



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

June 19, 2008

CALL TO ORDER:

Chair George C. Myers called the meeting to order at 1:25 P.M.

ROLL CALL:

Present:

Chair George C. Myers

Vice-Chair Stella Larson

Commissioners Bruce Bartlett, Charmaine Jacobs, John Jostes, Addison S. Thompson and Harwood A. White, Jr.

STAFF PRESENT:

Bettie Weiss, Staff Hearing Officer

Jan Hubbell, Senior Planner

N. Scott Vincent, Assistant City Attorney

Steve Foley, Supervising Transportation Planner

Mellissa Hetrick, Environmental Analyst

Roxanne Milazzo, Associate Planner

Kelly Brodison, Assistant Planner

Andrew Bermond, Associate 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.

Ms. Hubbell announced that the Veronica Meadows Environmental Impact Report Certification and project appeal of the Planning Commission's decision was heard on Tuesday evening by the City Council. The appeal was denied, upholding the certification, and the project was approved. The ordinance adoption is scheduled for next Tuesday.

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

Chair Myers opened the public hearing at 1:26 P.M. and, with no one wishing to speak, closed the hearing.

II. STAFF HEARING OFFICER APPEAL

ACTUAL TIME: 1:26 P.M.

APPEAL OF ERIC KITCHEN ON BEHALF OF JILL KENT ON THE ACTION BY THE STAFF HEARING OFFICER FOR 1406 GRAND AVENUE, APN 029-042-017, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2007-00606)

The 9,800 square foot project site is currently developed with a single-family residence and garage. The proposed project involves an enforcement case for over-height vegetation. The discretionary applications required for this application are Modifications to permit hedges to exceed a maximum height of three and one-half feet (3½') when located within ten-feet (10') of the front lot line, and eight-feet (8') when located within required yards (SBMC §28.87.170).

On January 30, 2008, the Staff Hearing Officer denied a request for an over-height hedge located on the northern portion of the lot and approved existing hedges located along the westerly and front lot lines, with conditions. This is an appeal of that decision.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Roxanne Milazzo, Associate Planner, gave the Staff presentation.

Bettie Weiss, Staff Hearing Officer, recapped the modification decision.

Ms. Weiss answered Planning Commission's questions, providing clarification about the two retaining walls in conjunction with the hedges and the natural grade.

Erik Kitchen, Attorney, gave the appellant's presentation.

Mr. Kitchen answered Planning Commission's questions about mediating view considerations

Chair Myers opened the public hearing at 1:46 P.M.

The following people spoke in support of the appeal:

1. Kellem de Forest, supports Ms. Kent's desire not to have neighbors peer into her yard.

The following people spoke in opposition to the appeal or with concerns:

1. David Grokenberger, representing neighbors Corrigan and Ingalls, asked the Commission to support the Staff recommendation. Reminded the Commission about the view ordinance in effect and the neighbor's non-compliance; showed four photographs. Also stated that the hedges were not in place when the property was purchased.

With no one else wishing to speak, the public hearing was closed at 1:56 P.M.

Commissioner's comments:

1. One Commissioner spoke to the Commission's history of limiting hedge sizes in the foothills and the sensitivity and reasonable efforts given to view consideration. Was concerned that Ms. Kent could grow trees to the south that would be over 10' in height. Supports the Staff Hearing Officer's decision. Would have liked to have seen the neighbors work together toward a resolution.
2. The Commission supported the Staff Hearing Officer's reasoning and decision given the complexities present.
3. One Commissioner would have liked the neighbors to work together to form an underground utilities district and eliminate the utility poles from the neighborhood.

MOTION: White/Jostes

Assigned Resolution No. 024-08

Uphold the Staff hearing decision and deny the appeal on the basis that the findings cannot be made to support the appeal.

This motion carried by the following vote:

This motion carried by the following vote:

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

Chair Myers announced the ten calendar day appeal period.

III. NEW ITEM:

ACTUAL TIME: 2:04 P.M.

APPLICATION OF JAN HOCHHAUSER, ARCHITECT FOR CHARLES BUTLER, OWNER, 211 CASTILLO/210 WILSON; APN 033-022-009 & -024; R-4/SD-3 HOTEL-MOTEL MULTIPLE RESIDENCE ZONE/COASTAL OVERLAY ZONE; GENERAL PLAN DESIGNATION: COMMERCE/HOTEL AND RESIDENTIAL (MST2005-00277)

The subject property is located mid-block on the south side of Castillo Street between W. Montecito Street and Cabrillo Boulevard and is currently developed with a single-family residence and garage at 211 Castillo Street and a residential duplex and garage at 210 Wilson Street. All existing structures are proposed to be demolished as a part of this project. The proposed project involves the development of a 14,762 square foot, three-story building consisting of six (6) residential condominium units (three 3-bedroom and three 1-bedroom units). Parking would be located on the ground floor with 11 residential parking spaces and one guest parking space. Approximately 500 cubic yards of cut would be transported offsite. The merger of APN 033-022-009 and 033-022-024 is also proposed.

The discretionary applications required for this project are:

1. A Modification to allow an interior yard setback encroachment in the R-4, Hotel/Motel/Multiple Residence Zone (SBMC §28.21.060 and §28.92.110);
2. A Modification to allow the minimum 20 x 20' common open yard area to occur in the front yard on Wilson Street (SBMC §28.21.081.b);
3. A Tentative Subdivision Map for a one lot subdivision of parcels 033-022-009 and 033-022-024 for six (6) condominium units (SBMC §27.07 and 27.13); and
4. A Coastal Development Permit (CDP2008-00003) to allow for multiple-family residential development in the non-appealable jurisdiction of the Coastal Zone (SBMC §28.44).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15332 (In-fill development projects).

Case Planner: Kelly Brodison, Assistant Planner
Email: kbrodison@santabarbaraca.gov

Kelly Brodison, Assistant Planner, gave the Staff presentation.

Staff answered the Planning Commission's questions about 4 being the maximum number of units possible for the lot size without using variable density; clarified that Wilson Street is a private street; the maximum number of bedroom count for the lot; the storage space

allotted in garage; and the one-way driveway entry on Castillo Street and exit onto Wilson Street.

Jan Hochhauser gave the applicant presentation.

Mr. Hochhauser answered the Planning Commission's questions about options if the open space modification was not approved; the choice made in the bedroom options for the units; photo-voltaic considerations; square footage calculations for elevators, number and placement of elevators; and square footage calculations for staircases. Mr. Hochhauser also provided clarification about the plate heights, uncovered porches being proposed, garage encroachments, and explained the use of the 20' x 20' open space in relation to site drainage and potential for storm water retention. The applicant has yet to run the project through the LEED's checklist.

Bill LaVoie, Historic Landmarks Commission (HLC), recapped the HLC's concerns and comments. HLC did not see the story poles, or plans reviewed by the Planning Commission. Supported modification for encroachment of garages, gave mixed support for open space, and remained concerned with the size, bulk, and scale of the project. The HLC provided generally favorable support of the project with the main concern being the setback from Castillo Street in relation to neighboring properties. Landscaping screening will be vital for screening on both street frontages of the proposed building. Mr. LaVoie responded to the Commission's questions about the neighboring property to the south of the subject site.

Chair Myers opened the public hearing at 2:47 P.M and, with no one wishing to speak, closed the hearing.

Staff answered additional Planning Commission's questions about unit parking; and pedestrian access from the property to the park.

Commissioner's comments:

1. One Commissioner thought that the open space worked well at the rear because it provided an area for water retention and surface drainage. Can support the open space on Wilson Street.
2. One Commissioner was concerned with the number of 3-bedroom units adding to a crowding effect along Castillo Street and would have liked to have seen a diagram that included the adjoining properties. If the project is to be scaled down at all, it should occur at the front yard on Castillo
3. Concerned with the stretch of covered driveway and does not want it to appear like a tunnel.
4. Appreciated the reduction in the number of units and that the applicant is not asking for the maximum allowed under variable density.
5. Appreciated the architect's potential for inclusion of built-green aspects and suggested excelling in other energy conservation elements. Another Commissioner

was concerned with the lack of sustainability and suggested that the LEED checklist be used as a beginning.

6. The Commission supported the side yard setback modification for the garage spaces.
7. Three Commissioners were concerned with unit sizes and felt that this aspect was adding to the bulk of the building; would prefer to see smaller units.
8. One Commissioner struggled with open yard modification. Would like to see a larger portion of the open space on Castillo Street.
9. Requested that any cobra head light fixture be replaced if within nexus distance to the project.
10. One Commissioner cannot support the Wilson Street modification; felt that changes could be made within the units themselves.
11. One Commissioner found the units to be too large and dense, particularly units B, E, and F.
12. Would like to condition that units with one-car garages not be given consideration for parking permits if a parking district were ever created.
13. Concerned with the one-bedroom size and impact on Castillo Street setbacks. Suggested bringing Castillo Street elevation back 4'.

MOTION: Thompson/

Approve the Modifications, Tentative Subdivision Map, and the Coastal Development Permit, making the findings in the Staff Report, with the added conditions: 1) Residents would be restricted from participating in a resident parking permit program should one be instituted in the neighborhood; and 2) Cobra head light fixtures would be replaced if found within nexus distance to the project.

Motion failed for lack of a second.

MOTION: Bartlett/Jostes

Assigned Resolution No. 025-08

Approve the Modifications, Tentative Subdivision Map, and the Coastal Development Permit, making the findings in the Staff Report, with the added conditions that: 1) The building shall be reduced by 5' on each end; 2) Residents would not be eligible for off-site residential parking permits if a resident parking permit program were developed 3) The open space on the Wilson Street frontage is to be used for onsite retention of surface drainage; 4) Elimination of any cobra head streetlight fixtures within nexus of the project; 5) Study ways with HLC to increase sustainability components of the project.

Mr. Hochhauser requested some flexibility in the setback requirement offering to allocate 4-5' elsewhere but 20' would be too much.

One Commissioner suggested moving 5 feet off of Castillo Street side and 5' off of the Wilson Street side, to allow for open space.

One Commissioner noted that this project was unusual in having two front yard setbacks, not usually encountered in other projects.

This motion carried by the following vote:

Ayes: 5 Noes: 2 (Larson, Jacobs) Abstain: 0 Absent: 0

Chair Myers announced the ten calendar day appeal period.

Chair Myers called a recess at 3:25 P.M. and reconvened the meeting at 3:43 P.M.

IV. **DISCUSSION ITEMS**

ACTUAL TIME: 3:43 P.M.

A. **UCSB 2008 LONG RANGE DEVELOPMENT PLAN AND DRAFT ENVIRONMENTAL IMPACT REPORT**

In March 2008, the University of California, Santa Barbara (UCSB) released a Draft 2008 Long Range Development Plan (LRDP) and associated Draft Environmental Impact Report (DEIR). Both documents can be viewed in their entirety at www.ucsbvision2025.com. Summaries of the 2008 LRDP and DEIR are included as Exhibits A and B respectively. The public and local jurisdictions have until June 23, 2008 to comment on these documents. Exhibit C is a draft comment letter to UCSB on the 2008 LRDP and DEIR. This letter discusses several areas of concern for the City, including enrollment, housing, traffic, open space and biological resources, water supply, noise, and land use compatibility with the Santa Barbara Airport.

Case Planner: Mellissa Hetrick, Environmental Analyst
Email: mhetrick@santabarbaraca.gov

Mellissa Hetrick, Environmental Analyst, gave the Staff presentation. Andrew Bermond, Associate Planner, was available for any questions.

Staff answered Planning Commission's questions about the streets being studied; whether the University Extension was included in the EIR; whether the Devereux Campus was considered in the EIR; percentage of students that remain in Santa Barbara after graduation; and whether desalination or other innovative solutions were considered to meet needed water demand for the University.

Mark Fisher, Associate Vice Chancellor, Campus Design and Facilities, UC Santa Barbara; and Gerry Hess, Director of Government Relations, UC Santa Barbara, were available for any questions..

Chair Myers opened the public hearing at 4:00 P.M. and, with no one wishing to speak, closed the hearing.

Commissioner's comments:

1. One Commissioner was perplexed by the document calling water supply that is not available sufficient mitigation to deem the impacts to water supply less than significant; the impacts to water supply from the new LRDP should be considered a Class 1 impact, until it is known where water will come from.
2. Suggested that the letter highlight the issue of matching housing resources construction with increases in student body enrollment and faculty and staff employment.
3. One Commissioner was sensitive to regional issues and regional impacts that require regional solutions regarding traffic and housing. Suggested that the letter from the City stress the need for UCSB to play a leadership role in the RHNA process and regional efforts to solve housing and traffic issues that the City, neighboring municipalities, and the County are involved in.
4. One Commissioner stated that impacts to landfills are a concern.
5. Two Commissioners see an impact to the City's Police force with the increased number of students seeking entertainment on lower State Street on weekends.
6. One Commissioner applauded the water conservation measures being used by the University, as well as the use of MTD as alternative transportation.
7. Commission acknowledged Staff's thoroughness in reviewing the DIER. Noted a typographical error that mistakenly stated that we are putting storm water into the sewer. Noticed that the EIR does not address impacts on housing from indirect growth resulting from the University. Felt that the EIR should quantitatively and qualitatively measure the indirect growth impact on regional housing.
8. Referenced the FAA Noise Study that was done and the need to have a noise easement included in any new housing built around the Airport.
9. Suggested rephrasing for clarity the concern about the removal of several policies from the 1990 LRDP in the 2008 LRDP.
10. One Commissioner felt that the new LRDP and EIR need to recognize the past imbalances in housing. Would like to see more effort to catch up on the past imbalance, not just look to mitigating future impacts.
11. UCSB should participate in financing its fire protection and emergency service needs.
12. One Commissioner lauded the transportation options and scheduling that UCSB provides to mitigate student impact on lower State Street.
13. One Commissioner wanted the letter to highlight the need for regional cooperation on issues.

Mr. Fisher, Associate Vice Chancellor, responded to the Commission's question about why there will be almost a doubling of research square footage for a much smaller percentage increase in staff and student enrollment. Mr. Fisher said this increase is being driven by current industry needs and formulas and increased space allocation for public services such as Police and Fire. Mr. Fisher also noted that the

increase in patrons to lower State Street businesses and potential impact on City services would be offset by the tax generated to cover the increase to Police staffing.

Staff answered additional Planning Commission questions by responding that 46% of UCSB faculty and 7% of students currently live in the City of Santa Barbara.

ACTUAL TIME: 4:30 P.M.

- B. **TECHNICAL GUIDANCE MANUAL FOR POST CONSTRUCTION STORM WATER MANAGEMENT;** required by the City's Storm Water Management Program for controlling urban runoff pollution from new development after construction.

Staff: Cameron Benson, Creeks Manager; Autumn Malanca, Water Resources Specialist.

Staff: Cameron Benson, Creeks Manager, gave the Staff presentation, joined by Autumn Malanca, Water Resources Specialist.

Chair Myers opened the public hearing at 4:49 P.M. and, with no one wishing to speak, closed the hearing.

Staff answered additional Planning Commission questions about the Hayward's Design Center Parking Lot and whether their peak flows, water quality, and infiltration had been studied; clarified post-construction storm water management title and terminology; clarified pre-development to date as being what is there now as opposed to when a new project is proposed; outlined the three triggers in the Storm Water Management Program for any project coming through the Planning Commission: discharge rates, volume, and quality; clarification of Storm Water Management Program (SWMP) requirements as being the regulation where the Technical Guidance Manual is the tool.

Commissioner's comments:

1. One Commissioner referenced a Palo Alto white paper that was purchased and circulated a few years back that illustrated treatments on parking lots to reduce pollution into San Francisco Bay; suggested it be used as a reference.
2. Encouraged home use of storm water management.
3. Mentioned requirement for filtered water runoff. Would like to see public awareness heightened.
4. Suggested examples that the public can see that shows measurement of effectiveness in making storm water effort.
5. One Commissioner did not have a suggestion but noted that a better title is needed; perhaps proactive best management practices stormwater manual.

6. One Commissioner suggested that the manual be shared with the Santa Barbara School District.
7. One Commissioner suggested that homeowners that want to use stormwater practices be given some kind of incentives, such as expedited plan review, etc.

Commissioner White left the dais at 5:09 P.M.

Ms. Hubbell added that the city will carry out SWMP regulations in the Conditions of Approval for projects that go through the DART process, which include those projects in Tier III. If applicants do not do what is required, then there is an enforcement process in place.

V. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

Commissioner Jacobs reported on attending the Santa Barbara County Association of Governments (SBCAG) meeting,, along with Commissioner Thompson, and reported on the Regional Housing Needs Allocation (RHNA) discussion that took place during the meeting.. Commissioner Thompson added that the SBCAG meeting experience did not speak well of regionalized collaboration.

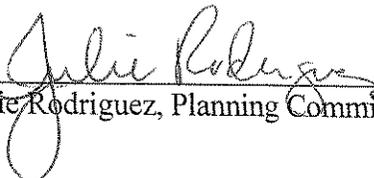
B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.

Commissioner White had to leave, but Chair Myers reported that there were five items heard.

VII. ADJOURNMENT

Chair Myers adjourned the meeting at 5:22 P.M.

Submitted by,



Julie Rodriguez, Planning Commission Secretary