



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

March 1, 2007

CALL TO ORDER:

Chair Charmaine Jacobs called the meeting to order at 1:04 P.M.

ROLL CALL:

Present:

Chair Charmaine Jacobs

Vice-Chair George C. Myers

Commissioners Bruce Bartlett, John Jostes, Stella Larson, George C. Myers, Addison S. Thompson and Harwood A. White, Jr.

STAFF PRESENT:

Bettie Weiss, City Planner

Jan Hubbell, Senior Planner

N. Scott Vincent, Assistant City Attorney

Allison De Busk, Project Planner

Chelsey Swanson, Assistant Planner

Steve Foley, Supervising Transportation Planner

Chris Hanson, Plan Check Supervisor

Julie Rodriguez, Planning Commission Secretary

I. PRELIMINARY MATTERS:

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

None.

- B. Announcements and appeals.

Ms. Hubbell made the following announcements:

1. 1528 State Street has been appealed from the Historic Landmark Commission, mostly on issues related to the Staff Hearing Officer's approval, and will be heard by the City Council on March 13, 2007. Commissioner White will represent the Planning Commission.

2. 1776 Eucalyptus Hill Road has been appealed and will be heard by the City Council on March 20, 2007. Commissioner Thompson will represent the Planning Commission.
3. 3408-3412 State Street has been appealed and will be heard by the City Council on March 27, 2007. Commissioner Jostes will represent the Planning Commission
4. 1443 San Miguel Avenue has been appealed and will be heard by the City Council on April 10, 2007. Commissioner Myers will represent the Planning Commission.
5. 1533 West Valerio Street has been appealed to City Council and the date is pending.

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

Chair Jacobs opened the public hearing at 1:07 P.M. and welcomed students from Dr. Paul Wack's UCSB class on Principles of Environmental Planning. With no one wishing to speak, the hearing was closed.

II. NEW ITEMS:

ACTUAL TIME: 1:08 P.M.

A. APPLICATION OF JAN HOCHHAUSER, ARCHITECT FOR 1722 STATE STREET INVESTORS, LLC, PROPERTY OWNER, 1722 STATE STREET, APN: 027-102-021, C-2 COMMERCIAL ZONE AND R-1 ONE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCE AND OFFICES (MST2005-00455)

The project involves the construction of a 56,615 square foot three-story building that would provide both residential and commercial uses. The project would provide 12 residential condominium units (23,606 total square feet), and 9,100 square feet of commercial condominium space. Parking for the residential units and commercial uses would be provided in a 23,909 square foot below-grade parking area. The project proposes to provide 22 parking spaces for the residential uses and 33 spaces for the commercial uses, for a total of 55 spaces. Access to the underground parking garage would be provided by a single driveway located on State Street.

Ten (10) of the proposed residential units would be market rate units, and two would be inclusionary middle-income affordable units. Eight (8) of the market rate units would have two-bedrooms and would range between 1,771 and 2,349 square feet in size. Two (2) of the market rate units would have three bedrooms and would range between 1,988 and 2,680 square feet in area. Of the two affordable units, one would have two bedrooms (976 square feet) and the other would have three bedrooms (1,179 square feet).

A variety of commercial uses could be located in the proposed project, including a mix of specialty retail, general office and medical-dental office space.

The existing 7,500 square foot commercial building and parking lot would be demolished as part of the project.

The discretionary applications required for this project are:

1. A Zoning Map Amendment to change the zoning from R-1, One Family Residential, to R-3, Limited Multi-Family Residence Zone (SBMC §28.92.080.B);
2. A Modification to allow 55 parking spaces instead of the Santa Barbara Municipal Code required 63 spaces (SBMC §28.90.100.G & I and §28.92.110.A.1);
3. A Modification of the minimum lot area required to allow for 9 two-bedroom units and 3 three-bedroom units on a 28,875 square foot lot instead of the required 29,280 square feet of lot area in order to accommodate two inclusionary (bonus density) housing units (SBMC §28.21.080.G and §28.92.110.A.2);
4. A Development Plan to allow Minor and Small Additions for the construction of a 1,600 square foot increase of nonresidential development (SBMC §28.87.300);
5. A Tentative Subdivision Map for a one-lot subdivision to create twelve (12) residential condominium units and 15,576 square feet of commercial condominium space (SBMC §27.07 and 27.13); and
6. A Conditional Use Permit to allow nonresidential parking in a residential zone (SBMC §28.94.030 H).

The Planning Commission will consider approval of the Mitigated Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

Case Planner: Allison De Busk, Associate Planner

Email: adebusk@SantaBarbaraCA.gov

Allison De Busk, Associate Planner, gave the Staff presentation.

Jan Hochhauser, Architect, gave the applicant presentation.

Staff and Mr. Hochhauser answered Planning Commission questions on Floor Area Ratio (FAR), project square footage, clarification on the project's net versus gross square footage, and comparable recently approved projects. Additional questions were answered about landscaping, mechanical equipment on roof, solar panels, solar ordinance compliance, windows and openings along the property line, shared-use parking, plate heights, and residential open space over commercial space. Other

inquiries addressed concerned fire access, storage, Built Green considerations, undergrounding utility lines, pedestrian walking experience, and commercial versus residential space.

Chair Jacobs opened the public hearing at 2:18 P.M.

Dennis Whelan spoke in support of the project and asked about the future of the screen on the existing building.

With no one else wishing to speak, the public hearing was closed at 2:22 P.M.

Commissioner's comments:

1. Commission expressed appreciation for development of the project over the past 18 months and the incorporation of underground parking.
2. Expressed concern over the size, bulk, and scale of project. Suggested reducing the number of bedrooms and the size of the State Street side units, specifically units K and L. Many of the Commissioners felt that the units are far too large, especially units A, F and L. Would like to see some mass pulled away from State Street.
3. The project will need to address Charter Section 1507. Many of the Commissioners felt the traffic and parking analysis was flawed and felt that the project will generate more traffic than at the present time. Concern was expressed over adding traffic to Mission Street.
4. Commended the use of solar and would like to see the project raised to a 2 or 3 star Built Green status. There was some concern expressed with impacts of the solar panels on neighbors.
5. Most Commissioners could not support the proposed parking modification and felt that more study is needed. One Commissioner felt that parking should be reduced and supported the modification for parking.
6. Several Commissioners would like to see more than the two affordable units included and suggested adding at least one more. Also, would like to see more integration and improvement in circulation among all units.
7. Would like to see the courtyard space lightened and designed to encourage residential use and interaction; suggested breaking up the ridgeline. A Condition of Approval should stipulate that the courtyard should never be gated. Consideration should be given to having more than just sky views in the courtyard. Commissioners liked the courtyard but felt it wasn't quite there yet. The courtyard pushes the building mass outward, and the streetscape pays the price.
8. Two Commissioners expressed concern with windows being too close to the property line to the north and south and the impact on any future neighboring development. Concerns were for units G, F, and E. Would like to see potential for light studied.

9. Some Commissioners could not support the Negative Declaration due to questions about the traffic analysis.
10. Concerned with view loss on the north side of the building. Some Commissioners would like to see more attention to views in the Negative Declaration.
11. Would like to see project get closer to zoning requirement and away from the need for a parking modification. Suggested reducing the commercial space on the second floor that could reduce parking demand.
12. Would like to have Historic Landmarks Commission review the reduction of the plate heights wherever possible.
13. Suggestions were made to include existing grillwork in the project.
14. Suggested adding a condition that states that the sidewalk is a parkway sidewalk and add considerations for pedestrian amenities. Need for more consideration to pedestrian streetscape, including more windows, landscaping and courtyard visibility.
15. Page two of the Negative Declaration Response to Comments needs to correctly reflect the area requesting a zoning modification.
16. Some Commissioners expressed concern over the number of elevators and the contribution of the elevators to building mass. Other Commissioners felt the number of elevators need to be on the high side to accommodate the elderly, frail, and families.
17. Would like to see the affordable housing units appear less like secondary units, especially with regard to size, location, and private outdoor living space.
18. One Commissioner sees mid-State Street as an invitation for walking and street animation. Pedestrians like amenities such as public restrooms, shading, and water.

Ms. Hubbell cautioned the Commission on variable density and inclusionary requirements and affordable housing requirements. Guidance was also given to the Commission on allowed density and use of bonus density. Ms. Hubbell stated that there were no policies that addressed mid-block State Street views and therefore did not heighten Staff's concerns. Topography continues to rise behind parcel and vegetation hides all but a minor glimpse of the mountains. This is definitely not an environmental issue; it may be a design issue.

Mr. Hochhauser asked for greater understanding on the balance of affordable units, elevators and parking. Commissioners provided input on the lack of support for the parking modification and lot area modification. In consideration of feedback received, Mr. Hockhauser asked for a continuance.

Chair Jacobs gave the applicant feedback on the general vision for the mid-State Street area that bridges the downtown commercial corridor with a residential neighborhood to the north, along with the Neighborhood Preservation study that had been done in that area.

MOTION: Jostes/Larson

Continued the project to April 19, 2007

This motion carried by the following vote:

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

Chair Jacobs called a recess at 3:48 P.M. and reconvened the meeting at 4:06 P.M.

MOTION: White/Larson

Reconsider the prior action of the Commission of 1722 State Street.

This motion carried by the following vote:

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

MOTION: White/Myers

Continue the 1722 State Street project to April 5, 2007.

This motion carried by the following vote:

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

ACTUAL TIME: 4:10 P.M.

B. APPLICATION OF EVERETT WOODY, ARCHITECT FOR JEFF & JULIE FRIEDMAN FAMILY TRUST, PROPERTY OWNER, 1014 GARDEN STREET, 029-221-026, R-3/ C-2 MULTIPLE FAMILY RESIDENCE AND COMMERCIAL ZONES, GENERAL PLAN DESIGNATION: OFFICES AND RESIDENTIAL, 12 UNITS PER ACRE (MST2007-00018)

The proposed project involves a proposal for a change in zone from R-3/C-2 to C-2, and a setback modification, both intended to abate two existing zoning violations. A recently permitted two-unit residential condominium project currently under construction does not meet the Solar Ordinance in the R-3 portion of the lot. A zone change to C-2 will abate this violation. The building was also permitted with an architectural column located up to the interior property line and within the interior yard setback. This encroachment was not previously recognized or approved as a modification to the interior yard. The discretionary applications required for this project are:

1. Initiation of a Rezone and Recommendation by the Planning Commission to City Council to change a parcel zoned R-3/C-2 to C-2 (SBMC, §28.92.020); and
2. Modification to allow a building encroachment within an interior yard setback (SBMC §28.21.060 and §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301, Existing Facilities, and 15305, Minor Alterations in Land Use Limitations.

Case Planner: Chelsey Swanson, Assistant Planner
Email: cswanson@SantaBarbaraCA.gov

Chelsey Swanson, Assistant Planner, gave the Staff presentation.

The applicant was given the opportunity for a presentation and declined.

Staff answered Planning Commission questions on the solar ordinance and violation, along with clarification of the zoning amendment.

Commissioner Larson disclosed that she knew the applicant and sought Staff opinion on abstaining from participation. Scott Vincent, Assistant City Attorney gave Ms. Larson assurance that knowledge of an applicant is not a conflict of interest.

Chair Jacobs opened the public hearing at 4:25 P.M. and with no one wishing to speak closed the public hearing.

MOTION: White/Myers

Assigned Resolution No. 010-07

Approved the setback modification as outlined in the Staff Report. Initiated and recommended to City Council a rezone of the subject property, 1014 Garden Street, from R-3/C-2 to R-O.

This motion carried by the following vote:

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

MOTION: Bartlett/White

Requested staff consideration of a Solar Ordinance amendment to no longer require that residentially-zoned properties adjacent to commercially-zoned properties meet the solar requirements.

This motion carried by the following vote:

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

III. DISCUSSION ITEM:

ACTUAL TIME: 4:35 P.M.

**PLANNING COMMISSION/STAFF HEARING OFFICER STANDARD
CONDITIONS OF APPROVAL ANNUAL REVIEW / CONSTRUCTION
RELATED CONDITIONS WORKSHOP. Rescheduled from February 15, 2007**

Staff's annual review of proposed changes to the Planning Commission/Staff Hearing Officer Standard Conditions of Approval Menu, including discussion on construction related conditions. Proposed revisions to the Conditions of Approval are intended to provide a more efficient and concise document. A discussion will be held with the Planning Commission.

Case Planner: Jan Hubbell, Senior Planner
Email: jhubbell@SantaBarbaraCA.gov

Jan Hubbell, Senior Planner, gave the Staff presentation and included Bettie Weiss, City Planer/Staff Hearing officer; Steve Foley, Supervising Transportation Planner; and Chris Hansen, Plan Check Supervisor.

Staff answered Planning Commission questions on restrictions on nighttime construction, erosion control, the narrowing of a street during construction, the landscape bond, and remediation.

One Planning Commissioner suggested consideration of conditions to address the driving of pile foundations. Suggested Staff consider video documentation prior to the driving of pile foundations to document impacts on adjoining properties from vibration.

Ms. Weiss asked Staff to clarify if the standard menu of conditions included developing Negative Declaration and mitigation measures. Ms. Hubbell responded that the menu applies most thoroughly to exempt projects, and additional mitigation measures are added when doing projects with Negative Declarations and Environmental Impact Reports (EIR). Staff recommends that this menu be given to anyone preparing an EIR so that mitigation measures can be included in the report and will be consistent with condition language and timing.

Ms. Hubbell stated that, if conditions of approval are not being met, the approval can be taken away, or the work can be stopped if construction is in progress. Mr. Vincent added that the conditions of approval have many checks along the process that include elements of review at each stage.

Chair Jacobs opened the public hearing at 5:08 P.M. and, with no one wishing to speak, closed the public hearing.

Staff answered additional Planning Commission questions on maintenance bonds, compliance enforcement, elimination of the sewer lateral inspection condition, undergrounding utility poles, and green plan inclusion.

Commissioner's comments:

1. Supported the late hour construction condition in center of town, but felt that the enforcement should have its own fee.
2. Commissioners were appreciative and supportive of Staff's development of the conditions menu. Positive feedback was given on providing the conditions menu to EIR preparers.
3. Expressed faith in how the City is managing conditions and support for how Staff uses grading ordinance and erosion control to protect grading in the rainy season.
4. Would like to see examples of mitigation and monitoring reports in the future.
5. Suggested inclusion of e-cars as alternatives for transportation.
6. Suggested the inclusion of tenants in notification.
7. Suggested fees for use of public right of ways in the downtown area.

Ms. Weiss stated she liked the shorter condition list and suggested adding a condition for early involvement of the Historic Landmarks Committee in Landmark or Structure of Merit designation.

Ms. Hubbell suggested taking the conditions for construction and considering the development of a construction ordinance.

IV. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

1. Commissioner Larson reported that the public restroom by Borders is now open to the public and encouraged public use.
2. Commissioner Jacobs will defer her report on the Arts Commission Arts Symposium to next week.

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

None were requested.

C. Action on the review and consideration of the items listed in I.B.2. of this Agenda.

MOTION: Jostes/White Continue the draft minutes and resolutions of January 18, 2007 to March 8, 2007.

This motion carried by the following vote:

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

VII. ADJOURNMENT

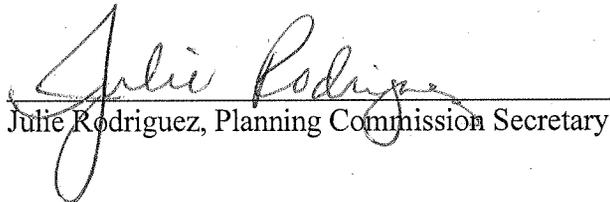
MOTION: White/Jostes Adjourn the meeting of March 1, 2007

This motion carried by the following vote:

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

Chair Jacobs adjourned the meeting at 5:45 P.M.

Submitted by,


Julie Rodriguez, Planning Commission Secretary