



# City of Santa Barbara Planning Division

## PLANNING COMMISSION MINUTES

May 17, 2007

### CALL TO ORDER:

Chair Charmaine Jacobs called the meeting to order at 1:06 P.M.

### ROLL CALL:

#### **Present:**

Chair Charmaine Jacobs

Vice-Chair George C. Myers

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

#### **Absent:**

Harwood A. White, Jr

### STAFF PRESENT:

Paul Casey, Community Development Director

Jan Hubbell, Senior Planner

N. Scott Vincent, Assistant City Attorney

Irma Unzueta, Project Planner

Peter Lawson, Associate Planner

Suzanne Johnston, Assistant Planner

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.

Commissioner Jostes announced that he will be stepping down from Item IV, 12 E. Montecito Street, on today's agenda. Commissioner Bartlett will also be stepping down on the same agenda item.

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

Chair Jacobs opened the public hearing at 1:08 P.M. and, with no one wishing to speak, the hearing was closed.

II. **NEW ITEMS:**

**ACTUAL TIME: 1:08 P.M.**

A. **APPLICATION OF SUSAN MCLAUGHLIN, AGENT FOR ANGELO SALVUCCI, 515 E. ARRELLAGA STREET, 027-132-013, R-3, MULTIPLE RESIDENTIAL UNIT ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE (MST2005-00475)**

The proposed project involves the conversion of ten existing apartment units to eight residential condominiums. Six two-bedroom units and two three-bedroom units are proposed. Two parking spaces per condominium unit would be provided for a total of sixteen spaces. Ten parking spaces are provided at grade under the residential building and six uncovered parking spaces are provided at the rear of the property.

The discretionary applications required for this project are:

1. A Modification to allow structural encroachments and alterations in the required front yard setback (SBMC §28.21.060 and §28.92.110);
2. A Modification to allow structural encroachments and alterations in the required interior yard setback (SBMC §28.21.060 and §28.92.110);
3. A Modification to allow parking in the required rear yard setback (SBMC §28.21.060 and §28.92.110);
4. A Tentative Subdivision Map for a one-lot subdivision to create eight residential condominium units (SBMC 27.07 and 27.13); and
5. A Condominium Conversion Permit to convert ten existing residential units to eight 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 Guidelines Section 15301.

Case Planner: Irma Unzueta, Project Planner  
Email: iunzueta@SantaBarbaraCA.gov

Irma Unzueta, Project Planner, gave the Staff presentation.

Suzanne Elledge, Suzanne Elledge Planning and Permitting Services, prefaced the applicant presentation with comments on condominium conversions before introducing Susan McLaughlin who gave the presentation, joined by David Winitzky, Architect; Derrick Eichelberger, Landscape Architect; and Don Elconin, Property Agent for the Salvuccis.

Staff answered the Planning Commission's questions regarding clarification of the parking statistics in the Staff Report and the need for a guest parking requirement, defining the interior yard setback modification request, and the absence of a parking modification request.

Ms. McLaughlin responded to the Planning Commission's questions on arriving at Three Star Green Standards, prospective offsite community benefits, defining photovoltaic readiness of the condominium units, current rent levels and anticipated sales price of condominium units.

David Winitzky, AIA, addressed the Commission's questions on adequate clearance for the handicap parking space, the proposed tankless gas water heating with solar assistance, and the mobility of trash bins across the ribbon driveway.

Scott Vincent, Assistant City Attorney, addressed the Commission's question on the Inclusionary Housing Ordinance and defining residential development. This particular project, with eight units, does not have sufficient units to qualify as a triggering residential development.

Don Elconin stated that current rents are in the range of \$1,550.00-\$1,850.00/month. The anticipated market value will depend on the market at the time of completion. It is estimated at this time that the value will range from the low \$600's for the smaller units, to below a million on the larger unit.

Chair Jacobs opened the public hearing at 1:53 P.M.

Tom Amos, a current tenant, spoke in support of the project and expressed a desire to consider purchasing one of the condominium units. He felt that the conversion to condominiums would bring about needed improvements and improve the neighborhood.

With no one else wishing to speak, the public hearing was closed at 1:54 P.M.

Commissioner's comments and questions:

1. Concerned with adding another condominium conversion to the existing number of condominium conversion requests.
2. Noted that Unit 3 has 132 square feet of open space and inquired about the minimum requirement.
3. Acknowledged integrity of applicant team in prefacing presentation with disclosure of the total number of pending and approved rental units. Project appears well designed; modifications could be approved. Commissioners expressed concern over absence of unit affordability and loss of existing rental units. Prefer to see same number of existing units converted to condominium units.
4. Would like to see an accessible unit in the proposal.

5. Appreciated the 3-Star Green Rating. Would like to see a condition added to require the installation of a photo-voltaic system, rather than making the units photo-voltaic-ready.
6. Would like to see the incorporation of a combined condominium unit with a rental unit.
7. Asked for clarification of the existing illegal parking condition as it relates to the request for a rear yard setback modification.
8. One Commissioner noted that mortgage loans may be more difficult to obtain when rental units are involved.

Ms. Hubbell listed the requirements and how the applicant was exceeding the requirements for private open space.

Mr. Vincent reminded the Commission about the limitations of the Ellis Act and relocation assistance in condominium conversions.

Ms. McLaughlin stated that there are two accessible units in the proposal, one includes elevator access. Consideration for photo-voltaic installation would have to be approved by the owner and the Architectural Board of Review.

Ms. Hubbell clarified the rear yard parking modification for the Commission and meeting the Condominium Conversion Ordinance.

Commissioner Jostes suggested a recess to allow the applicant an opportunity to address the requested considerations before the Commission makes a motion.

**MOTION: Jostes/Larson**

Recess at 2:20 P.M. to allow applicant to consider recommendations made by Commission.

This motion carried by the following vote:

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

Commissioner Jacobs reconvened the meeting at 2:33 P.M.

Ms. McLaughlin addressed the Commission on the recommended project changes considered and stated that the applicant team would consider a two bedroom unit with an attached rental unit which would enhance project affordability. She also addressed the Commission's questions regarding photo-voltaics, indicating that the applicant team chose to include the combined condominium with rental unit, rather than install a photo-voltaic system.

The majority of Commissioners wanted to see a photo voltaic system installed as part of the project, as opposed to merely photo-voltaic-ready condominium units. The Commission felt that it would be challenging for an individual condominium

owner to approach the Architectural Board of Review (ABR). Ms. Hubbell noted for the Commission that the new Solar Ordinance limits the review, if any, needed by ABR for photo-voltaic installations.

Mr. Elconin stated that the applicant team is willing to add photo-voltaic installation as part of the project.

**MOTION: Myers/Thompson**

**Assigned Resolution No. 021-07**

Approve the project making the findings in the Staff Report for the modifications, Tentative Subdivision Map, and Condominium Conversion Permit with the added condition that 1) Photo-voltaic systems, sufficient to meet the expected power needs of each unit as feasible with roof space, shall be included with each unit, subject to review by the Community Development Director for any inability to meet the performance standard.

This motion carried by the following vote:

Ayes: 4 Noes: 2 (Jacobs, Bartlett) Abstain: 0 Absent: 1 (White)

Chair Jacobs announced the ten calendar day appeal period.

**ACTUAL TIME: 2:51 P.M.**

**B. APPLICATION OF SUSAN McLAUGHLIN, AGENT FOR ELCONIN FAMILY TRUST, 814 & 816 WEST FIGUEROA STREET, APN: 039-191-023 AND -026, R-2 TWO FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL – 12 UNITS PER ACRE (MST2006-00271)**

The proposed project involves the conversion of seven residential apartments to seven residential condominium units. Six of the units are 2-bedroom units and one unit is a one-bedroom unit that would be sold as an affordable unit. The project includes the addition of approximately 200 gross square feet to Unit 816-D, construction of a two-car garage, the conversion of an existing four-car carport to garage space, the conversion of an existing carport to storage and other related site improvements.

The discretionary applications required for this project are:

1. A Lot Area Modification to allow the addition of square footage to a development that is non-conforming as to density (SBMC §28.18.075.D);
2. A Modification of the required front yard setback (SBMC §28.92.110);
3. A Modification of the required interior yard setback to allow the conversion of an existing non-conforming carport to storage space within the required interior yard setback (SBMC §28.92.110.A);

4. A Tentative Subdivision Map for a one-lot subdivision to create seven (7) residential condominium units (SBMC 27.07 and 27.13); and
5. A Condominium Conversion Permit to convert seven (7) existing residential units to seven (7) condominium units, including a waiver of the parking and unit size requirements for Unit 816 D and a waiver of the storage space location requirement (SBMC 28.88).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

Case Planner: Jan Hubbell, Senior Planner  
Email: [jhubbell@SantaBarbaraCA.gov](mailto:jhubbell@SantaBarbaraCA.gov)

Jan Hubbell, Senior Planner, gave the Staff presentation.

Susan McLaughlin, Susan Elledge Planning and Permitting Services, gave the applicant presentation, joined by Dale Pekarek, Architect, and Chuck McClure, Landscape Architect.

Staff answered the Planning Commission's questions regarding the width of the private outdoor living space, requirements for the square footage of Unit 816-D, clarification of the language in the findings regarding quality construction, an explanation of R-2 zoning and slope density requirements, and why points on the condominium conversion checklist are not appropriate for meeting required affordability standards.

Ms. McLaughlin responded to the Planning Commissions questions on clarification of square footage for the bathroom addition in Units 816-C and D; provision for handicapped parking; and provision for metered gas to the units. Ms. McLaughlin distributed letters from three tenants who supported the project and aspired to ownership of the proposed condominium units.

Chair Jacobs opened the public hearing at 3:26 P.M., and with no one wishing to speak, the hearing was closed.

Commissioner's comments and questions:

1. Two Commissioners could not make the findings for the lot area modification and condominium conversion coupled with the loss of rental units.
2. One Commissioner could support conversion due to the proposed improvements and felt that it was affordable; concerned about the small unit not meeting the ordinance.
3. Concern was expressed about the cumulative loss of rental units.
4. Suggested making the project more Green.

5. Appreciated the affordability component of the one unit and effort to comply with the ordinance.
6. One Commissioner felt that project was balanced and offered public benefit improvements; modifications were reasonable, especially the front yard modification, which is required to install the cul-de-sac, a public benefit.

**MOTION: Thompson/Bartlett**

**Assigned Resolution No. 022-07**

Approve the project making the findings in the Staff Report for the modifications, Tentative Subdivision Map, and Condominium Conversion Permit with the added conditions: 1) Eliminate the last sentence in finding E.1 regarding unit size; 2) Include space allocation for future handicapped parking; and 3) Work with Transportation Staff to incorporate the initiation of public improvements to allow for the future cul-de-sac.

This motion carried by the following vote:

Ayes: 4 Noes: 2 (Jostes, Larson) Abstain: 0 Absent: 1 (White)

Chair Jacobs announced the ten calendar day appeal period.

Chair Jacobs announced a recess at 3:45 P.M. and reconvened the meeting at 4:00 P.M.

**ACTUAL TIME: 4:00 P.M.**

**C. APPLICATION OF SANTA ROSA ASSOCIATES, LLC, AGENT/OWNER, 1418 SANTA ROSA AVENUE, 045-132-014, E-3 SINGLE-FAMILY RESIDENTIAL AND SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2006-00288)**

The proposed project involves the subdivision of a 30,163 square foot lot into three parcels. The three resulting parcels would range from 9,239 – 9,288 net square feet of lot area each and are proposed to be developed with three one-story single-family residences ranging in size from 2,995 – 3,060 net square feet including the attached garage. Parcel 1 will have the required street frontage with Parcels 2 and 3 being interior lots with access via a 16-foot wide driveway along the eastern property line. The proposal includes the demolition of all existing structures on site, including the existing 1,681 square foot single-family residence, and approximately 1,100 cubic yards of grading (200 cubic yards of fill and 900 cubic yards of export). All site drainage would direct surface runoff towards Santa Rosa Avenue via storm drains and swales, and include on-site detention structures.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map to allow the division of one parcel into three lots (SBMC §27.07);

2. A Public Street Waiver to allow the approval of a subdivision where access is provided by a private road that serves more than two lots (SBMC §22.60.300);
3. Two Modifications to allow the creation of Parcel 2 and Parcel 3 with less than the required sixty feet of street frontage on a public street (SBMC §28.15.080);
4. A Modification for covered parking (Parcel 2 garage) to have a total aggregate floor area of more than 500 square feet (SBMC §28.87.160.4);
5. A Modification for covered parking (Parcel 3 garage) to have a total aggregate floor area of more than 500 square feet (SBMC §28.87.160.4);
6. A Modification to locate an uncovered parking space (Parcel 3) within the required interior yard setback (SBMC §28.87.190.1 and 28.15.060.2); and
7. A Coastal Development Permit (CDP2006-00007) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.45.009).

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

Case Planner: Suzanne Johnston, Assistant Planner  
Email: [sjohnston@SantaBarbaraCA.gov](mailto:sjohnston@SantaBarbaraCA.gov)

Suzanne Johnston, Assistant Planner, gave the Staff presentation.

Greg Parker, Santa Rosa Associates, gave the applicant presentation.

Staff answered the Planning Commission's questions regarding the common area in Condition of Approval A, review of fire department access, demolition permit timeline, and clarification of floor area ratio (FAR) of the project.

Mr. Parker responded to the Planning Commission's questions on why the entire site was not lowered and the size of the retaining wall.

Chair Jacobs opened the public hearing at 4:19 P.M.

Isaac and Marianne Dombush spoke in opposition to the project and expressed concern with the view impacts of Lot 3 on their home; suggested moving the house over to minimize view impact. Also, submitted their comments in writing.

With no one else wishing to speak, the public hearing was closed at 4:25 P.M.

Commissioner's comments and questions:

1. Suggested reducing garage from a three-car garage to a two-car garage on Lot 3.
2. Suggested readjusting largest house on lot not to be on Lot 3, and moving retaining wall.
3. Suggested moving driveway and easements.
4. Asked that pedestrian paving continue from lot 2 to lot 3.
5. Would like to see applicant work with neighbor for a resolution.
6. Would like B2 under design review to be more direct in requiring permeable paving.
7. Would like to see Built Green components added.

**MOTION: Thompson/Jostes**

**Assigned Resolution No. 023-07**

Approve the project making the findings in the Staff Report with the added conditions: 1) Modify condition A.5 to eliminate the detailed project description and conclude with "...and the improvements shown on the tentative map" in the first sentence; 2) Modify condition B. 2 to apply permeable paving to driveways, walkways, and parking areas and include differentiated pedestrian paving; 3) Study use of Built Green components, such as photovoltaics, while minimizing any potential for glare; and 4) Applicant reevaluate the building layout of lot 2 and lot 3 before going to the Single Family Design Board seeking to minimize hardscape.

This motion carried by the following vote:

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

Chair Jacobs announced the ten calendar day appeal period.

To avoid any potential conflict of interest, Commissioners John Jostes and Bruce Bartlett stepped down from hearing the following item.

**III. SUBSTANTIAL CONFORMANCE HEARING:**

**ACTUAL TIME: 4:42 P.M.**

**APPLICATION OF RICK FOGG, AGENT FOR RODNEY JAMES SHULL FOUNDATION, 12 E MONTECITO STREET, APN 033-051-019, HRC-2/SD-3 ZONES, GENERAL PLAN DESIGNATION: HOTEL AND RELATED COMMERCE (MST95-00034)**

The Planning Commission held a discussion on and provided input to the Community Development Director regarding a potential substantial conformance determination of a Coastal Development Permit, Development Plan Approval, Modifications, Conditional Use Permit and Development Agreement, which includes changes to the site plan, floor plans, and elevations, associated with the 100-bed Youth Hostel project, located at 12 E Montecito Street (MST95-00034).

Case Planner: Peter Lawson, Associate Planner  
Email: plawson@santabarbaraca.gov

Peter Lawson, Associate Planner, gave the Staff presentation.

Staff answered Planning Commission questions on how the reductions in amenities apply to the substantial conformance issue and who was Rodney James Shull.

Henry Lenny, Architect, answered Planning Commission questions on public accessibility of open space from State Street and status of bicycle parking.

Chair Jacobs opened the public hearing at 5:00 P.M. and, with no one wishing to speak, closed the public hearing.

Commissioner's Comments:

1. The design looks like something that has been there a long time.
2. Commissioners were supportive of the "L" shape and general design.
3. Given the proposed changes, the approved Montecito and State Street modifications continue to be supportable.
4. Does meet substantial conformance standards.
5. Approve of the open courtyard.

**IV. ADMINISTRATIVE AGENDA**

A. Committee and Liaison Reports.

1. Commissioner Jacobs reported on attending the Fire Departments 125<sup>th</sup> Anniversary in De la Guerra Plaza last weekend.
2. Commissioner Thompson reported on the Airport Terminal Design Subcommittee and the development on the interior design. Revised plans will be presented to the subcommittee on June 6<sup>th</sup> and are anticipated to be completed in August before moving onto production drawings.
3. Commissioner Jacobs announced that the Housing Policy Steering Committee will meet next Thursday in the David Gebhard Public Meeting Room.

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

None were requested.

C. Review and consideration of the following Planning Commission Resolutions and Minutes Continued from May 10, 2007:

- a. April 12, 2007
- b. Resolution 016-07  
Upper State Street Study

**MOTION: Thompson/Myers**

Approve the minutes and resolutions as corrected.

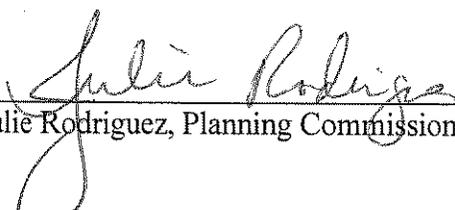
This motion carried by the following vote:

Ayes: 4 Noes: 0 Abstain: None Absent: 3 (White, Jostes, Bartlett)

**VII. ADJOURNMENT**

Chair Jacobs adjourned the meeting at 5:09 P.M.

Submitted by,

  
\_\_\_\_\_  
Julie Rodriguez, Planning Commission Secretary

