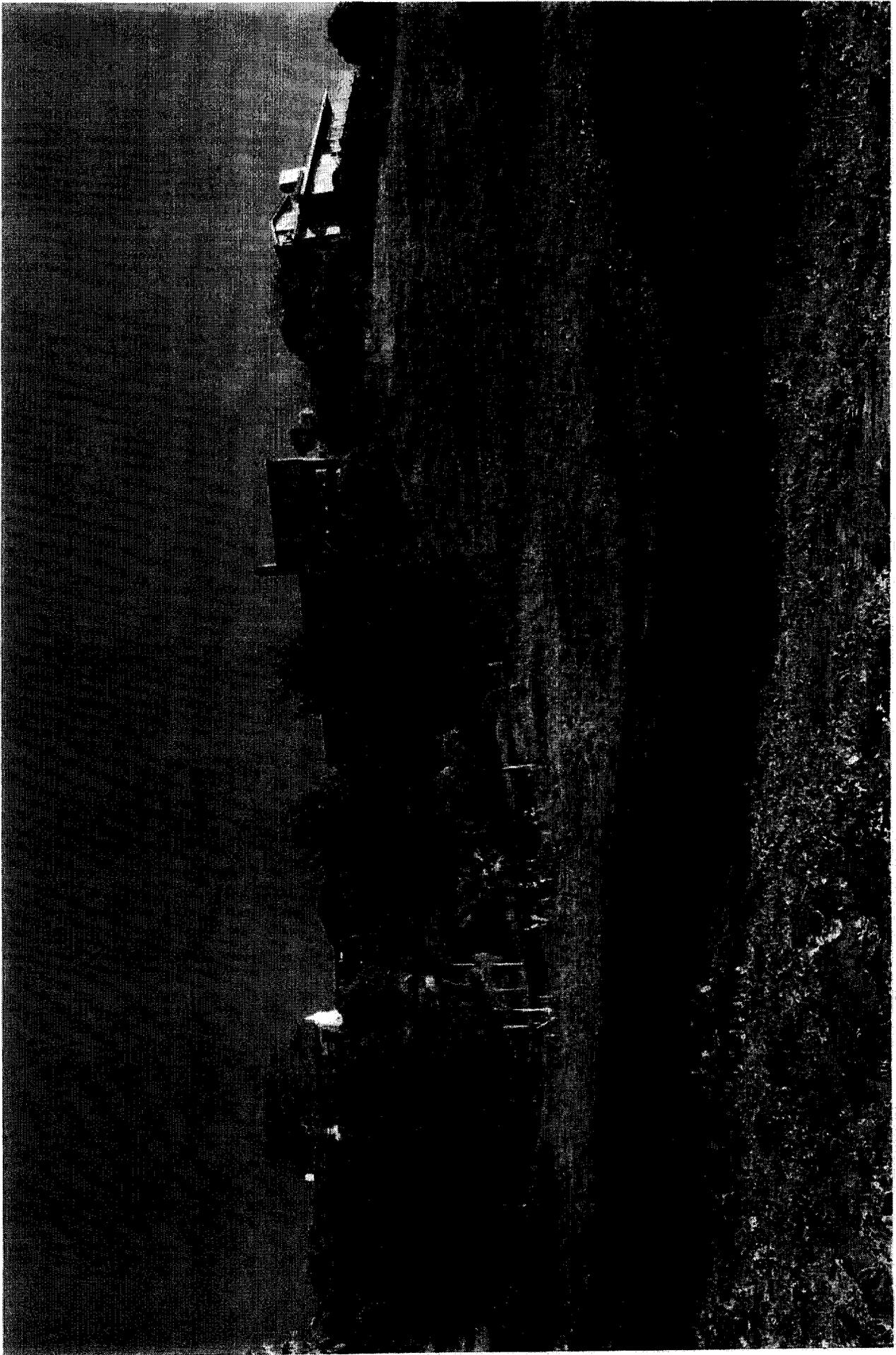
VIEW OF LOT FROM HOUSE

PROPOSED
DEVELOPMENT

PROPERTY LINE

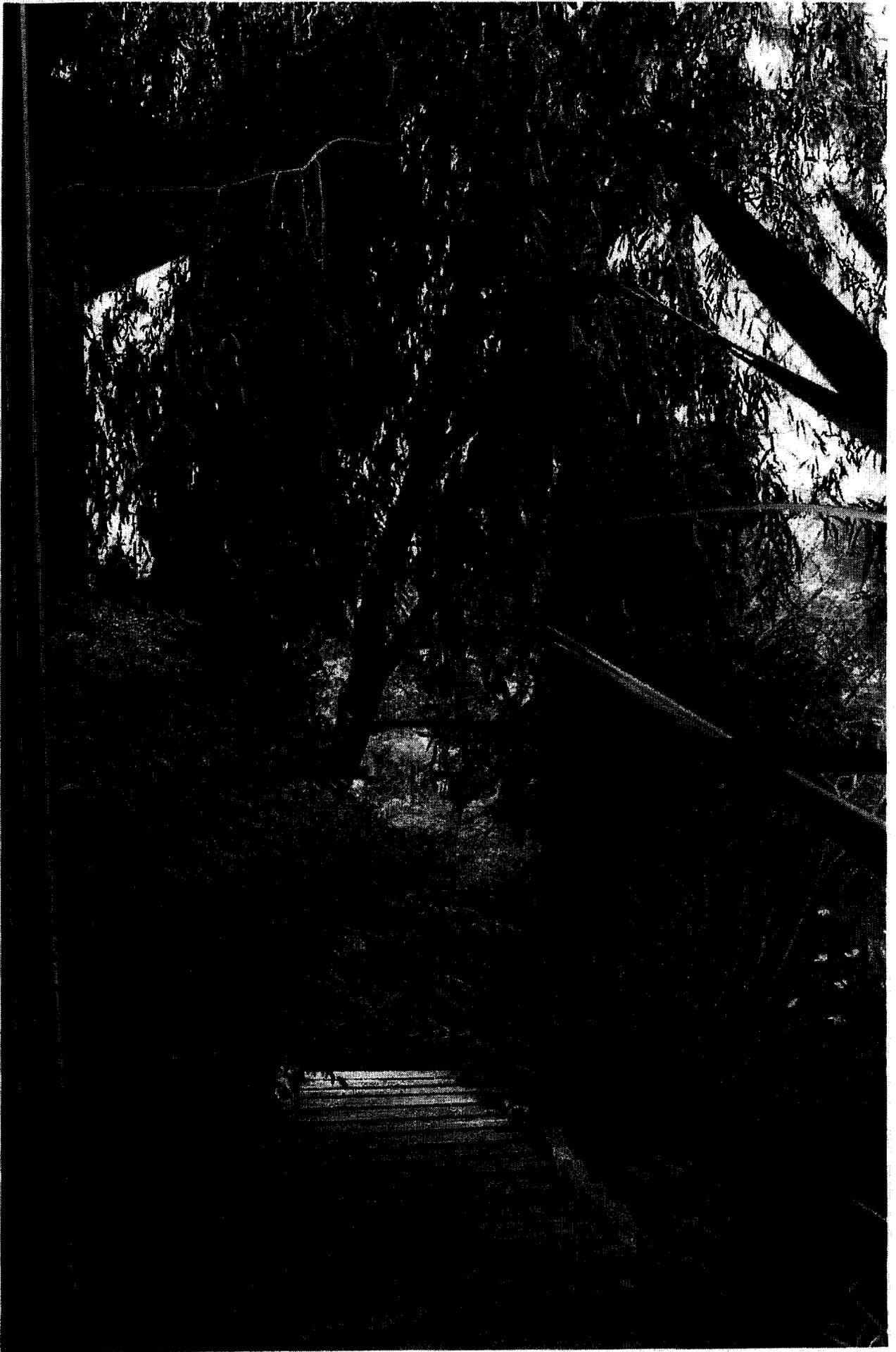


VIEW UP HILLSIDE



ACCESS FROM DRIVEWAY





ACCESS DOWN SIDE OF HOUSE

November 27, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Roger Court; PC Hearing of July 12, 2007**

Dear Honorable Council Members:

I am writing you in support of the appeal filed by Santa Fe Court LLC, application for the subject General Plan Amendment and Zone Change Initiation application, that was denied by the Planning Commission at the July 12th 2007 Planning Commission hearing.

I own a condominium in the Upper East end and I am very much aware of the issues related to housing in Santa Barbara. I also would like to keep our city small and beautiful. Yet, I believe there is still room for building much needed housing in our city, especially of well designed projects that include desperately needed affordable housing.

I support this appeal then, not for my personal needs but for the benefit of my colleagues at Santa Barbara City College and our community. In my capacity as twice Department Chair I have chaired hiring committees, and participated in others, and seen excellent candidates lost to our community as possible hires because of the high cost of housing. I know professors who commute from Oxnard and Santa Maria who will be lost to us once educational institutions near where they reside have openings in their fields.

We are losing the talent and skills of educated and caring professionals because they cannot afford a home on a teacher's salary in the community where their students live. There are vast implications here. We are also losing the children of commuting professionals to out of town public schools while ours lose funding because of low enrollment. I understand the hawk needs a nest and all living creatures a safe place to live. The hawk can fly around and choose a tree to live in Santa Barbara. It is the fleeing professor who drives for hours between work and family that is the endangered species.

November 27, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

**Subject: Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Roger Court; PC Hearing of July 12, 2007**

Dear Honorable Council Members:

I am writing you in support of the appeal filed by Santa Fe Court LLC, application for the subject General Plan Amendment and Zone Change Initiation application, that was denied by the Planning Commission at the July 12th 2007 Planning Commission hearing.

I am one of many Santa Barbara City College employees who cannot afford to live in this city. I commute from Oxnard Monday through Friday. Regrettably, I spend at least 20 hours on congested 101 freeway per week, averaging 400 miles in this commute. This is time and energy that I could better spend in mentoring students, community outreach or just simply spend time with my family.

Furthermore, I feel fragmented for living in one city and working in another. I constantly find myself making a difficult decision of participating in community events in Oxnard or Santa Barbara. Due to proximity and time, I am working more with the Oxnard community. A situation I find ironic, since I work for a place in which I am supposed to be a bridge between an institution of higher learning and its community. Unfortunately, in my current housing status, the city of Santa Barbara and SBCCC are not reaping the fruits of my community involvement as it should for I cannot bring the community to the college and the college to the community.

Four more affordable housing units available to SBCC employees will result in a tremendous gain not only for the lucky families, but also for the community. In my particular situation, my two young children will be able to attend local public schools, which are suffering from low enrollment due to the high cost of housing in Santa Barbara.

I feel that the project applicants have been responsive to neighborhood concerns regarding density and that their redesigned project reduces and scales down the development to a more modest effort that is a good fit for the neighborhood. The proposed General Plan Amendment and Rezone request would provide a significant level of affordable housing, helping to remedy the severe shortage of affordable housing for citizens living or working in the city.

I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink that reads "Juan José Casillas Núñez". The signature is written in a cursive style with a large, sweeping flourish at the end.

Juan José Casillas Núñez, Professor of Spanish
Santa Barbara City College

Cc: Marisela Salinas, Planner
msalinas@ci.santa-barbara.ca.us

November 28, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

Dear Honorable Council Members:

I am a Mesa homeowner writing you **in support of the appeal** filed by Santa Fe Court LLC, applicants for the subject General Plan Amendment and Zone Change Initiation application, that was denied by the Planning Commission at the July 12th, 2007 Planning Commission hearing.

I feel that the project applicants have been responsive to neighborhood concerns regarding density and that their redesigned project reduces and scales down the development to a more modest effort that is a good fit for our neighborhood. The proposed General Plan Amendment and Rezone request would provide a significant level of affordable housing, helping to remedy the severe shortage of affordable housing for citizens living or working in the City.

Please approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,


2055 ELISE WAY
SANTA BARBARA, CA 93109

Cc: Marisela Salinas, Planner

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

February 17, 2008

RE: **1400 Rogers Court; Appeal of Planning Commission Denial of
MST2006-00736 Application for General Plan Amendment and Zone
Change Initiation; PC Hearing of July 12, 2007**

Honorable City Council Members,

Please support the rezone effort for property at 1400 Rogers Court.

- With a rezone our community stands to gain important workforce affordable housing.
- The owners have scaled back their efforts to a density which is less than that of the neighborhood.
- The project envisioned fits well with neighborhood – all other residences on Santa Fe Lane are multiple-family units.
- Affordable housing units gained in this effort are provided without public \$.
- The project envisioned meets City guidelines/standards regarding the inclusion of affordable units in up-zone projects.
- The location has direct access to bus transportation and is within walking and bike distance to shopping and many local workplaces on the Mesa.

It is rare that a project is able to meet all of these criteria. Please do not send this project down a path that would lead to outcomes less beneficial to our community. There are plenty of McMansions in our housing stock already. We need affordable options in local housing!

Please support this rezone effort.

Sincerely,

A handwritten signature in black ink, appearing to read "Ana Stein". The signature is fluid and cursive, with a long horizontal stroke at the end.

February 16, 2008

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **1400 Rogers Court; Appeal of Planning Commission Denial of MST2006-00736 Application for General Plan Amendment and Zone Change Initiation; PC Hearing of February 26, 2008**

Dear Honorable Council Members:

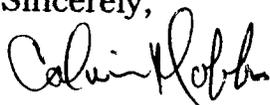
I am writing you in **support** of the appeal filed by Santa Fe Court LLC, applicants for the subject General Plan Amendment and Zone Change Initiation application, that was denied by the Planning Commission at the July 12th, 2007 Planning Commission hearing.

My father bought several lots in the Rogers Tract back in the 1950s. After failing many times over many years to get together a development plan for the tract, it is a pleasure to see the last of the tract coming to its development potential. The City's guidance in seeing to it that there is a Communitywide benefit derived in the development through the inclusion of an Affordable Housing component is admirable and a fine example of what it takes to keep Santa Barbara the gem that it is.

I feel that the project applicants have been responsive to neighborhood concerns regarding density and that their redesigned project reduces and scales down the development to a more modest effort that is a good fit for the neighborhood. The proposed General Plan Amendment and Rezone request would allow a significant level of affordable housing, helping to remedy the severe shortage of affordable housing for citizens living or working in the City.

I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,



Calvin Mobbs
Former Rogers Tract Parcel Owner

November 27, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

Dear Honorable Council Members:

I am a resident of Shifco on the Mesa writing you in support of the appeal filed by Santa Fe Court LLC, applicants for the subject General Plan Amendment and Zone Change Initiation application, that was denied by the Planning Commission at the July 12th, 2007 Planning Commission hearing.

I feel that the project applicants have been responsive to our neighborhood concerns regarding density and that their redesigned project reduces and scales down the development to a more modest effort that is a good fit for the neighborhood. The proposed General Plan Amendment and Rezone request would provide a significant level of affordable housing, helping to remedy the severe shortage of affordable housing for citizens living or working in the City.

I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,

Mr. Harold Chankey
415 #1 Santa Fe Pl
Santa Barbara, CA 93109

Cc: Marisela Salinas, Planner
msalinas@ci.santa-barbara.ca.us

November 27, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

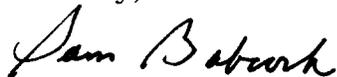
Dear Honorable Council Members:

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I feel that the project applicants have been responsive to our neighborhood concerns regarding density and that their redesigned project reduces and scales down the development to a more modest effort that is a good fit for the neighborhood. The proposed General Plan Amendment and Rezone request would provide a significant level of affordable housing, helping to remedy the severe shortage of affordable housing for citizens living or working in the City.

I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,



SAMUEL M. BABCOCK
410 SANTA FE PL., #3
S.B., CA 93109

Cc: Marisela Salinas, Planner
msalinas@ci.santa-barbara.ca.us

November 27, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

Dear Honorable Council Members:

I am a resident of Shifco on the Mesa writing you in support of the appeal filed by Santa Fe Court LLC, applicants for the subject General Plan Amendment and Zone Change Initiation application, that was denied by the Planning Commission at the July 12th, 2007 Planning Commission hearing.

I feel that the project applicants have been responsive to our neighborhood concerns regarding density and that their redesigned project reduces and scales down the development to a more modest effort that is a good fit for the neighborhood. The proposed General Plan Amendment and Rezone request would provide a significant level of affordable housing, helping to remedy the severe shortage of affordable housing for citizens living or working in the City.

I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,



410 SANTA FE PLACE #2

Cc: Marisela Salinas, Planner
msalinas@ci.santa-barbara.ca.us

November 27, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

Dear Honorable Council Members:

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I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,



SHIFCO, # 418 Cliff Dr.

Cc: Marisela Salinas, Planner
msalinas@ci.santa-barbara.ca.us

November 27, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

Dear Honorable Council Members:

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I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,

 JAMES H. BESS
410 Santa Fe Place #4
Santa Barbara, CA 93109

Cc: Marisela Salinas, Planner
msalinas@ci.santa-barbara.ca.us

November 27, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

Dear Honorable Council Members:

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I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,

M. L. Martin 408 Santa Barbara #2
Cc: Marisela Salinas, Planner
msalinas@ci.santa-barbara.ca.us

November 27, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

Dear Honorable Council Members:

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I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,

Richard D. Miller
406 Santa Fe Pl # 2
Santa Barbara, CA

Cc: Marisela Salinas, Planner
msalinas@ci.santa-barbara.ca.us

November 25, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

Dear Honorable Council Members:

I am writing you in support of the appeal filed by Santa Fe Court LLC, applicants for the subject General Plan Amendment and Zone Change Initiation application, that was denied by the Planning Commission at the July 12th, 2007 Planning Commission hearing.

I feel that the project applicants have been responsive to neighborhood concerns regarding density and that their redesigned project reduces and scales down the development to a more modest effort that is a good fit for the neighborhood. The proposed General Plan Amendment and Rezone request would provide a significant level of affordable housing, helping to remedy the severe shortage of affordable housing for citizens living or working in the City.

I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,

Sebastian Zepeda
SHIFCO GROUND MAINTENANCE
Cc: Marisela Salinas, Planner
msalinas@ci.santa-barbara.ca.us

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

February 15, 2008

Subject: **1400 Rogers Court; Appeal of Planning Commission Denial of
MST2006-00736 Application for General Plan Amendment and Zone
Change Initiation; PC Hearing of July 12, 2007**

Dear Honorable Council Members:

I am writing you in support of a General Plan Amendment and Zone Change Initiation that is necessary in order to move an opportunity for increased affordable housing in our community forward.

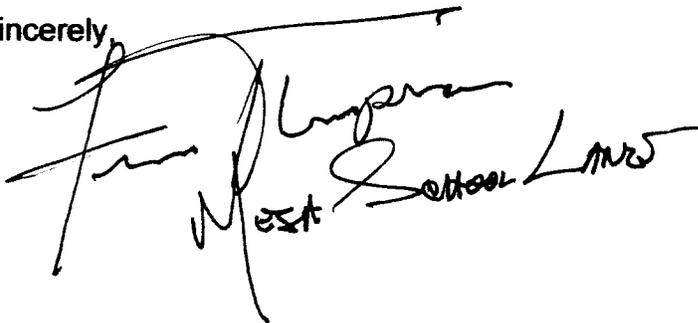
I believe that the applicant has been responsive to neighborhood concerns about density and that their redesigned project reduces and scales down the development to a more modest effort that is a good fit for the neighborhood. The application proposes a modest amount of increased density, but the project site is situated so that the increased density will have little effect on the surrounding neighborhood.

The proposed General Plan Amendment and Rezone request would provide a significant level of affordable housing, helping to remedy the severe shortage of affordable housing for citizens living or working in the City.

I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Please support this effort.

Thank you for your consideration.

Sincerely,



Tom Longman
Mesa School LMS

The City Council
City of Santa Barbara
735 Anacapa Street
Santa Barbara, CA 93101

11 February, 2008

ITEM: 1400 Rogers Court Rezone: Request for Support

Honorable City Council Members,

I was recently approached by a Mesa resident circulating a petition opposing the proposed project at 1400 Rogers Court. In talking with this concerned neighbor it was soon apparent that a primary objection was that the project would negatively affect the quality of life on the Mesa by bringing on more traffic and congestion in the neighborhood. As I have a background in urban planning, traffic and circulation in particular, this aspect of concern is one of particular interest to me. I have done some digging and would like to share some of what I have found.

The proposed site is accessed from local road Santa Fe Lane off of arterial Cliff Drive to the south, Meigs/Carrillo to the west, Castillo to the east, and Highway 101 to the north. A visit to the City's Transportation Planning found that service at all nearby intersections are operating at Service Levels A and B. While this project would likely generate approximately 7 additional a.m. peak hour trips, 10 p.m. peak hour trips and 95 average daily trips, these trips would **not** result in significant traffic impacts. Levels of Service of all effected intersections would remain unchanged at A and B operating levels after development of the project.

As parking was also a concern, I checked with City Transportation Planning Staff and found that the parking demand generated by the project would be 2 spaces per residence (18 total spaces, provided by two-car garages) and 5 on-street guest parking spaces. With the provision of 5 guest parking spaces included in the proposed project design, all parking demand, both resident and guest, is met on-site, and no parking impact would result.

Concerns over the impact of traffic are really only a small part of the overarching desire to maintain quality in all aspects of life in our neighborhoods. While the Mesa's transportation infrastructure would clearly not be overburdened, or even negatively affected, by this proposed project, the best and likely only way, in fact, to really know the totality of the project's impacts is to allow for a thorough vetting of all aspects of the proposal by running it through the appropriate land use, concept and design processes.

Santa Barbara is the gem that it is partly because it has these planning mechanisms in place. Please allow this project to undergo the thorough scrutiny of our local development

processes by moving ahead with the zoning initiation request requested. Our community will be benefit in the long run.

Please support this project.

With sincere Thanks,

A handwritten signature in black ink that reads "Chas Davis". The signature is written in a cursive style with a large, sweeping initial "C" and "D".

Chas Davis
Mesa Resident

November 28, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

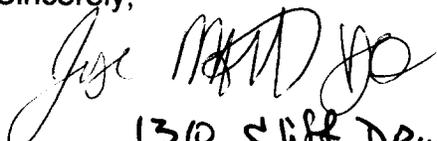
Dear Honorable Council Members:

We are Mesa homeowners writing you **in support of the appeal** filed by Santa Fe Court LLC, applicants for the subject General Plan Amendment and Zone Change Initiation application, that was denied by the Planning Commission at the July 12th, 2007 Planning Commission hearing.

We feel that the project applicants have been responsive to neighborhood concerns regarding density and that their redesigned project reduces and scales down the development to a more modest effort that is a good fit for our neighborhood. The proposed General Plan Amendment and Rezone request would provide a significant level of affordable housing, helping to remedy the severe shortage of affordable housing for citizens living or working in the City.

Please approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,


1310 CLIFF DRIVE
S.B.

Cc: Marisela Salinas, Planner

November 25, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
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1400 Rogers Court; PC Hearing of July 12, 2007**

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I feel that the project applicants have been responsive to neighborhood concerns regarding density and that their redesigned project reduces and scales down the development to a more modest effort that is a good fit for the neighborhood. The proposed General Plan Amendment and Rezone request would provide a significant level of affordable housing, helping to remedy the severe shortage of affordable housing for citizens living or working in the City.

I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,

Denny M. Cooper
917 Paseo Ferrelo
Santa Barbara CA. 93103

Cc: Marisela Salinas, Planner
msalinas@ci.santa-barbara.ca.us

Cole, Lori A

From: Salinas, Marisela
Sent: Tuesday, November 27, 2007 11:28 AM
To: Cole, Lori A
Subject: FW: Rogers Tract development- a domino effect

Correspondence for City Council.

From: Janet Rowse [mailto:rowse@cox.net]
Sent: Tuesday, November 27, 2007 10:35 AM
To: Salinas, Marisela
Subject: Rogers Tract development- a domino effect

Dear Ms. Salinas,

I see that the Rogers Tract project is still being considered. I wrote to you before, but please underline my name as being strongly against this development.

I live on Las Ondas and I can say that there is already way too much traffic on Cliff Drive. One thing will lead to another, and before we know it we will need traffic signals on Cliff Drive between Meigs and Loma Alta. There are times each day when turning left from La Marina onto Cliff Drive is a frustrating wait, as well as an unsafe maneuver.

Please consider that the entire neighborhood, not just the adjacent neighbors, will be affected by any further development. Where will it end?

Thank you,
Janet Rowse

RECEIVED

NOV 28 2007

CITY CLERK'S OFFICE
SANTA BARBARA, CA

November 28, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

Dear Honorable Council Members:

I am a Mesa homeowner writing you in **support of the appeal** filed by Santa Fe Court LLC, applicants for the subject General Plan Amendment and Zone Change Initiation application, that was denied by the Planning Commission at the July 12th, 2007 Planning Commission hearing.

I feel that the project applicants have been responsive to neighborhood concerns regarding density and that their redesigned project reduces and scales down the development to a more modest effort that is a good fit for our neighborhood. The proposed General Plan Amendment and Rezone request would provide a significant level of affordable housing, helping to remedy the severe shortage of affordable housing for citizens living or working in the City.

Please approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,


Callia Montilla
3414 Callia Montilla

Cc: Marisela Salinas, Planner
msalinas@ci.santa-barbara.ca.us

**Ron Dickman
Mesa Property Owner
(805) 689-3135**

November 27, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change Initiation
1400 Rogers Court; PC Hearing of July 12, 2007**

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I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,



Ron Dickman
Concerned Neighbor

Cc: Marisela Salinas, Planner
msalinas@ci.santa-barbara.ca.us

November 25, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
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1400 Rogers Court; PC Hearing of July 12, 2007**

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I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,
Anthony Loza
105 W. Gutierrez St. Suite C
Santa Barbara, CA. 93101

Cole, Lori A

From: Doug Ranck [dranck@fmcsb.org]
Sent: Tuesday, November 27, 2007 3:38 PM
To: Cole, Lori A
Subject: RE: Santa Fe Court LLC

Mayor Blum and Members of City Council:

I am writing to oppose the re-zoning of property just off Santa Fe Place for the building of additional condos. Traffic on Cliff Drive has increased dramatically over the 18 years I have lived here. Every day our family takes their lives in their hands to turn out of our driveway on to this busy road. We have had several near misses in the lives of our two teenagers and my wife and I. Earlier this year an elderly woman was killed as she backed out of her drive in the 1500 block. Adding more condos will create more danger and risk for all who live on this Mesa "freeway." Please uphold the action of the Planning Commission and do not allow this property to be re-zoned.

Thank you for your consideration.

Doug, Nancy, Kelly, Landon and Elise Ranck

Doug Ranck
1413 Cliff Drive
Santa Barbara, California 93109

November 25, 2007

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93101

Subject: **Appeal of Planning Commission Denial of MST2006-00736
Application for General Plan Amendment and Zone Change**

Initiation

1400 Rogers Court; PC Hearing of July 12, 2007

Dear Honorable Council Members:

I am writing you in support of the appeal filed by Santa Fe Court LLC, applicants for the subject General Plan Amendment and Zone Change Initiation application, that was denied by the Planning Commission at the July 12th, 2007 Planning Commission hearing.

I feel that the project applicants have been responsive to neighborhood concerns regarding density and that their redesigned project reduces and scales down the development to a more modest effort that is a good fit for the neighborhood. The proposed General Plan Amendment and Rezone request would provide a significant level of affordable housing, helping to remedy the severe shortage of affordable housing for citizens living or working in the City.

I request that the City Council approve the initiation of the General Plan Amendment and Rezone to provide additional affordable housing for the community. Thank you for your consideration.

Sincerely,

Gilbert & Cynthia Castillo
2438 Mesa School Lane
Santa Barbara, Ca 93109