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CITY OF SANTA BARBARA
CITY CLERK'S OFFICE

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

Re: Santa Barbara Museum of Natural History
Case #MST2014-00116
Appeal of Conditional Use Permit Approval

Dear Madame Mayor and City Council Members,

On January 8, 2015, the Planning Commission of the City of Santa Barbara approved an application for a Conditional Use Permit for the Santa Barbara Museum of Natural History.

This is to appeal the actions of the Planning Commission on the following three items: installation of a Public Address System, the relocation of the trash bins, and the construction conditions. We are also appealing the Notice of Exemption of CEQA.

Our property is located at 2620 Las Encinas Lane, and has been in our family since the early 1930's. My Grandfather Dr. Harry DeVighne purchased the property at 2607 Puesta Del Sol (it included 2620 Las Encinas Lane) before retiring as the Health Commissioner of Alaska. He donated his beautiful Tingle Totem Pole that has stood in the Fleischmann Auditorium for many years along with many Indian baskets. We are the third generation to live and enjoy this beautiful lane, and we plan to pass it down to our two daughters.

We are members of the Museum of Natural History and support their plans for updating the facilities and exhibits. We were both born and raised here and have visited the Museum as children and adults on many occasions. Our children have also grown up visiting and enjoying the museum. Our oldest daughter is an educator who has brought her students to visit the museum.

Twenty five years ago in the 1989 Conditional Use Permit it included "the external speakers of the public address (PA) system shall be removed and not replaced. Internal speakers are allowed within the Museum buildings and complex so long as they are not audible from outside the Museum".

This was done after Lauren's mother and father (Dana DeVighne Kupelian and Lawrence Kupelian) along with the neighbors on Las Encinas hard fight to have the Museum abandon the use of their PA system. Why are we having to revisit this again? The Museum has gotten along just fine without it, and it is not a necessity in their day to day

operation. The Director testified to the Commissioners that the Museum has no clocks and these announcements are necessary for patrons who have purchased tickets to events such as the planetarium shows.

In today's times we would estimate at least seventy-five percent of the people wear a watch or carry a phone to keep time. If one was to purchase a ticket to go to the movie or a concert they would be responsible enough to keep an eye on the time, especially if it isn't reserved seating.

With these approvals, the Museum will be introducing a new noise source. The PA system has no place in a rural setting. It just doesn't belong. It will disturb the peace and tranquility of our day to day lives, will have a detrimental affect on our comfort, and will materially affect our property values.

Frankly, we can't imagine a guest of the Museum who is enjoying the quiet nature of the Museum's beautiful premises hearing an announcement over a PA system for a planetarium show. We can't name one venue in our beautiful city that does this. We've been guests at many different venues in and out of town, one of which would be Griffith Observatory where we purchased tickets to their planetarium show. We did not have to rely on announcements to attend. Guests simply keep an eye on the time with a watch or a cell phone.

The noise impact from the relocation of the trash bins will further disturb the tranquility of our day to day life. We have already experienced the noise from this when the Museum placed their trash bins temporarily in the parking lot while they re-roofed a few months ago. We would prefer to hear the back up beeping from the garbage trucks twice a week, rather than hear the daily sound at all hours of trash being dumped into the bins.

The Public Address System and the relocation of the trash bins were not a part of the Museum's original plan. These items were introduced to us at the last neighborhood meeting on April 30, 2014. We were assured at that same meeting the Museum would work things out with the neighbors regarding the construction, i.e. noise, staging, hours, etc. That never happened.

The opposition asked for the sound issues to be addressed because these two new noise sources were only added into the most recent version of the plan, and all of the publicity has been about how much they have downsized the project. The public isn't aware.

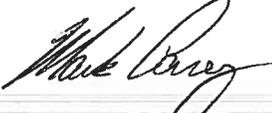
The City only has the opinion of the Museum's noise consultant, which was not based on a physical test of the PA system.

Our neighbors have approached the Museum to test the PA system prior to initiation of their use for Museum purposes at a time and date agreeable by the adjoining property owners. The Museum has not come to an agreement.

With regard to the conditions of construction, we are simply requesting the equivalent to those imposed on other projects in the City.

We are asking that you reverse the decision by the Planning Commission.

Sincerely,



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