



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

April 21, 2005

CALL TO ORDER:

Chair Jonathan Maguire called the meeting to order at 1:16 p.m.

ROLL CALL:

Present:

Vice-Chair John Jostes

Commissioners, Charmaine Jacobs, Stella Larson, Bill Mahan, George C. Myers and Harwood A. White, Jr.

Chair Jonathan Maguire

Absent:

None.

STAFF PRESENT:

Jan Hubbell, Senior Planner

Kathleen Kennedy, Assistant Planner

Susan McLaughlin, Assistant Transportation Planner

Jessica Grant, Associate Planner

Renee Brooke, Assistant Planner

Stephen P. Wiley, Assistant City Attorney

Liz N. Ruiz, Senior Recording Secretary

II. PRELIMINARY MATTERS:

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

Senior Planner Jan Hubbell announced a continuation of 210 Meigs Road indefinitely, and 1837 ½ El Camino De La Luz is being continued to May 12, 2005.

B. Announcements and appeals.

Ms. Hubbell announced the resignation of Susan McLaughlin, Assistant Transportation Planner.

C. Comments from members of the public pertaining to items not on this agenda.

Chair Maguire opened the public comment at 1:19 p.m., and with no one wishing to speak, the public comment was closed.

III. NEW ITEMS

ACTUAL TIME: 1:19 P.M.

A. APPLICATION OF MOLLY MURPHY, LAURA HANSON DESIGN, AGENT FOR STEPHEN F. LEROY, PROPERTY OWNER, 420 W. GUTIERREZ STREET, APN 037-191-007, R-4: MULTIPLE RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS/ACRE (MST2004-00007)

The project consists of a proposal to convert an existing three unit apartment building into three condominium units. The existing building consists of one (1) two-bedroom unit and two (2) three-bedroom units. Four covered parking spaces currently exist on the site. Two additional uncovered parking spaces are proposed.

The discretionary applications required for this project are:

1. Tentative Subdivision Map for a one-lot subdivision for the conversion of three (3) residential units into condominium units (SBMC§27.07); and
2. Condominium Conversion Permit to convert three (3) residential units to three (3) condominium units (SBMC§28.88).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15315 (minor land divisions) and Section 15303 (conversion of small structures).

Kathleen Kennedy, Assistant Planner gave an overview of the project.

Molly Murphy, Laura Hanson Design, presented the project.

Chair Maguire opened the public hearing at 1:23 p.m., and with no one wishing to speak, the public hearing was closed.

Commissioners' comments and questions:

1. Stated that it is a difficult site, that the project is not condominium quality, and that the aesthetic findings cannot be made.
2. Stated that the architecture is nice, but the uncovered parking in the front is not supportable and not consistent with the neighborhood. There is too much concrete in the front yard.
3. Commented that the trash area is not very accessible for Unit A.
4. Commented that there is no problem with keeping the project as rentals. Also, stated that a conversion to condominiums would result in affordability by design.
5. Commented that there is a safety concern about the backing of vehicles onto the sidewalk and would like to see differentiated paving from the front door of Unit A to the sidewalk.

Jan Hubbell, Senior Planner, and Ms. Kennedy responded regarding the landscape plan.

Stephen F. LeRoy, Owner, asked for suggestions as to what they would like to see to get this project approved.

MOTION: Mahan/White

Resolution No. 030-05

Denied without prejudice the condominium conversion, because the aesthetic finding cannot be made; there would be unsafe backing maneuvers, and the project does not meet the neighborhood vision.

Comments to the motion:

Steven LeRoy, asked the Planning Commission to share with him about the proposal to do a more drastic design to unit A.

The Commissioners stated:

1. The Commission is encouraging him to redesign the project and that is why it is being denied without prejudice.
2. There is general support for a redesigned project that would reduce the project to two units, reducing the number of bedrooms, removing parking from the front yard and/or moving the additional parking into the building. Separate the vehicular space from the public sidewalk or possibly three units with a major redesign.

Ms. McLaughlin addressed the Planning Commission regarding how the number of bedrooms determines the number of parking spaces needed.

This motion carried by the following vote:

Ayes: 6 Noes: 1 (Myers) Abstain: 0 Absent: 0

Chair Maguire announced the ten calendar day appeal period.

ACTUAL TIME: 1:51 P.M.

B. APPLICATION OF MIKE GONES, AGENT FOR RAFI JAVID, PROPERTY OWNER, 1218 & 1224 HARBOR HILLS DRIVE, APNS 035-180-089 & 035-180-098, E-1 ZONES, GENERAL PLAN DESIGNATION: THREE UNITS PER ACRE (MST97-00764)

The proposed project involves a lot line adjustment between two lots, 1218 Harbor Hills Drive (APN 035-180-089) and 1224 Harbor Hills Drive (APN 035-180-098). The existing lot at 1218 Harbor Hills Drive is 31,163 square feet in area, and would be 30,000 square feet following the lot line adjustment. Existing on the site is a residence with a detached garage. The existing lot at 1224 Harbor Hills Drive is 26,686 square feet in size, and would be 27,767 square feet following the lot line adjustment. The lot at 1224 Harbor Hills Drive is currently vacant, and would, as part of the revised application, include a 3,236 square foot single-family residence with an attached 708 square foot garage and grading in excess of 500 cubic yards outside the main building footprint. Upon adjustment, two (2) legal lots would remain. In addition to the lot line adjustment, the proposed

project involves compliance with the Conditional Certificate of Compliance dated July 24, 2000, for 1224 Harbor Hills Drive and the Conditional Certificate of Compliance dated September 20, 1982 for 1218 Harbor Hills Drive.

The discretionary applications required for this project are:

1. Modification to allow parcels APN 035-180-089 (1218 Harbor Hills Drive) and APN 035-180-098 (1224 Harbor Hills Drive) to have less than the required 90 feet of street frontage in the E-1 Zone (SBMC §28.15.080);
2. Lot Area Modification for APN 035-180-098 (1224 Harbor Hills Drive) to not comply with the slope density minimum lot size requirements in the E-1 Zone (SBMC §28.15.080);
3. Public Works Street Frontage Waiver for APN 035-180-098 (1224 Harbor Hills Drive) as required in the Conditional Certificate of Compliance dated July 24, 2000;
4. Lot Line Adjustment resulting in two lots (Gov. Code §66412); and
5. Neighborhood Preservation Ordinance Compliance to allow grading in excess of 500 cubic yards outside the main building footprint located in the Hillside Design District (SBMC §22.68.060).

The Planning Commission will consider approval of the Negative Declaration prepared for the project (MST97-00764) pursuant to the California Environmental Quality Act Guidelines Section 15074.

Jessica Grant, Associate Planner gave the staff presentation.

Mike Gones, Civil Engineer, gave a brief presentation of the project and presented the PC with a handout which was entered into the record.

Commissioners' comments and questions:

1. Asked if the lot area modification and slope density of this lot originally fell under the original Certificate of Compliance and if we are now holding to a higher standard; asked if there has been any development in the neighborhood requiring the same scrutiny.
2. Stated lots of lots were involved in the Rogers Tract and their solution was a rezoning.
3. Stated the staff report indicates it would include a trail; and it appears that the sidewalk would be extended and completed in the area of the driveway; asked if this was correct. Asked if there is an existing right-of-way easement, and what is its status now.
4. Stated that on one of the plans it states, extend curb, gutter, sidewalk on both sides of apron to match up with existing; is this a typo.
5. Asked how people will distinguish the path from the driveway and how will they know about that.
6. Would like to see included in the Conditions retention of storm waters.
7. Feels positive and supportive of project.
8. Hopes it will have a low impact; scaled building, appreciates how important trail is.

9. Hoping that house doesn't stand out and put emphasis on landscaping; happy around retaining wall size; drainage/permeable surfaces appreciates this, diminutive; would like to see something quiet.
10. Stated the retention area should be used to avoid erosion. Does not want to create a landslide area.
11. Stated public path easement will be a huge benefit. Project does have some significant benefit.
12. Asked if 100-year retention is feasible. In the last meeting with Mr. Flowers, it was stated that it was feasible.
13. Asked what the requirement is for a one bedroom house.
14. Asked if they would be amendable to avoiding grading during the rainy season from November until April 1st.
15. Asked what the height is of the retaining wall.
16. Questioned the canopy trees because this is a fire area, and stated a need for a guarantee that there will be a canopy in place, and lastly asked if it would be possible if for all the hardscape to be permeable.
17. Commented that the owner would probably be amenable to a very discreet sign in regards to the trail.
18. Thanked applicant for doing the study of the 50 adjacent properties, it's very helpful.
19. Feels this project is as good as it gets, the applicant has been very sensitive to fine tuning the development to fit into the existing topography with some grading. Will definitely support this project and hope that they can modify the grading condition so applicant does not have to wait.
20. Feels that retention will be an easy thing to accomplish and very important for as he sees down into the gully he sees the bank cutting and the erosion eating away at the creek. Other than this he is very positive and supportive of the project.

Both Ms. Grant and Ms. Hubbell responded regarding the surrounding development in the project area.

Brian Nelson, Project Architect, responded regarding visual resources and gave attention to the design of the proposed building.

Chair Maguire opened the public comment at 2:40 p.m., and with no one wishing to speak the public comment was closed.

Ms. Hubbell went over a copy of the Revised Conditions of Approval that were handed out to the Commission.

MOTION: Mahan/Jacobs

Resolution No. 030-05

Move to approve the mitigated negative declaration and make findings in the staff report B, C, D, E, and the neighborhood preservation ordinances with the further condition that the development will not exceed 3200 square feet plus a three car garage, and the applicant will work with ABR to lower

the plate height, reduce the overall height of the house as well as the other condition changes as follows:.

- To avoid the house getting larger, put a maximum footage including garage, of 3,300 square feet.
- Word improperly numbered the Design Approval Conditions, and A thru G and should be 1 thru 7
- A small sign shall be designed to separate the public trail from the driveway and notifying the public the trail is open to the public
- Add trail easement requirement under C6 or a separate condition
- The driveway paving shall be textured permeable pavement
- All hardscape surfaces shall be permeable except in the back of the house to avoid water intrusion
- No grading shall be allowed during the rainy season
- Drainage shall be retained on site during peak flows for 100-year storms, if feasible
- Include maintenance of the trail by the owner
- Allow drainage facilities to occur outside the development envelope

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Chair Maguire announced the ten calendar day appeal period.

Chair Maguire announced that the next two items are being continued and went on to address the Administrative Agenda.

(CONTINUED INDEFINITELY)

C. APPLICATION OF THERESA GREEN, TYNAN GROUP, AGENT FOR MICHAEL STEVENS, PROPERTY OWNER, 210 MEIGS ROAD, APN 045-110-011, E-3, SINGLE FAMILY, SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: MAJOR PUBLIC & INSTITUTIONAL (MST2002-00710)

The subject property is a 53,484 (gross) square foot vacant lot (38,553 square feet net) located in the East Mesa Area adjacent to Washington School at the terminus of Lighthouse Road and across the street from La Mesa School Park. The project consists of a one lot subdivision with ten condominium units (8 market and 2 affordable) ranging in size from 1,080 square feet to 2,409 square feet. Each unit would have two covered parking spaces and three guest parking spaces would be provided on site. A zone change from E-3/S-D-3 to R-2/S-D-3 is requested. A change in the existing General Plan designation from Major Public and Institutional to Residential, 12 units per acre, and removal of a Proposed Park Designation would also be necessary as well as a Local Coastal Plan (LCP) Amendment because the General Plan Amendment would affect a parcel in the Coastal Zone.

The discretionary applications required for this project are:

Actions requiring a Planning Commission recommendation to the City Council and subsequent approval by the City Council and the California Coastal Commission:

1. General Plan Map Amendment to amend the General Plan Land Use Map for the subject parcel from Major Public & Institutional to Residential, 12 units per acre, which would be consistent with the proposed R-2 Zoning designation, and delete the "Proposed Park" symbol from this area.
2. Local Coastal Plan Amendment to amend the Local Coastal Plan Land Use Map in the Coastal Zone (SBMC §28.45.009.7)
3. Zoning Map Amendment to change the E-3/SD-3, Single Family Residential Zone/Coastal Overlay Zone, to R-2/SD-3, Two Family Residential Zone/Coastal Overlay Zone (SBMC §28.92.015).

Actions by the Planning Commission contingent upon above actions by the City Council and Coastal Commission:

1. Coastal Development Permit for a one lot subdivision to construct residential condominiums in the nonappealable jurisdiction of the Coastal Zone (SBMC §28.45.009)
2. Tentative Subdivision Map for a one lot subdivision to construct residential condominiums (SBMC Chapter 27.07).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15332.

IV. ENVIRONMENTAL HEARING: (CONTINUED TO MAY 12, 2005)

APPLICATION OF BRENT DANIELS, L&P CONSULTANTS, AGENT FOR HERB BARTHELS (PROPERTY OWNER), 1837 ½ EL CAMINO DE LA LUZ, APN 045-100-065, E-3/SINGLE-FAMILY RESIDENTIAL AND SD-3/COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 5 UNITS PER ACRE (MST2002-00214) (CDP2002-00008).

The purpose of this hearing is to receive public comments on the Draft Mitigated Negative Declaration prepared for this project. The proposal consists of the construction of a 1,499 square foot, 2-story single family residence with an attached 443 square foot garage, on a 23,885 square foot vacant bluff-top lot. Access to the site would be provided by private easements extending south from the end of the paved public road (El Camino de la Luz).

DRAFT ENVIRONMENTAL DOCUMENT: A Draft Mitigated Negative Declaration (Draft MND) that evaluates environmental effects of the project has been prepared and is available for review and comment. The analysis identifies potentially significant, but mitigable environmental effects in the following issue areas: aesthetics, biological resources, geophysical conditions, fire hazard, transportation/circulation, and water environment. Also evaluated in the document as less than significant impacts are air quality, cultural resources, noise, population and housing, public services, and recreation issues. Mitigation measures are identified to reduce potentially significant impacts to insignificant levels, and to minimize less than significant impacts.

DOCUMENT AVAILABILITY: The Draft MND is available for review at the Planning Division, 630 Garden Street between 8:30 a.m. to noon and 1:00 p.m. to 4:30 p.m., at the Public Library at 40 E. Anapamu Street during hours of operation, and on the City's website, at www.SantaBarbaraCa.gov

PUBLIC COMMENT PERIOD: The City of Santa Barbara encourages the public to provide written comment on this and other projects. The public review period of the Draft MND began on April 6, 2005 and has been extended to May 13, 2005. Comments on the Draft MND must be submitted by **Friday, May 13, 2005, at 4:30 p.m.** Please send your comments to: **City of Santa Barbara, Planning Division, Attn: Renee Brooke, Associate Planner, P.O. Box 1990, Santa Barbara, CA 93102-1990**, or send them electronically to rbrooke@santabarbaraca.gov

V. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

Commissioner Mahan commented on the Neighborhood Preservation Ordinance.

B. Review of the decisions of the Modification Hearing Officer in accordance with SBMC §28.92.026.

None.

Chair Maguire announced that the Planning Commission will meet next week to recommend to the City Council to consider adopting the Pedestrian Master Plan. He encourages the public to attend, and also mentioned the master plan is available to the general public on the City's website.

VI. ADJOURNMENT

Chair Maguire adjourned the meeting at 3:19 PM to a Special Meeting of the Planning Commission on April 28, 2005 at 3:00 p.m., in the City Council Chambers, City Hall – De La Guerra Plaza to hear the Application of Wynmark Co., Agent for Wypac IV, LLC, 1156 Ontare Road. Following this meeting, a Special Joint Meeting with the Transportation and Circulation Committee at 6:00 p.m., will be held in the David Gebhard Public Meeting Room, at 630 Garden Street, to discuss General Plan Trends and Issues – Transportation and Circulation and Air Quality; and make a recommendation to City Council on the Draft Pedestrian Master Plan.

Submitted by,

Deana Rae McMillion, Admin/Clerical Supervisor for Liz N. Ruiz, Planning Commission Secretary