



council agenda report

Meeting Date	2/12/08
Item Number	552

CITY OF SAN LUIS OBISPO

FROM: John Mandeville, Community Development Director
Prepared By: Michael Codron, Associate Planner

SUBJECT: PRESENTATION OF THE PUBLIC HEARING DRAFT OF THE ORCUTT AREA SPECIFIC PLAN (OASP), AND DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR).

CAO RECOMMENDATION

Receive a presentation on the OASP and DEIR, consider the proposed public hearing schedule, and direct staff to proceed through the public review process.

REPORT-IN-BRIEF

The Orcutt Area has been identified as one of the City's main residential expansion areas since the 1970's. In 1998, the City accepted a Planning Application from certain Orcutt Area property owners requesting approval of a draft specific plan that they had prepared. After the application was submitted, the City began working with all Orcutt Area property owners and other stakeholders to develop a recommendation based on input from all of the property owners, the school district, as well as General Plan policy input from staff. In 2002, the City Council approved preparation of an environmental impact report based on a revised specific plan as the project description and basis for environmental review.

A public hearing draft of the OASP and the DEIR for the project have been published and are now being presented to the City Council. The OASP provides for the development of approximately 1,000 new residences within the 230 acre plan area. Approximately 45% of the Orcutt Area will be dedicated as open space or park land. The OASP also provides for a centralized commercial core, a public school site and transportation projects including a pedestrian and bike path over the railroad tracks at Industrial Way.

A public hearing schedule has been prepared that involves review of the OASP by several advisory bodies including the Parks and Recreation Commission, Airport Land Use Commission, Bicycle Advisory Committee, Cultural Heritage Committee, Architectural Review Commission and Planning Commission. Staff is recommending that the City Council direct staff to proceed through the public hearing process at this time.

DISCUSSION

Brief History of the OASP and EIR Process

The City's General Plan has identified the Orcutt Area as a residential expansion area since the 1970's. The current boundaries of the Orcutt Area were established with the 1994 Land Use Element Map. Land Use Element Policy 1.12.3, also adopted in 1994,

says that no portion of the Orcutt Area may be annexed before a specific plan is prepared for the whole expansion area.

In the late 1990's, certain property owners within the Orcutt Area began working with Andrew Merriam, a local planner and designer, to prepare a specific plan to guide future development. An application was submitted to the City in December, 1998, and the City hired a planning consultant, Rincon Consultants, to help process the specific plan.

During the first few years, the consultant and City staff worked with all of the property owners in the Orcutt Area that were willing to participate to try to develop consensus over land use issues and development costs. After many revisions, a revised draft of the specific plan was prepared in 2002, which was accepted by the majority of property owners and the City Council as the project description for environmental review (Attachment 1, City Council Minutes, 10-1-02).

In 2003, the City Council authorized a scope of work for an environmental impact report (EIR) and agreed to share the cost of preparing the EIR with the applicants (Attachment 2, City Council Minutes, 2-4-03). Rincon Consultants, Inc., was selected as the EIR consultant and the Planning Commission held a public scoping meeting on February 19, 2004, initiating the EIR preparation process. City costs associated with processing the OASP and DEIR will be recovered through fees on future development.

2005 Environmental Studies Workbook and OASP Update

In 2005, the OASP DEIR was near completion when changes to the Urban Reserve Line (URL) associated with adoption of the Airport Area Specific Plan made a new traffic study necessary. When the URL was changed, the City's traffic model was updated to include traffic generated by urban land uses on the Avila Ranch property along Buckley Road. Once the traffic model was updated, it was determined that the OASP traffic study would also need to be updated to insure accurate results for area intersections and roadways, such as the Tank Farm/Broad intersection.

It took approximately one year for a new traffic study to be prepared. During this time, the City and property owners took advantage of the downtime to update the OASP based on all of the environmental studies that had been completed. The intent was to create a self-mitigating specific plan. In other words, all of the mitigation measures now identified in the DEIR are also reflected in the goals, policies, programs and standards of the OASP. Certain mitigation measures that were too detailed for the body of the specific plan document are listed in Appendix C of the OASP.

Entitlements Requested Include Annexation

The entitlements that have been requested through the planning application process include General Plan amendments, pre-zoning, approval of the specific plan, environmental review and annexation.

Public Hearing Schedule

With the publication of the OASP and DEIR, a public hearing schedule has been prepared for Council's consideration (Attachment 3). The schedule includes hearings for several committees and commissions, including the Airport Land Use Commission, the Parks and Recreation Commission, the Bicycle Advisory Committee along with the Architectural Review Commission, the Cultural Heritage Committee and the Planning Commission. This schedule is subject to change should a need for more lengthy review arise, especially at the Planning Commission.

The discussions and conclusions made by the various advisory bodies will be reported to the Planning Commission for consideration as part of their recommendation to the City Council on the OASP and DEIR. The schedule culminates with City Council hearings to consider the Planning Commission's draft of the OASP, beginning in July, 2008.

Overview of the Orcutt Area Specific Plan: Key Issues

Generalized Project Description

The Orcutt Area is located in the unincorporated county, southeast of and adjacent to the City limits. The 230 acre area is bounded on three sides by the existing city limits, with Tank Farm Road to the south, Orcutt Road to the east and north, and the Union Pacific Railroad (UPRR) to the west (Attachment 4, Vicinity Map). There are currently 21 parcels, with thirteen different property owners, in the Orcutt Area.

The OASP includes policies and programs that will guide future annexation and development of the area in a manner consistent with the General Plan, as required by state law. It calls for open space, park, residential, and mixed residential and commercial land uses (mixed-use development) as well as associated roads and multi-use pedestrian/bike paths. A potential site for a school is also identified. Residential development would take up approximately half of the total area, open space and recreation approximately 45%, and the remaining land would be developed with mixed-use and public facilities. At full buildout the plan provides for 979 homes. The OASP contains detailed information on the acreage and location of each use, but since the exact size of future parcels cannot be determined at the specific plan level, these numbers have been generalized (Attachment 5, Land Use Summary).

Specific Plan Features

Some of the key features of the OASP include dedication of the Righetti Hill open space, including trail access from the neighborhood park; extension of the Railroad Safety Trail between Orcutt Road and Tank Farm Road; a centralized commercial core located across the street from the park and school site; a variety of housing types with 75% of the units planned to be in the form of duplex or other multi-family configuration; policies that require about 150 deed-restricted affordable dwelling units to be constructed within the Orcutt Area; guidelines to create a cohesive neighborhood character through the design of public and private improvements; a regional drainage solution; plans for transit to serve

the neighborhood; and a pedestrian and bike bridge that would connect the Orcutt Area to Industrial Way and to the Broad Street corridor, including the Marigold Center.

School Site Issues

The location of the school site has been the subject of many meetings with School District staff as the OASP has been refined. The plan shows the 4.62-acre site located west of the neighborhood park, with a shared school/park facility located between the school and the railroad tracks (Attachment 6, Neighborhood Park/School Plan). Consultations with the San Luis Coastal Unified School District indicate that the proposed location is preferred to previously proposed sites (Attachment 7, SLCUSD correspondence).

Parkland Issues

The Parks and Recreation Element says that residential annexation areas shall dedicate ten acres of parkland per 1,000 residents, with five acres per 1,000 residents to be developed as a neighborhood park. Average household size in the City is 2.198 people, and the Orcutt Area is expected to accommodate between 2,151 and 2,198 people. Therefore, the specific plan is required to provide between 21.5 and 22 acres of parkland with approximately 11 acres developed as a neighborhood park.

Development of the OASP would include a 12.39 acre neighborhood park, meeting the Parks and Recreation Element requirement for *developed* parkland. The OASP identifies a total of 20.72 acres of parkland, however, additional analysis and decision making is necessary to determine if the proposed parkland dedications meet all of the applicable City policies and standards. For instance, the OASP currently identifies 1.55 acres of playgrounds within multi-family developments in the parkland total. According to the Subdivision Regulations, such private recreation facilities may be counted towards meeting the City's parkland requirements, with City Council approval.

In addition, some acreage that would normally count towards the total parkland acreage, such as the area of the planned trail to the top of Righetti Hill, is not factored into the OASP land use summary for parkland.

City staff and the applicants will continue to work through this issue and hope to develop a resolution to the parkland requirement when we meet with the Parks and Recreation Commission on March 5, 2008.

Urban Reserve Line

The 2002 draft of the OASP showed a modification to the Urban Reserve Line (URL) to include all of the Orcutt Area. However, since Righetti Hill is to be designated Conservation/Open Space with no need for City services, a revision was made to the current OASP to keep the URL in its present location, with the exception of approximately 7 acres of land on the northeast edge of the open space area that is designated in the specific plan for low-density residential. A modification to the URL in

this location is one of the General Plan amendments requested by the applicants that will be evaluated during the public review process.

Affordable Housing

Section 3.3 of the OASP includes goals, policies and programs for implementing the General Plan Housing Element in the Orcutt Area. OASP Policy 3.3.1 establishes a requirement that all of the affordable housing required by the City for expansion areas (5% low income units plus 10% moderate income units for a total of about 150 units) shall be met by building the affordable units on-site, within the Orcutt Area.

The low income unit requirement would be met through dedication of improved land (with curb, gutter, sidewalk, street and utilities installed) to a City-approved affordable housing developer. The moderate income unit requirement would be met by requiring each subdivision in the Orcutt Area to construct a minimum of 10% of the proposed units for moderate income households.

Public Facilities Financing Plan

The City has recently contracted with Goodwin Consulting Group to prepare a Public Facilities Financing Plan for the OASP. The plan will become Chapter 8 of the specific plan document. The plan will evaluate the financial feasibility of all of the public improvements identified in the OASP and DEIR, and will recommend a fee program to insure that the costs of these improvements are equitably distributed to the property owners in the Orcutt Area. The PFFP will also identify financing mechanisms that would be available to the owners and developers of the Orcutt Area, such as assessment districts and reimbursement agreements.

Draft EIR and Significant Impacts

The DEIR is a public, informational document that analyzes the environmental impacts of development envisioned by the OASP. State law requires the City to establish a 45-day public review period for the DEIR. During this time, public comments regarding potential environmental impacts that are made during public hearings or in writing to City staff are considered. After the public comment period closes, a Final EIR is prepared, which includes responses to all of the public comment made during the 45-day review period. The 45-day period for the OASP DEIR is proposed to run from Wednesday, February 13th, to Monday, March 31st.

The DEIR identifies four impacts that are considered Class 1, significant and unavoidable, in the areas of aesthetics, air quality and noise. These impacts are summarized under the headings below. All other impacts identified in the DEIR are able to be mitigated to a less than significant level.

Aesthetics

Two significant and unavoidable impacts occur in the area of aesthetics because of the change of land use from rural to urban. One impact is caused by changes to the viewshed from Orcutt Road and Tank Farm Road, and another impact arises because of the project's affect on the aesthetic character of the site itself, including impeded views of Righetti Hill.

Air Quality

The OASP is consistent with the population assumptions of the City's General Plan and the Air Pollution Control District's Clean Air Plan (CAP). However, the OASP includes a low-density residential area of approximately 27 single-family homes outside of the current URL boundary. The CAP encourages development to occur within the URL of cities, therefore, the project is inconsistent with the CAP and a significant and unavoidable impact is identified.

Noise

The noise related impacts associated with specific plan development are considered significant and unavoidable. Development of the Orcutt Area will contribute to noise levels on surrounding streets, such as Orcutt Road, Tank Farm Road and Johnson Avenue, which already exceed the noise exposure standards established in the Noise Element of the City's General Plan. The DEIR concludes that development of the Orcutt Area will contribute further to noise levels that already exceed standards, and while mitigations have been included in the OASP, the impact is considered unavoidable.

Noise Element Policy 1.10 provides direction for when cumulative increases in noise levels resulting from new development significantly impact existing noise-sensitive land uses. Under these conditions, City policy recommends consideration of the following mitigation measures:

1. Rerouting traffic onto streets that can maintain desired levels of service, consistent with the Circulation Element, and which do not adjoin noise-sensitive land uses.
2. Rerouting trucks onto streets that do not adjoin noise-sensitive land uses.
3. Constructing noise barriers.
4. Lowering traffic speeds through street or intersection design methods (see also the Circulation Element).
5. Retrofitting buildings with noise-reducing features.
6. Establishing financial programs, such as low cost loans to owners of noise-impacted property, or establishment of developer fees to pay for noise mitigation or trip reduction programs.

Section 4.5 of the OASP discusses noise and addresses noise on surrounding streets, including Orcutt Road and Tank Farm Road. Johnson Avenue must also be addressed in this section of the specific plan.

Traffic/Circulation

Several required transportation projects, both on-site and off-site, are identified in the DEIR. These projects include improvements to major intersections such as Orcutt/Johnson, Tank Farm/Orcutt, Laurel/Orcutt, and South/Broad. The costs associated with all of the off-site and on-site transportation improvements identified in the DEIR have been estimated by Wallace Group, who was retained by the City and the property owners jointly to prepare costs estimates for the proposed projects. These cost estimates will serve as the basis for the fee program that is being developed as part of the Public Facilities Financing Plan.

Biological Resources

The DEIR is a *program level* environmental impact report. With respect to biological resources this means that the potential affects of the project are analyzed and the DEIR establishes a method that all future development must follow to insure that potential site specific impacts are addressed. For instance, buildout of the OASP has the potential to impact both plant and animal species endemic to the area. The DEIR establishes study requirements and mitigation responsibilities that would apply to future development on a case by case basis, depending on whether or not the resources are present on the particular site of a proposed subdivision or development project. The DEIR establishes a program for mitigating impacts to biological resources that is very similar to the program approved for the Margarita Area and Airport Area Specific Plans.

Neighborhood Center Alternative

When the City Council authorized the preparation of the DEIR, it also authorized funds for an alternative land use plan to be prepared for the Orcutt Area. The City and Orcutt Area property owners shared costs for Stephanos Polyzoides (of Moule and Polyzoides, Inc.) to prepare the Neighborhood Center alternative plan, which is analyzed in Section 8.2 of the DEIR. From an environmental perspective, the Neighborhood Center plan is considered inferior to the proposed specific plan because of increases in noise, traffic, and water demand, and reduced airport compatibility.

Other Environmental Impacts

Other issue areas covered in the DEIR include cultural resources, public safety, public services, water/wastewater, drainage and water quality, geologic hazards, agricultural resources, growth inducing impacts, cumulative impacts and global climate change.

CONCURRENCES

The OASP and DEIR were developed through a collaborative process that included all City departments with development review and public services requirements for development in the Orcutt Area. The DEIR has been sent to the State Clearinghouse and is being distributed to various California agencies for comment. Comments on the DEIR will be addressed by the consultant in the Final EIR.

FISCAL IMPACT

When the General Plan was prepared, it was accompanied by a fiscal impact analysis, which found that overall the General Plan was fiscally balanced. Development of the Orcutt Area as a residential expansion area is consistent with the General Plan. Therefore (even though residential areas normally cost more to maintain than they produce in city revenue), the citywide land use program will remain fiscally balanced with development of the Orcutt Area.

City costs associated with processing the OASP include costs for a part-time consultant between 2000 and 2002 (approximately \$63,830), the cost of the Environmental Impact Report (approximately \$200,000) and the cost of a consultant hired by the City to prepare an alternative design for the Orcutt Area (\$25,000). The City and the applicants are sharing in the EIR preparation costs, for a total City outlay of approximately \$188,830. These costs will be recovered by the City through a fee program that would be established with approval of a specific plan for the Orcutt Area.

ALTERNATIVES

1. Direct staff to make revisions to the proposed public hearing schedule.
2. Continue consideration of the proposed public hearing schedule and direct staff to provide additional information to the City Council regarding the specific plan and DEIR at a future meeting.

ATTACHMENTS

1. City Council Minutes 10-1-2002
2. City Council Minutes 2-4-2003
3. Proposed Public Hearing Schedule
4. Vicinity Map
5. OASP Table 1.1 (Land Use Summary)
6. OASP Figure 2.5 (Neighborhood Park Plan)
7. SLCUSD correspondence

The Orcutt Area Specific Plan and Draft EIR are available for review and purchase at the Community Development Department, 919 Palm Street. These documents can also be downloaded here: <http://www.slocity.org/communitydevelopment/oasp.asp>

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Tuesday, October 1, 2002 - 7:00 p.m.

C4. YOUTH BASKETBALL CO-SPONSORSHIP AGREEMENT.

Public Comment:

Mary Beth Schroeder, 2095 Wilding Lane, asked if additional fees are proposed for youth basketball. Parks and Recreations Director LeSage explained that there are no additional fees.

ACTION: Moved by Mulholland/Ewan to approve the Youth Basketball Co-Sponsorship Agreement between the City of San Luis Obispo and the San Luis Obispo County YMCA, as recommended by the Parks and Recreation Commission; motion carried 5-0.

C5. FINAL MAP APPROVAL FOR TRACT 2366--A 14 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 936 FULLER ROAD (STONE CREEK DEVELOPMENT, SUBDIVIDER).

ACTION: Moved by Mulholland/Ewan to adopt Resolution No. 9369 (2002 Series) approving the final map for Tract 2366 and authorizing the Mayor to execute the subdivision agreement on behalf of the City; motion carried 5-0.

C6. APPROVE A CONTRACT TO CONDUCT THE CITY ATTORNEY RECRUITMENT AND PROVIDE ASSISTANCE TO THE CITY COUNCIL.

Public Comment:

Mary Beth Schroeder, 2095 Wilding Lane, expressed concern about the costs of hiring a consultant to conduct the recruitment and asked why the Human Resources Department could not do it. Mayor Settle replied that the City Attorney is hired by the City Council and the City Council agreed to hire an outside firm to conduct the recruitment.

ACTION: Moved by Mulholland/Ewan to approve and authorize the Mayor to execute a contract between the City of San Luis Obispo and Avery and Associates allowing them to conduct the City Attorney recruitment and provide assistance to the City Council in the selection process; motion carried 5-0.

BUSINESS ITEMS

1. PROJECT DESCRIPTION AND AUTHORIZATION TO PREPARE AN ENVIRONMENTAL IMPACT REPORT FOR THE ORCUTT AREA SPECIFIC PLAN (ER 209-98).

Community Development Director Mandeville, Deputy Community Development Director Draze and Associate Planner Matteson presented the staff report.

Deputy Community Development Director Draze outlined the property owners' request for revisions to the CAO's recommendation, which reads as follows:

The City Council recognizes the need for additional housing in the City of San Luis Obispo. The City's General Plan calls for the ultimate annexation of the Orcutt Area to be developed as a residential neighborhood:

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The Council hereby endorses the concept of amending the City's General Plan by increasing the number of allowed new housing units in the Orcutt Area to between 850 and 950.

Further, the City accepts the attached draft exhibits as the basis for proceeding with necessary studies, finalizing a draft Specific Plan, and preparing an environmental analysis. It is understood that additional General Plan amendments may be required, that related circulation issues remain to be finalized during this review process, and that this conceptual acceptance for processing is not meant to be binding on the property owners in detail at this time.

It is also recognized that many of the owners will be designating "home sites" which are intended to protect their existing residences until they choose to develop at some future date. (Language approved, see Action on page 5).

Staff indicated that they had no objections to the language changes, as proposed by the property owners.

Public Comments:

Andrew Merriam, representing the property owners, outlined the history and complexity of the process to-date. He emphasized that there are 13 different land owners with very diverse needs and desires and explained the plan has gone through many neighborhood meetings. The plan has been adjusted many times along the way, he added, and reported that land use density proposed is greater than previously recommended. Mr. Merriam pointed out where there is consensus among the property owners and where there is "agreement to disagree". He then outlined next steps and indicated that he hopes the Council will support the concept and give conceptual approval to the higher density.

The following property owners spoke in support of the concept, urged approval of the amended recommendations outlined above and asked the Council to provide financial assistance with the preparation of the Environmental Impact Report:

Jean Helphenstien (also representing Barbara Parsons), 2312 Branch St.
Leo Evans, 2248 Glacier Lane
Nick Mulck, 3731 Orcutt Road
Patty Taylor, 3731 Orcutt Road
Julie Jones, 2699 Flora St.
David Gray, 683 Evans Rd.

Dave Romero, 2057 Skylark Lane, spoke in favor of moving ahead with the planning process.

Andrew Carter, 1283 Woodside Drive, agreed.

Mary Beth Schroeder, 2085 Wilding Lane, also expressed support.

Brett Cross, 1217 Marlner's Cove, observed that the design for housing in the conceptual map appears to be a standard tract house, and recommended that the development include a greater mix of housing types and densities.

Andrew Merriam replied that there is no subdivision map at this time and clarified that there is a desire for flexibility in the design.

--end of public comments--

In response to public comments about the City helping to finance the preparation of the EIR, Finance Director Statler noted that the long-standing policy is that the applicant pays for the EIR, unless the City is the applicant. He added that he would not recommend that the Council waver from that policy.

Individual Council comments followed. A majority of the Council endorsed the project description and agreed to modify the CAO Recommendation, as requested by the property owners.

Council Member Mulholland voiced concerns about the density and type of housing proposed. She asserted that the planning concepts are old fashioned and not "transit-friendly". She argued that there is a need for a better project description before environmental review commences and expressed opposition to providing financial assistance for the preparation of the EIR.

Vice Mayor Marx spoke in favor of the concept proposed and recommended that the Council consider granting the property owners a loan of 50% of the money needed for environmental review. Council Member Ewan agreed and suggested that the loan be recouped during the development phase. Mayor Settle suggested that a discussion about financial assistance be postponed until the next budget period.

Council Member Schwartz spoke in favor of the project and the density proposed, but expressed some concerns about the design. He commented that he hopes that there will be some creativity and imagination used in designing the community and proposed a planned development concept with mixed uses.

ACTION: Moved by Ewan/Schwartz to approve the CAO recommendation, as recommended by the property owners (see page 4); carried 4:1 (Mulholland).

Note: A majority of the Council indicated they would be willing to consider a higher density of 1,300 units as allowed by the Airport Land Use Plan.

ACTION: Moved by Ewan/Marx to direct staff to take a look at financing alternatives (that will allow the City to recoup any investment), for the preparation of the EIR; motion carried 4:1 (Mulholland).

Mayor Settle took Item 3 next (See Action on Item 2 on page 7).

3. SAN LUIS OBISPO COUNCIL OF GOVERNMENTS' (SLOCOG) DRAFT HOUSING NEEDS PLAN.

Associate Planner Hook presented the staff report and recommendations included in the staff report. In addition, he summarized an alternative recommendation distributed to the Council after the agenda was distributed (see memo on file in the Office of the City Clerk) which includes a modified job growth percentage and lower number of new units required for San Luis Obispo.

Steve Devencenzi, SLOCOG Director, pointed out that the share of job growth county-wide is 42.91% and noted that if the factor is reduced for SLO, it will have to be reduced in all other communities. The result of doing so would be neutral, he concluded. In response to Council inquiry, he reported that dormitories on the Cal Poly campus are considered "group quarters" and are not counted toward the total number of housing units. He added that the

ACTION: Moved by Settle/Mulholland to adopt Resolution No. 9419 (2003 Series), as revised, upholding and denying the appeal (two trees may be removed, one to remain). (3:1:1, Schwartz opposed, Ewan refrained due to a potential conflict of interest).

BUSINESS ITEMS

3. **SCOPE OF WORK AND SHARED COSTS FOR AN ENVIRONMENTAL IMPACT REPORT FOR THE ORCUTT AREA SPECIFIC PLAN (ER 209-98).**

Associate Planner Matteson presented the staff report and clarified that the initial cost of the EIR to the City's General Fund will be \$90,500. The property owners will provide matching funds, for a total of \$181,000.

Vice Mayor Mulholland stated that she objects to going out for an EIR without a specific plan. Associate Planner Matteson presented the latest version of the concept plan and Community Development Director Mandeville advised that in order to do an EIR you need a project description, not a full plan. Council Member Settle argued that the applicant has clearly defined by the project.

Public Comments:

Applicant Jeanne Helphenstine, 2312 Brant Street in Arroyo Grande (speaking for herself and her mother Barbara Parsons), explained that she is hoping to continue the process, share costs and discuss the scope of work for the EIR. She argued against including in the EIR a design alternative study.

Andrew Merriam, Canon Associates, (on behalf of four of the applicants) used a map to demonstrate property ownership and to emphasize the difficulty of achieving a specific plan when nine property owners don't want to participate. He suggested modifications to the scope of the EIR (see letter on file in the Office of the City Clerk), primarily to keep the costs in check and to meet the needs of everyone.

Leo Evans, 2248 Glacier Lane in Santa Maria (owns five acres of property in the planning area), objected to being included in the specific planning area and argued that to do so will be placing an unfair lien on his property. He doesn't see the property suitable for building, questioned the density proposed, and asserted that there will be increased cost to develop.

Nick Mulck, 3731 Orcutt Road, (speaking for himself and three other property owners: Phyllis Emil, Jean Anderson and Paul Garay) spoke in objection to being included in the specific plan and in the preparation of the EIR. He asserted that EIR consultants would not be allowed on their properties.

John Belsher, 2606 El Cerrito, spoke in support of the modifications proposed by the applicant to the scope of work for the EIR. He also encouraged the Council to settle the argument about the school site soon by taking the matter to the Airport Land Use Commission.

Andrew Carter, 1283 Woodside Drive, proposed that the EIR consider traffic impacts and, rather than study the bicycle and pedestrian connection, consider an at-grade car crossing at Industrial Way.

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Applicants Phil and David Gray, 1320 Archer (Mid-State properties), spoke in support of the staff recommendation and modifications proposed for the EIR scope of work. They encouraged the Council to proceed with the EIR.

Steve Delmartini, 962 Mill, spoke in favor of the City's participation in the cost of the EIR. He asked City staff to comment on the claim presented by Mr. Evans.

Wes Burke, 962 Mill Street, commented in support and urged the Council to take this opportunity to create housing affordability.

---end of public comments---

Acting City Attorney Trullillo advised that the Council's action would not result in any liens and explained that if an annexation is proposed and approved by LAFCO, costs would be recouped at the time of development. He stated that no fees will be assessed if a property owner chooses not to develop. Finance Director Statler emphasized that no financial strategy proposed or discussed ever included any placing of liens.

Vice Mayor Mulholland voiced opposition to the City participating in the cost of the EIR because the Council has not yet seen a specific plan and the property owners will benefit if and when they sell or develop their land.

Council discussion followed regarding the six modifications for the EIR scope of work proposed by Andrew Merriam. Staff provided advice and comment. Acting City Attorney Trullillo cautioned that it would be better to allow the analysis to be done by a consultant rather than allow for the EIR to be subject to a legal challenge.

ACTION: Moved by Settle/Ewan to 1) approve the Request for Proposal (RFP) for the Orcutt Area EIR, and authorize the City Administrative Officer to award the contract if it is within the contract estimate of \$120,000, subject to prior receipt of funds from the applicants for their share of the contract and administrative costs. 2) Authorize the City Administrative Officer to approve and issue an RFP to prepare an alternative design emphasizing cluster and courtyard development; and to award the contract if within the contract estimate of \$25,000, subject to prior receipt of funds from the applicants for their share of the contract costs. 3) Approve funding 50% of the total cost of the EIR (\$156,000, including administrative costs of 30% in conformance with City policy) and alternate design services (\$25,000), and appropriate \$90,500 from the General Fund unreserved balance for this purpose, with the balance (\$90,500) to be paid by the property owners prior to any contract awards by the City Administrative Officer; direct that the City's share of these costs will be reimbursed at the time of development in the manner set forth in the specific plan infrastructure financing program. 4) Adopt the following criteria for considering any future requests by other applicants for City financial participation in funding an EIR: The City will consider financially participating in the cost of EIR preparation only when it is for a specific plan, there are a significant number of property owners, and the City wants to encourage expedited preparation as a high community-wide priority; motion carried 4:1 (Mulholland opposed).

At 11:20, the Council reviewed the balance of the agenda and mutually agreed to complete the agenda.

4. TELECOMMUNICATIONS FACILITY LEASE AT SANTA ROSA PARK.

Parks and Recreation Director LeSage presented the staff report.

Activity Name	Start Date	Finish Date	2008															
			January	February	March	April	May	June	July	August	August	August	August	August				
OASP Hearing Schedule	1/10/08	1/10/08	◆															
Property Owner Kick-off Meeting	1/16/08	1/16/08	▲															
45-Day Review Period	1/21/08	3/5/08																
City Council Kick-off Meeting	2/12/08	2/12/08		▲														
ALUC Hearing 1	2/20/08	2/20/08		▲														
PC Hearing on DEIR	2/27/08	2/27/08		▲														
Chapter 9 - Finance (Goodwin)	3/21/08	3/21/08																
Develop PC Draft of Plan (Public Hearings)	3/27/08	7/25/08																
Parks and Recreation Commission	3/5/08	3/5/08			▲													
Bicycle Advisory Committee	3/20/08	3/20/08			▲													
CHC Hearing	3/24/08	3/24/08			▲													
PC Hearing 1	3/26/08	3/26/08			▲													
ALUC Hearing 2	4/16/08	4/16/08			▲													
AFC Hearing	4/21/08	4/21/08			▲													
PC Hearing 2	4/23/08	4/23/08			▲													
Final EIR Published	5/16/08	5/16/08				◆												
PC Hearing 3 (Recommendation)	6/11/08	6/11/08					▲											
PC Draft Published	6/27/08	6/27/08									◆							
City Council Hearings	7/15/08	8/5/08																
Scheduled Days			33.00	61.00	67.00	30.00	31.00	30.00	31.00	30.00	42.00	42.00	5.00					

TABLE 1.1 - LAND USE SUMMARY

Land Use	Zoning	Acres	Density	Total Units	% of Overall Area
RESIDENTIAL					
Low Density Residential Detached single family, 5,000-15,000 sf. Lots	R-1-SP	53.29	Up to 7 du/acre ²	264	23.08%
Medium Density Residential Detached/attached single family w/zero lot line; duplex units ¹ Minimum lot size of 3,000 sf.	R-2-SP	31.23	Up to 12 du/acre ²	276	13.53%
Medium-High Density Residential Multi-plex units; mobile homes and multi- family apartments ¹	R-3-SP	20.88	Up to 18 du/acre ²	336	9.04%
High Density Residential Multi-family apartments ¹	R-4-SP	5.4	Up to 24 du/acre ²	103	2.34%
Subtotal		110.8		979⁵	47.99%
COMMERCIAL					
Community Commercial/ Mixed Use	CC-MU	2.75 ⁶			1.19%
OPEN SPACE AND RECREATION					
Open Space	C/OS-SP	81.46			35.29%
Parks					
<i>Neighborhood Park (ball fields, ball courts, playgrounds)</i>	P-F-SP	12.39			5.37%
<i>Linear Park/Floodable Terrace</i>	P-F-SP	6.78			2.94%
<i>Playgrounds and greens in medium high density residential³</i>	R-3-SP/ R-4-SP	1.55			0.67%
Total Parks		20.72			8.98%
Detention Ponds		0.52			0.23%
PUBLIC FACILITIES					
Roads Arterials, Collectors and major Local		14.6			6.32%
TOTAL		230.85		979⁵	100.00%

¹ These types of housing reflect examples of housing types within each residential category.

² This range reflects the minimum and maximum densities for residential development.

³ Playground and greens in medium-high and high density residential (R-3 and R-4) is at 0.06 acres per acre of development.

⁴ This plan provides 20.72 acres total of active park. 19.17 acres will be zoned P-F-SP and 1.55 acres will be zoned R-3-SP/R-4-SP.

⁵ This figure represents full development potential buildout of maximum allowed units on each property, actual development may be lower.

⁶ This acreage is for CCMU and is expected to support 8,000 SF of retail and 8,500 SF of office space. The balance of the area will be devoted to residential in a mixed-use configuration.

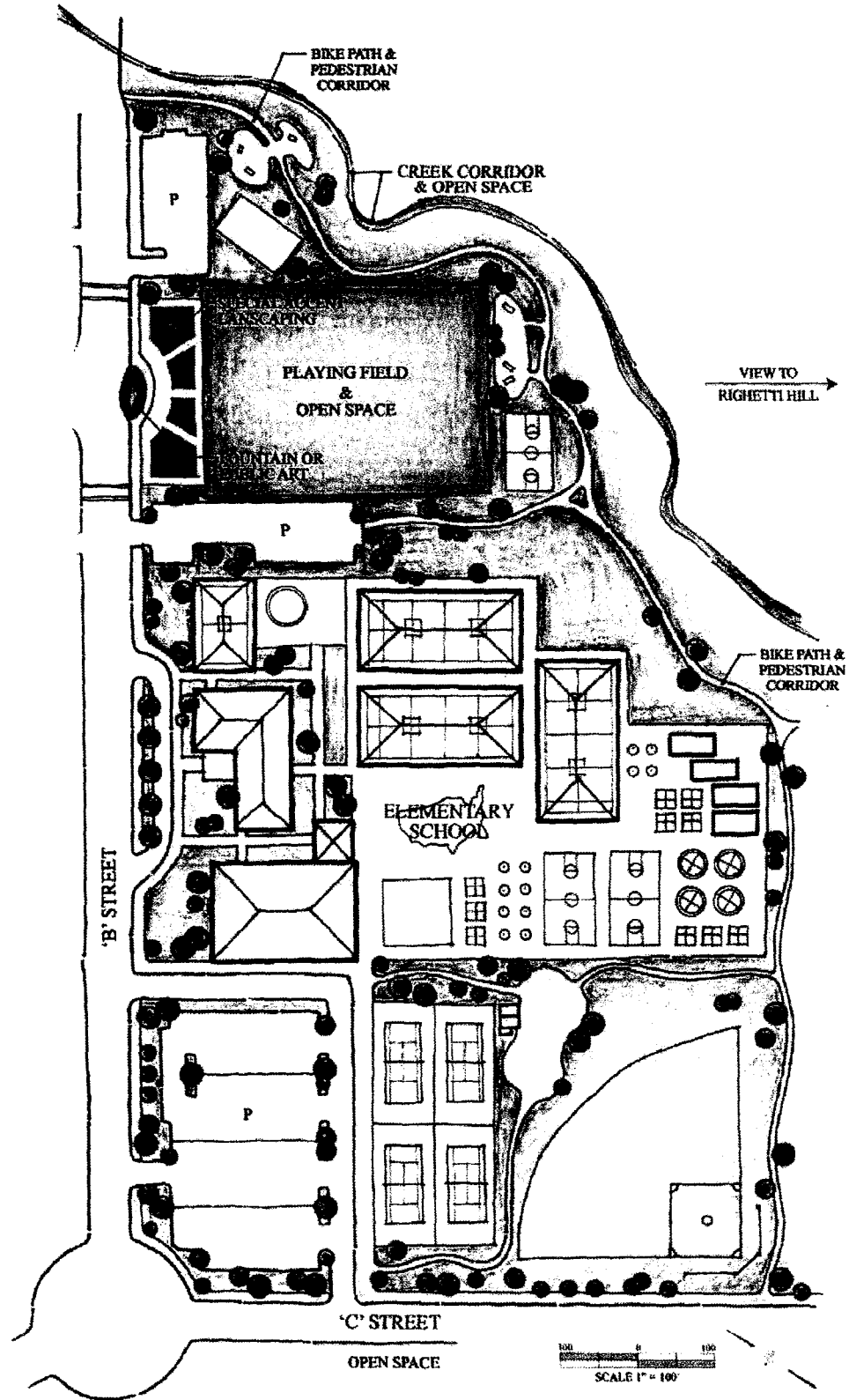


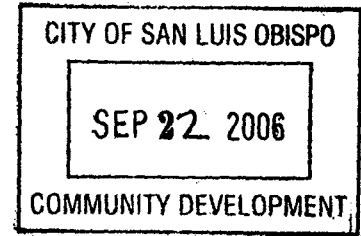
FIGURE 2.5 NEIGHBORHOOD PARK PLAN

San Luis Coastal Unified School District

1500 Lizzie Street
San Luis Obispo, CA 93401 -3062
(805) 549-1200



September 19, 2006



Michael Codron, Associate Planner
City of San Luis Obispo
Community Development Department
919 Palm Street
San Luis Obispo, Ca 93401

Dear Michael,

Thank you for the opportunity to review and comment on the revised design concept for the Orcutt Area Park/Elementary School Plan. The revised site plan moves the school building about 250 feet further from the railroad tracks and is superior to the original concept plan. The California Department of Education advises that schools should not be located adjacent to hazardous areas and this revised plan does place the school building further away from the railroad tracks.

There appears to be adequate acreage to support an elementary school at this location.

Sincerely,

Brad Parker
Director, Facilities, Operations and Transportation

Cc: Russell Miller