



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

November 20, 2008

CALL TO ORDER:

Chair George C. Myers called the meeting to order at 1:05 P.M.

ROLL CALL:

Present:

Chair George C. Myers

Vice-Chair Stella Larson

Commissioners Bruce Bartlett, Charmaine Jacobs, and Harwood A. White, Jr.

Absent:

Commissioners John Jostes and Addison S. Thompson

STAFF PRESENT:

Paul Casey, Community Development Director

Danny Kato, Senior Planner

N. Scott Vincent, Assistant City Attorney

Rob Dayton, Principal Transportation Planner

Steve Foley, Supervising Transportation Planner

Melissa Hetrick, Project Planner

Kathleen Kennedy, Associate Planner

Stacey Wilson, Associate Transportation Planner

Chelsey Swanson, Associate Transportation Planner

Kelly Brodison, Assistant Planner

Julie Rodriguez, Planning Commission Secretary

Chair Myers opened the meeting by calling for a moment of silence to pause and reflect on those affected by the Tea Fire that broke out on Thursday, November 13, 2008.

I. PRELIMINARY MATTERS:

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

None.

2. Announcements and appeals.

1. Paul Casey, Community Development Director, provided an update on the Tea Fire recovery efforts and the loss of 151 homes destroyed in the City of Santa Barbara, with 80 more destroyed in the neighboring area.

Mr. Casey responded to the Planning Commission's questions about rebuilding the Westmont College Faculty housing by stating that the college and the home owner's association would be working together. He also responded to questions about improvements to the area infrastructure, possible changes in Community Development hours; and potential impact on the city's water supply. Mr. Casey emphasized how pleased all collaborating agencies were with the evacuation period.

2. Mr. Kato announced that the Community Development Director granted an Emergency Coastal Development Permit to the Goleta Sanitary District's request for a sewer replacement project near the airport. The sewer line currently crosses San Pedro Creek, and they are trying to remove obstructions from the creeks in order to accommodate projected increased storm water flows from the Gap Fire burn area.
3. Mr. Kato announced the December 4, 2008 Planning Commission meeting is being cancelled. The Commission will next meet on December 11, 2008.

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

Chair Myers opened the public hearing at 1:39 P.M. and, with no one wishing to speak, closed the hearing.

II. ENVIRONMENTAL HEARING:

ACTUAL TIME: 1:39 P.M.

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Jacobs recused herself due to the applicant's attorney working at the same firm as her husband.

APPLICATION OF CEARNAL ANDRULAITIS LLP, ARCHITECT FOR SCHAAR HOMES, 101 E. VICTORIA STREET, APN 029-071-013, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: OFFICE AND MAJOR PUBLIC/INSTITUTIONAL (MST2006-00758)

The project consists of a proposal to demolish an existing two-story 11,900 square foot commercial office building and construct 17,607 square feet of commercial space comprised of 50 commercial condominiums on a parcel of approximately 19,725 square feet. The proposal consists of one-, two- and three-story elements and would have a maximum height of 35 feet. The commercial condominium units would range in size from approximately 294 to 333 square feet each. The first floor would consist of 22 units and a common locker room, shower and restroom facility, the second floor would consist of 17 units and a common conference room and the third floor would consist of 11 units. A total of forty-five

parking spaces would be provided in an underground garage, with eight reserved for the adjacent parcel located at 109 E. Victoria Street.

The proposed project requires the following discretionary applications:

1. Modification of the parking requirements to allow less than the number of required parking spaces (SBMC§28.90);
2. Tentative Subdivision Map to create a one-lot subdivision for 50 commercial condominium units (SBMC§27.07);
3. Development Plan approval to allow 5,703 square feet of additional non-residential development (SBMC§28.87.300); and
4. Preliminary and Final Economic Development Determination (SBMC28.87.300) for 2,703 square feet.

The proposed project was approved by the Planning Commission on July 10, 2008 and subsequently appealed to the City Council. At the time of the Planning Commission approval, Staff determined that the project was exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15332 (In-fill Development Project). Staff has since discovered that a categorical exemption is not appropriate for this site. As a result, the preparation of an Initial Study is required.

The purpose of the hearing is to receive comments on the Draft Initial Study (IS) and Mitigated Negative Declaration (MND). Written comments on the Draft IS and MND should be sent at the earliest possible date, but received no later than **Monday, December 1, 2008 at 4:30 p.m.**, Please send your written comments to the attention of Kathleen Kennedy, Associate Planner, at the City Planning Division.

Case Planner: Kathleen Kennedy, Associate Planner
Email: KKennedy@SantaBarbaraCA.gov

Kathleen Kennedy, Associate Planner, gave the Staff presentation, joined by Melissa Hetrick, Project Planner.

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

Trevor Martinson, Architect, representing the appellants, Mr. & Mrs. Koval, stated that an EIR should to be prepared and that the following issues should be addressed: 1. The proposed driveway location on Anacapa Street creates a safety issue and an issue with vehicle exhaust; 2. Categorical exemption is not allowed if there is a parking modification; 3. Traffic and Parking Study is flawed and does not reflect a true number of projected use by the 50 units of the project; and 4. The County Fire Department wants a deed restriction on the property regarding the leaking underground fuel tank.

With no one else wishing to speak, the public hearing was closed at 1:50 P.M.

The Commission did not have any comments. Staff thanked the Commission for the hearing.

Chair Myers called a short recess at 1:51 P.M. for Staff to prepare for the next item and reconvened at 1:54 P.M.

III. NEW ITEM:

ACTUAL TIME: 1:54 P.M.

Commissioner Jacobs returned to the dais at 1:54 P.M.

APPLICATION OF JIM ZIMMERMAN, ARCHITECT, FOR JODY F. HERRICK, 1242 SHORELINE DRIVE, APN #045-202-009, E-3/SD-3 SINGLE FAMILY RESIDENTIAL AND COASTAL ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL – 5 UNITS PER ACRE (MST2008-00319)

The project consists of a proposal to demolish the existing, one-story, 792 square foot single family residence with 365 square foot attached garage, and construct a 1,955 square foot, two-story residence with a 450 square foot attached garage in the appealable jurisdiction of the Coastal Zone. The project includes relocating the driveway from Shoreline Drive to Santa Rosa Place and the relocation of a palm tree in the City parkway.

The discretionary applications required for this project are:

1. A Coastal Development Permit (CDP2008-00004) to allow the proposed development in the Appealable Jurisdiction of the City's 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 15301 (l)(1) demolition of small structures and 15303 new construction of small structures.

Case Planner: Kelly Brodison, Assistant Planner
Email: KBrodison@SantaBarbaraCA.gov

Kelly Brodison, Assistant Planner, gave the Staff presentation and stated that two public comment letters had been received.

Jim Zimmerman, Architect, gave the applicant presentation.

Mr. Zimmerman clarified the correct set of plans and answered the Planning Commission's questions about the location of an added chimney to the first floor. The applicant has met with the neighbors to the north and has mitigated all prior concerns.

Chair Myers opened the public hearing at 2:03 P.M.

The following people spoke in support of the project:

1. Jeff Lundgreen, neighbor, was concerned with the loss of 30' of public parking on Santa Rosa Lane that the proposed driveway would use and the stress to the neighborhood by Shoreline Park picnic users. The picnic area is meant to accommodate 75 people, but attracts groups of 100-200 people with inadequate parking. Stated that the Parks and Recreation website directs people to Santa Rosa Lane for nearby parking.
2. John Dunion acknowledged the applicant's effort to be sensitive to his neighboring home, but also agreed with Mr. Lundgreen's concerns. Suggested that park's picnic tables be relocated closer to a parking lot area, since there is not sufficient neighborhood parking for the amount of people using the picnic facilities.

With no one else wishing to speak, the public hearing was closed at 2:06 P.M.

The Commissioners made the following comments:

1. Many Commissioners commented that the house appears top heavy. One Commissioner stated that the covered deck is contributing to the house appearing larger than the FAR calculations but understood that covered decks are not included in FAR calculations. Another Commissioner felt that the roof pitch may be contributing to the appearance of being top heavy. Appreciated the collaboration with the neighbors on view issues and could support the project.
2. One Commissioner felt the proposal was modest, especially given the restrictions of being a corner site. Felt that the parking problems referenced are the responsibility of Shoreline Park and could not be addressed by the Commission.
3. One Commissioner voiced concern that chimney smoke might impact neighbors.
4. One Commissioner suggested editing the city website to exclude reference to parking by Santa Rosa Lane. Some Commissioners suggested that a resident parking permit program be considered for Santa Rosa Lane, and a neighborhood petition used if necessary. A response from the audience indicated that a permit program has been sought and was not a possibility.
5. One Commissioner felt the driveway move was more advantageous to have on Santa Rosa Lane and increased traffic safety, even though it had a minor parking impact.
6. One Commissioner expressed appreciation that the applicant has proposed to recycle the existing house.

One Commissioner asked that Transportation and Planning Staff come in at a future lunch meeting and talk to the Commission at a later date about the residential parking permit program and the Parks and Recreation Department for the picnic tables and close proximity to the Santa Rosa Lane neighborhood.

MOTION: Jacobs/Larson

Assigned Resolution No. 040-08

Approved the project, making the findings as outlined in the Staff Report, and subject to the Conditions of Approval in Exhibit A.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Jostes, Thompson)

Chair Myers announced the ten calendar day appeal period.

IV. ADMINISTRATIVE AGENDA

ACTUAL TIME: 2:19 P.M.

1. Committee and Liaison Reports.

1. Commissioner Jacobs reported on the Alternative Building Height Ballot Measure discussed at the City Council meeting Tuesday, November 18, 2008. City Council voted 4/3 not to proceed with an alternative ballot measure, leaving the El Pueblo Viejo ballot measure to run unopposed.

Chair Myers stated that the Council's decision could be reconsidered, however, Scott Vincent added that a reconsideration of the Council's vote would have to comply with the Brown Act and an agenda need to be published before the next meeting making the reconsideration deadline timely.

2. Commissioners Larson and White reported that they will be attending a meeting on Saturday that will be put on by the Neighborhood Defense Organization on state-mandated housing.
3. Commissioner White reported that the Mountain Drive Community Association held a neighborhood meeting for those affected by the Tea Fire that was well attended by collaborating agencies and was resourceful to attendees.

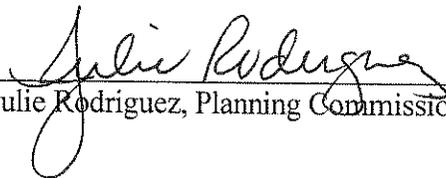
2. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.

Commissioner White reported on the Staff Hearing Officer meeting held on November 19, 2008 and the three modifications approved, including approval of the first medical marijuana dispensary under the new ordinance.

VII. ADJOURNMENT

Chair Myers adjourned the meeting at 2:31 P.M.

Submitted by,



Julie Rodriguez, Planning Commission Secretary