



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

June 11, 2009

CALL TO ORDER:

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

ROLL CALL:

Present:

Chair Stella Larson

Vice-Chair Addison S. Thompson

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

Commissioner Jacobs arrived at 3:50 P.M.

Absent:

Commissioner John Jostes

Julie Rodriguez, Planning Commission Secretary

STAFF PRESENT:

Bettie Weiss, City Planner

Danny Kato, Senior Planner

Jaime Limón, Senior Planner

N. Scott Vincent, Assistant City Attorney

Heather Baker, Project Planner

Allison De Busk, Project Planner

Dan Gullett, Associate Planner

Kathleen Kennedy, Associate Planner

Gabriela Feliciano, Commission Secretary

Kathleen Goo, Commission Secretary

I. ROLL CALL

Roll call was taken: Commissioner John Jostes was absent. Commissioner Charmaine Jacobs arrived during the review of Item V, Draft Updated Upper State Street Area Design Guidelines.

II. PRELIMINARY MATTERS:

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

None.

- B. Announcements and appeals.

None.

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

Chair Larson opened the public hearing at 1:07 P.M. and, with no one wishing to speak, closed the hearing.

III. NEW ITEMS:

ACTUAL TIME: 1:07 P.M.

- A. **APPLICATION OF PATSY STADELMAN, BROWNSTEIN HYATT FARBER SCHRECK, LLP, AGENT FOR ANDREW M. SEYBOLD, 415 ALAN ROAD, APN 041-091-024, A-1/SD-3, ONE-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, ONE UNIT PER ACRE (MST2009-00083)**

The proposal is a request to initiate a Zone Change, General Plan Amendment and Local Coastal Program Amendment for a portion of the parcel (proposed parcel B) located at 415 Alan Road, from A-1/SD-3 (One-Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One-Family Residence/Coastal Overlay Zone) and from Residential, one unit per acre to Residential, five units per acre.

If the initiation requests are approved, the proposed project would also require a Tentative Subdivision Map to allow a subdivision of the parcel into two lots, a Lot Area Modification to allow less than the required lot area for one lot (proposed parcel A) and a Coastal Development Permit.

The initiation requests are as follows:

1. Initiation of a Zone Change from A-1/SD-3 (One Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One Family Residence/Coastal Overlay Zone);
2. Initiation of a General Plan Amendment from Residential, One unit per acre to Residential, Five units per acre; and
3. Initiation of a Local Coastal Program Amendment to accept the Zone Change.

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

Kathleen Kennedy, Associate Planner, gave the Staff presentation.

Steve Amerikaner, Attorney, gave the applicant presentation joined by Andrew Seybold, Property Owner.

Chair Larson opened the public hearing at 1:29 P.M. and acknowledged the correspondence received.

Gill Barry, neighbor, spoke in opposition to the project on behalf of neighbor Dr. Timothy Rodgers, who could not be present at the meeting. He cited concerns over the lot split and increased density and stated that a previous condition of approval prohibited any further subdivision of the parcel.

With no one else wishing to speak, the public hearing was closed at 1:33 P.M.

Scott Vincent, Assistant City Attorney, answered Planning Commission questions about how the slope density provisions of the City's Ordinance apply to the project. Mr. Vincent also stated that the City cannot place a condition on a property that would not allow an owner to request further division of the property.

The Commission made the following comments:

1. Commissioner Lodge was not in support because it would become denser.
2. Commissioner White concurs but may be in support of a secondary unit in the future.
3. Commissioner Bartlett was in support because the new lot would conform and the applicant is willing to pay in-lieu fees and construct a green building. Need to fix the rules.
4. Commissioner Bartlett suggested that the General Plan and Zoning inconsistencies in this area be addressed in the future.
5. Commissioner Thompson suggested that the in-lieu fee option be explored.

MOTION: Lodge/White

Assigned Resolution No. 025-09

Denied the initiation of a Zone Change, General Plan Amendment and Local Coastal Program Amendment for the proposed project as recommended in the Staff Report.

This motion carried by the following vote:

Ayes: 3 Noes: 2 (Bartlett/Thompson) Abstain: 0 Absent: 2 (Jacobs/Jostes)

Chair Larson announced the ten calendar day appeal period.

ACTUAL TIME: 2:00 P.M.

B. APPLICATION OF CEARNAL ANDRULAITIS, LLP, ARCHITECT FOR RICHARD SANDERS INVESTMENTS, 203 CHAPALA STREET, APN 033-041-001, R-4 AND SD-3 ZONES, GENERAL PLAN DESIGNATION: HOTEL AND RESIDENTIAL (MST2007-00634, CDP2009-00007)

The project involves demolition of 9,909 square feet of an existing 11,211 square foot commercial building, and construction of a 12,367 square foot addition, resulting in 13,669 square feet of floor area on the 20,553 square foot parcel. The building would change from commercial to residential use with seven new residential condominiums (four 3-bedroom and three 2-bedroom units). The maximum building height would be 33 feet. Sixteen parking spaces would be provided in seven private garages, two carports, and two uncovered guest parking spaces.

The discretionary applications required for this project are:

1. Modification to allow a portion of the existing building to remain within the front setback on Yanonali Street (SBMC Subsection 28.21.060.A.2.a and §28.92.100.A);
2. Modification to allow the accessible access aisle encroach into the ten foot front setback on Los Aguajes Avenue (SBMC Subsection 28.21.060.A.3 and §28.92.100.A);
3. Modification to allow the second story of the building to encroach four feet into the ten foot rear setback (SBMC Subsection 28.21.060.C.2 and §28.92.100.A);
4. Coastal Development Permit (CDP2009-00007) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060); and
5. Tentative Subdivision Map for a one-lot subdivision to create seven residential condominium units (SBMC Chapters 27.07 and 27.13).

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

Case Planner: Daniel Gullett, Associate Planner
Email: DGullett@SantaBarbaraCA.gov

Daniel Gullett, Associate Planner, gave the Staff presentation.

Brian Cearnal, Architect, gave the applicant presentation.

Chair Larson opened the public hearing at 2:17 P.M. and with no one else wishing to speak, the public hearing was closed.

Chair Larson acknowledged receipt of a public comment letter from Paula Westbury expressing opposition to the project.

MOTION: White/Thompson

Assigned Resolution No. 026-09

Approved the project, making the findings for Coastal Development Permit, Tentative Subdivision Map and three modifications making the findings as outlined in the Staff Report, subject to the Conditions of Approval in Exhibit A of the Staff Report with the following revisions to the Conditions of Approval: 1) Add condition A3 that the applicant shall work with the Historic Landmarks Committee to explore feasible options for solar power for the project; and 2) Add condition A.4 that the applicant will provide enhanced paving at the unloading zone.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Jacobs/Jostes)

Chair Larson announced the ten calendar day appeal period.

IV. ENVIRONMENTAL HEARING:

ACTUAL TIME: 2:34 P.M.

RECUSALS: To avoid any actual or perceived conflict of interest Commissioner Bartlett recused himself from hearing this item due to being a neighbor to the site.

APPLICATION OF STEVE WELTON, SUZANNE ELLEDGE PLANNING AND PERMITTING SERVICES FOR MONTECITO COUNTRY CLUB; 920 SUMMIT ROAD; APN: 009-091-014, 009-091-020, 009-151-006, 009-151-007, 015-211-009, 015-211-010, 015-280-014, 015-300-001, 015-300-002, 015-300-003; A-2/S-D-3 AND E-2 ZONES; GENERAL PLAN DESIGNATION: OPEN SPACE AND RESIDENTIAL - TWO UNITS PER ACRE (MST2005-00831)

The proposed project is an amendment to the Montecito Country Club Conditional Use Permit (CUP). The project site is approximately 117 acres in size, and is made up of approximately ten parcels located immediately north of Old Coast Highway. The project involves several changes to the site plan of the existing Montecito Country Club and Golf Course (MCC), including a redesign of the existing golf course, consisting of grading, removal of 361 trees, a habitat restoration and revegetation plan, and replacement fencing; improvements to the facade of the existing clubhouse and surrounding area; demolition of the existing maintenance buildings (4,211 sq. ft.), cart barn (12,510 sq. ft.), tennis pro shop (618 sq. ft.) and flammable materials building (232 sq. ft.); and construction of a new maintenance building (7,771 sq. ft.), new golf pro shop (1,133 sq. ft.), new tennis pro shop (580 sq. ft.), four new tennis courts and a new cart barn (9,407 sq. ft.). The project would result in the construction of 982 net square feet of additional square footage. Parking at the site would be reconfigured and increased in number from 335 spaces to 400 spaces (268 paved, 132 grass), as originally required by the existing CUP, based on a membership of

680. The project would involve approximately 106,000 cubic yards of cut and 86,000 cubic yards of fill, which would be balanced on site.

No formal action on the development proposal will be taken at the environmental hearing.

The discretionary applications required for this project are:

1. A Modification to allow fencing to exceed 3-½ feet in height along the front lot lines (SBMC §28.92.110.A.3);
2. A Coastal Development Permit (CDP2008-00021) for the portion of the project (grading and vegetation removal) that is within the Appealable and Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060);
3. A Development Plan to allow the construction of 7,771 square feet of nonresidential development on APN 009-091-020 (SBMC §28.87.300); and
4. A Conditional Use Permit Amendment to permit the proposed changes to the site plan for the Montecito Country Club (SBMC 28.94).

Case Planner: Allison De Busk, Project Planner
Email: ADebusk@SantaBarbaraCA.gov

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

Bill Medel, Ty Warner Hotels & Resorts, introduced David Van Hoy, Architect, who gave the applicant presentation, and introduced William Brunsky, Landscape Architect, Girvin Associates; Jeremy Salts, Civil Engineer, Penfield & Smith; Larry Hunt, Biologist; Steve Welton, Suzanne Elledge Permit Planning Services; and Doug Fell, Attorney.

Chair Larson opened the public hearing at 2:59 P.M.

The following people commented in support of the project:

1. Hillary Hauser, Heal the Ocean - supports the project and the MND, applauds the storm water management plan.
2. Kalon Kelly – existing trees block his views, this is a good time to thin or remove these trees; informal pedestrian access and fire protection of the neighborhood is not discussed in the MND.
3. Michael Ditmore – supports the overall plan, but the loss of the emergency gate is a concern as it puts all traffic onto Alston.
4. Emmy Dunn – supports the project.
5. Woody Barrett – supports the project, applauds the improved drainage and water savings.

6. Tom Orlando – supports the project, applauds the reduced water consumption, reduced flooding, treatment of run-off, native plants and best management practices proposed.
7. Nigel Copley – supports the project, applauds the reduced water and pesticide use.
8. Hiro Tsuzuki – supports the project, it's environmentally friendly and fixes the existing drainage problems.
9. Debbie Dalee – agrees with previous comments about the proposed irrigation improvements.
10. Dave and Peter Alpert – support the project.
11. Gloria Vaughn – supports the proposed improvements, noted history of flooding issues on Old Coast Highway.
12. Lou Simioni – project benefits include new irrigation, site is an aesthetic gem.
13. Dawn Lucian – supports the project, it will be an improvement.
14. Marie Louise Peterson – agrees with prior comments.
15. Judy Hatfield – supports the project, site is like a gateway to the City.
16. Sam Maphis – project will fix existing environmental problems, safety improvements related to errant balls are positive.

With no one else wishing to speak, the public hearing was closed at 3:16 P.M.

Ms. De Busk responded to additional Planning Commission questions about the safety issues related to the closure of the gate by stating that the Fire Department had taken into consideration safety factors when it determined that the proposed solid fence would be acceptable; confirmed that reclaimed water is used for the golf course and will be used wherever possible;

Mr. Medel stated that the applicant will continue to work with the Fire Department and neighbors on emergency access ideas, as well as work with the owners to minimize liability.

The Commissioners made the following comments:

1. Commissioner Lodge requested more information on evacuation and supports the Golf course's use of reclaimed water, and would like to see even greater use.
2. Commissioner White asked that fire hazard and safety response and evacuation access/egress issues should be carefully studied. He remembers historic access through the site; it is a benefit to the neighborhood.
3. Commissioner White also asked that any potential impact on public views from Old Coast Highway, due to the berm, be studied.
4. Commissioner White wants more information about the pond liners – questioned the use of an impermeable system.
5. Commissioner White suggested that single residency occupancy units be looked at for maintenance employees, which could lower transportation demands. He also

- suggested studying shuttle services that the Club could offer employees for being picked up from the closest bus stop.
6. Commissioner White wants to hear about the Club's composting program and would like solar energy opportunities to be studied.
 7. Commissioner White also noted that the MND's Historical section did not include discussion of the history of the tennis courts.
 8. Commissioner Thompson would like to see the use of recycled water usage covered in more depth, especially since we are looking at use by a golf club in an area where water is critical.
 9. Commissioners Thompson and Larson would like to see the use of chemical fertilizers and pesticides covered with mitigations and procedures in place to not employ polluting chemicals, suggested following the city plan for safeguarding the environment.
 10. Commissioners Thompson, Lodge, White and Larson believe the emergency access gate issue needs to be covered from the standpoint of the neighborhood, not just the standpoint of the club. The issue needs much more analysis and discussion.

Chair Larson called a recess at 3:31 P.M. and reconvened the meeting at 3:41 P.M.

V. **DISCUSSION ITEM:**

ACTUAL TIME: 3:41 P.M.

DRAFT UPDATED UPPER STATE STREET AREA DESIGN GUIDELINES.

The draft guidelines constitute an update to the 1992 Upper State Street Area Design Guidelines (Guidelines). The guidelines are generally for public and City hearing body use in the formulation and review of development proposals. The updated guidelines are largely adapted from the Upper State Street Study adopted by City Council in May 2007. Staff presented the major updates and errata to the guidelines and recommends the Architectural Board of Review (ABR) and Planning Commission (PC) review and recommend the guidelines to the City Council for adoption.

Case Planner: Heather Baker, Project Planner
Email: HBaker@SantaBarbaraCA.gov

Heather Baker, Project Planner; Bettie Weiss, City Planner; and Jaime Limon, Senior Planner, gave the Staff presentation.

Chair Larson opened the public hearing at 3:49 P.M.

The following people commented on the project:

1. Connie Hannah, Santa Barbara League of Voters, submitted a public comment letter summarizing the League's concerns which included the protection of public views.

2. Paul Hernadi, Citizens Planning Association, submitted a public comment letter and summarized four points regarding divergence from the letter and spirit of the SD-2 ordinance.

With no one else wishing to speak, the public hearing was closed at 3:56 P.M.

Staff answered the Planning Commission's questions regarding Staff's consistency with the Guidelines and the SD-2 Ordinance; clarified that there are no side or rear setbacks in the overlay of the SD-2 zone or commercial zones; clarified the intent of open space land uses within front yard setback areas; and provided a status on the Army Reserve Center discussions. Staff also explained the logic behind uniformity in driveway spacing along Upper State Street to ease traffic friction.

Chair Larson re-opened the public hearing at 4:14 P.M.

Cathie McCammon concurred with comments made by the League of Women Voters, Citizens Planning Association, and Allied Neighborhood Association. Would like to see discussion on the SD-2 reviewed and changed. Asked that modifications not be granted for 'community benefits' that are already a part of city policy or law. Stated that the protection of public views should be addressed in the Guidelines, making exception for three-story buildings only if having the square footage which a two-story building would afford, maintaining parking for shoppers and support of pedestrian-friendly and alternative transportation amenities.

With no one else wishing to speak, the public hearing was closed at 4:16 P.M.

The Commissioners made the following comments:

1. The consensus of the Commission was that the Draft Design Guidelines were not ready for City Council consideration and constituted a "rough draft".
2. Commissioner Jacobs felt that Draft Design Guidelines would not be helpful to development applicants in Upper State Street due to too much internal contradiction. The Guidelines also need important elements that came out of the State Street Study, such as the corrected map that includes all of La Cumbre Plaza, and a corrected statement regarding the lack of parking in the central subsection. Will submit comments separately due to the large number of comments. Would like to see the contradictions in the Guidelines resolved. Suggested a similar size team work on the guidelines as was assigned for the Urban Design Guidelines.
3. Commissioner Thompson felt that the Guidelines are in need of serious editing; including providing Attachment A and correcting the sub-neighborhood map. Suggested that a Planning Commissioner and Architectural Board of Review Member could assist Staff if desired. Suggested strengthening directive phrases to "should /shall" rather than "may" and "could". Will submit individual comments to Staff.
4. Commissioner White would like to see the underground parking square footage clarified and see a comparison of the individual intent with what is now proposed.

5. Commissioner Bartlett noted that Page 1-1 should define the area as between Highway 101 and Calle Crespis, not Calle Laureles. Also, the Guideline's references material that talks about existing conditions needs to be updated to delete businesses and uses that no longer exist.
6. Commissioners Thompson and Bartlett requested clarification of the neighborhood map, and a review of the General Plan designation name of "North State Street", since State Street runs East and West.
7. Commissioner Bartlett suggested that modifications and community benefits need further clarification. With regard to underground parking, he stated that there are existing buildings, some that pre-date the SD-2 Ordinance, that have underground parking that is not visible from the street.
8. Commissioner Bartlett appreciated the form-based elements in the Guidelines and hope that they are further developed. Thought the pedestrian connections should be reviewed, such as the one from Chuck's Steak House to Calvery Cemetery.
9. Commissioner Bartlett, Thompson, and Lodge will be in attendance at the Architectural Board of Review on Monday, June 15th.

Ms. Weiss clarified that, from previous direction from Council, it was decided to affirm and not change the zoning standards and ordinance. Setback variation should be addressed through case-by-case setback modifications (not as a new standard). Maintenance of the required SD-2 20-foot setback is included in the Guidelines. Changes will not be made to the Guidelines which conflict with the Council Resolution, but other recommended changes to the Guidelines will be considered.

Chair Larson requested that Commissioners submit any written comments to Staff.

VI. ADMINISTRATIVE AGENDA

ACTUAL TIME: 4:46 P.M.

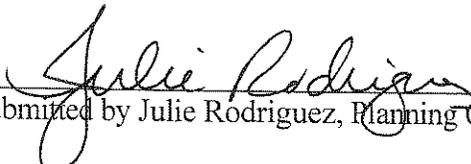
- A. Committee and Liaison Reports.
None were given.
- B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.

Chair Larson reported on the June 3, 2009 Staff Hearing Officer meeting.

VII. ADJOURNMENT

Chair Larson adjourned the meeting at 4:51 P.M.

Recorded by Gabriela Feliciano and Kathleen Goo, Commission Secretaries.



Submitted by Julie Rodriguez, Planning Commission Secretary

