

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**

**Prepared on:** January 2, 2002

**Department:** Planning and Development

**Department No.:** 053

**Agenda Date:** January 15, 2002

**Placement:** Departmental

**Estimate Time:** 1.5 hours

**Continued Item:** NO

**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** John Patton, Director  
Planning and Development

**STAFF CONTACT:** Patricia Miller, Supervising Planner (x2054)  
Cindy Moore, Planner (x2852)

**SUBJECT:** Fairview Shopping Center Remodel and Expansion,  
Planning and Development case numbers 99-DP-055 and 99-OA-015,  
Located at 125 to 299 Fairview Avenue, Third Supervisorial District

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## Recommendations:

That the Board of Supervisors adopt the Planning Commission recommendations and approve the above referenced projects:

- A.
  1. Adopt the required findings for the project specified in Attachment A of the Planning Commission Action Letter of October 24, 2001 (Board Letter Exhibit 2), including CEQA findings;
  2. Approve the Final Mitigated Negative Declaration 01-ND-18, as revised by staff memorandum dated October 23, 2001, and adopt the mitigation monitoring program contained in the conditions of approval, Attachment B of the Planning Commission Action Letter of October 24, 2001 (Board Letter Exhibit 2);
  3. Adopt the point allocation of five (5) under the Goleta Growth Management Ordinance;
  4. Approve 99-OA-015 and adopt the ordinance included as Board Letter Exhibit 1; and
  5. Approve the Development Plan 99-DP-055, subject to the conditions, Attachment B of the Planning Commission Action Letter of October 24, 2001 (Board Letter Exhibit 2).

- B. 1. Direct Public Works Transportation Division staff to conduct signal warrant analyses of the Shirrel Way/Fairview Avenue intersection and the Fairview Shopping Center main entrance on Calle Real (as part of annual monitoring for Goleta intersection signalization needs), and to review the walkway leading from the Fairview Overpass to Calle Real for pedestrian routing to the signalized intersection and for ADA compliance.

Refer back to staff if the Board of Supervisors takes other than the recommended action for appropriate findings and conditions.

**Alignment with Board Strategic Plan:**

The recommendations are primarily aligned with actions required by law or by routine business necessity.

**Executive Summary and Discussion:**

At the Planning Commission hearing of October 24, 2001, the Commission voted to recommend that the Board of Supervisors take action as stated above. The Planning Commission's October 24, 2001 Action Letter is included as Exhibit 2 of this Board Letter, and the August 22, 2001 staff report, subsequent Planning Commission memos, and public comments are included in Exhibit 3.

The Council-elect of the City of Goleta has been apprised that this item has been scheduled for Board of Supervisors action. The Council-elect will discuss this project at its 1/7/02 meeting, and may have recommendations to the Board.

**Requested Permits**

**Final Development Plan (99-DP-055)**

Fairview Center LLP requests approval of a Final Development Plan to remodel and expand the Fairview Shopping Center, including the addition of approximately 24,441 square feet of new building area to the existing 210,554 square foot development. The existing facades of the center would be remodeled to reflect the agricultural history and background of Goleta. The applicant proposes to deed the 1.4-acre vacant triangular area in the southwest corner of the property adjacent to Las Vegas Creek to the Flood Control District to facilitate potential future flood control improvements. Proposed modifications to shopping center access include relocation of the central driveway on Calle Real, the addition of a fourth driveway on Calle Real, and the removal of the driveway near Orchard Supply Hardware. A bus pocket and shelter would be constructed south of the traffic light at Encina Road and Fairview Avenue, near the current bus stop at Wells Fargo Bank. The existing pavement of the parking area would be removed and replaced, and parking stalls would be realigned from a 60-degree layout to a 90-degree layout. The applicant is requesting a modification to the parking standard, proposing a total of 853 spaces. The proposed preliminary landscape plan depicts the addition of approximately 297 new trees, retention of 62

trees currently onsite, and removal of 105 trees. Minor modifications to the zone district landscaping requirements are requested to allow a reduction in the front yard setback for parking and to prevent encroachment into the floodway at the western property boundary.

Please refer to Attachment B of Board Letter Exhibit 2 for a more detailed description of the proposed Final Development Plan and Attachment A of Board Letter Exhibit 3 for a description of the requested modifications (Planning Commission memo dated October 23, 2001).

### **Ordinance Amendment (99-OA-015)**

Existing shopping center development was originally approved through an ordinance amendment process that amended Article IV of Ordinance No. 661 and created a development plan for the Center (Ordinance 1113 approved 3/28/60; Superseded by Ordinance 1254 approved 12/11/62). Ordinance 1254 is incorporated into Article III by reference, and continues to affect development proposals on the parcel. Subsequent to Ordinance 1254, the Planning Commission approved a Development Plan (84-DPF-038) on February 25, 1985 to allow an addition to what was the Builder's Emporium. On November 28, 1994, the Director of Planning and Development approved an amendment to that Development Plan (84-DPF-038 AM01) to allow another addition to the Orchard Supply Hardware store (formerly Builder's Emporium). P&D records indicate that Ordinance 1254 has never been rescinded as part of any subsequent permit. Therefore, an ordinance amendment is proposed to rescind the "antiquated" ordinance, and replace conditions on development from the rescinded ordinance with conditions on the proposed Final Development Plan. With this application, the proposed Final Development Plan would supersede the previously approved development plans and Ordinance 1254 would be rescinded.

### **Discussion**

The Planning Commission reviewed the proposed project at five public hearings (August 27, September 5, September 17, October 17, and October 24, 2001). Discussion focused primarily on issues related to creek revegetation, operational noise affecting neighbors, landscaping, pedestrian safety, and circulation. Some project modifications related to these issues made during the hearing process are listed below:

- **Creek Revegetation.** An onsite meeting with the neighbors was held on October 22, 2001, two days prior to the final Planning Commission hearing. Consensus was reached with the neighbors regarding specific requirements for creek revegetation. The requirements included clarification on timing of the revegetation, specifying types and sizes of plantings to provide adequate screening of the Center's west elevation, approval of the restoration plan by the Board of Architectural Review, and lowering of the existing grade along the Center's west elevation to minimize flood impacts as approved by the Flood Control District. The requirements have been incorporated into Condition of Approval #14.
- **Operational noise.** Neighbors from the residential development located to the southwest of the shopping center expressed concerns related to nuisance noise associated with operations at the rear of the center (along the western property boundary). Future noise generating uses related to the proposed expansion and remodel would be limited to activities already associated with the shopping center development. These activities are not expected to

generate new long-term noise impacts, and in some instances the proposed plans are expected to reduce them. However, to further minimize existing noise generated, a prohibition on trucks utilizing adjacent residential neighborhoods to access the Center would be added to the Noise Mitigation Plan required as part of the Lot Line Adjustment approved for the adjacent Goleta Presbyterian Church project (Condition of Approval #37). Further, Condition of Approval #71 would require bonding for construction of a sound wall east of the creek bank, at such time that the limits of the regulatory floodway are reduced so that construction of such a sound wall could occur outside of these limits. Potential construction of a sound wall was also discussed at the onsite meeting on October 22, 2001 and the neighbors indicated to the Flood Control District that they were not supportive of any activities which would increase flooding potential in the area. Therefore, construction of such a wall would only occur if the Flood Control District deems it feasible and consistent with flood protection in the area.

- Landscaping. Extensive tree plantings would occur throughout the parking areas and along the entire project boundary. However, a large number of ornamental trees were also targeted for removal because many are not drought tolerant, require frequent maintenance, generate large amounts of green waste, and have invasive roots. During the hearing process, substantial efforts were made by the applicant to redesign the parking lot in order to save a number of mature trees, including several large Cedars and Ficus. The redesign resulted in saving an additional 22 specimen trees. The project has been conditioned (Condition of Approval #9) to preserve as many trees as possible that are still in good health and Condition of Approval #8 would require preparation of Landscape Maintenance Guidelines to ensure the proper long-term tree maintenance and pruning of the new landscaping. To create additional screening of the parking lot, a 20-foot wide area of landscaping along the eastern frontage would be created, and held in reserve for 22 future additional parking spaces (Condition of Approval #66).
- Pedestrian Safety/Circulation. Concern was expressed that shopping cart storage and exterior merchandise displays block sidewalks at the Center, forcing pedestrians into the drive aisles. Along storefronts, the applicant proposes to replace the existing sidewalk and curbs and increase the sidewalk width. Additionally, Condition of Approval #74 would require maintenance of an eight-foot clear walking area along the frontage of all stores. Further, to increase pedestrian safety and facilitate internal circulation, two curb cuts near the Chevron station would be combined (Condition of Approval #43), and the driveway nearest the Orchard Supply Hardware store would be eliminated. Concern was also expressed that the recent sidewalk modification added to the Fairview Overpass creating a walkway leading from the overpass to Calle Real would encourage pedestrians to cross Calle Real near the Center's relocated main entrance. While Public Works does not support a crosswalk at this location without a signal (or a signal for that matter because signal warrant analyses are not met and congestion in and out of the Center would occur if a signal was added), and County Counsel finds no nexus with the proposed project to require it, concerns about pedestrian safety remain. Therefore, the Planning Commission directed Public Works staff to conduct signal warrant analyses at the location and to review the walkway for pedestrian routing to the signalized intersection at Fairview/Calle Real (as part of annual monitoring for Goleta intersection signalization needs), and for ADA compliance.

Therefore, after numerous hearings and these changes plus numerous other conditions, the Planning Commission approved the proposed project. If not for the ordinance amendment, the Planning Commission would have been the final decision-maker. Conveyance of the 1.4 acre portion of the property to the Flood Control District will be brought before the decision-makers by General Services at a separate hearing. Pursuant to Condition of Approval #72, conveyance of this deed between the applicant and the Flood Control District shall be required prior to approval of the first land use permit.

**Mandates and Service Levels:**

Pursuant to County Code Chapter 35, Article III (Inland Zoning Ordinance), Sections 35-317.2.1.4, 35-325, and 35-292d, the project was considered by the Planning Commission for an advisory recommendation to the Board of Supervisors, the final decision-maker. Rescission of Ordinance 1254 is a legislative act under the jurisdiction of the Board of Supervisors. No change in programs or service levels are anticipated.

**Fiscal and Facilities Impacts:**

No fiscal impact associated with this request is expected. All costs of permit processing of 99-DP-055 and 99-OA-015 are the responsibility of the project applicant. There are no facilities impacts.

**Special Instructions:**

Clerk of the Board will forward a copy of the Minute Order, together with any pertinent documents (i.e., signed ordinance) to Planning and Development Hearing Support Section, Attn: Cintia Mendoza.

Planning and Development will prepare all final action letters and otherwise notify concerned parties of the Board of Supervisors' final action.

**Concurrence:**

County Counsel

**ATTACHMENTS:**

**Exhibit 1: Board of Supervisors Ordinance**

**Exhibit 2: Planning Commission Action Letter of October 24, 2001**

**A. Findings**

**B. Conditions of Approval**

**Exhibit 3: Planning Commission Staff Report for hearing of August 27, 2001**

**A. Planning Commission Memos for hearings of September 5, October 17, and October 24, 2001.**

**B. Public Comments Received.**

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cc. Goleta City Council-elect  
Ed Wohlenberg, Interim City Manager, City of Goleta

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