



# City of Santa Barbara

## Planning Division

### PLANNING COMMISSION MINUTES

September 3, 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, John Jostes, Sheila Lodge, and Harwood A. White, Jr.

#### **STAFF PRESENT:**

Danny Kato, Senior Planner

N. Scott Vincent, Assistant City Attorney

Suzanne Riegle, 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.

Mr. Kato made the following announcements:

1. The annexation initiation of 720 and 2030 Los Canoas approved by the Planning Commission in 2006 will go to City Council for adoption on September 29, 2009, before going to LAFCO.
2. The appeal of the Planning Commission's denial of 1642 Calle Canon will be heard by City Council on October 13, 2009.
3. The appeal of the Planning Commission's approval of 226 and 232 Eucalyptus Hill Drive will be heard by City Council on October 13, 2009. Commissioner Bartlett will represent the Commission.

4. The appeal of the Planning Commission's denial to the Initial General Plan Amendment for 415 Alan Road will be heard by City Council on November 10, 2009.

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

Chair Larson opened the public hearing at 1:10 P.M. and, with no one wishing to speak, closed the hearing.

## II. CONTINUED ITEM:

### ACTUAL TIME: 1:10 P.M.

#### EX PARTE COMMUNICATION:

Commissioner Bartlett disclosed an ex parte communication with Mark Edwards regarding confirming for Mr. Edwards that he had reviewed the minutes for a meeting that he had not been present.

#### APPLICATION OF PETE EHLEN, AGENT FOR MARK EDWARDS, 124 LOS AGUAJES AVENUE, APN 033-041-007, R-3/SD-3 MULTI-FAMILY RESIDENTIAL AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: HOTEL AND RESIDENTIAL (MST2004-00725)

Project consists of the demolition of an existing 884 square foot, single-family residence and 440 square foot detached garage, and the construction of three new residential condominium units in the Appealable Jurisdiction of the Coastal Zone. The proposed structure would be three stories with a maximum building height of 29' 7", consisting of 3,856 square feet of residential floor area above 1,143 square feet of garage floor area on a 6,000 square foot lot located adjacent to Mission Creek. The project includes two two-car garages, a one-car garage, and one unenclosed covered parking space, a two-bedroom unit and two one-bedroom residential units. The project proposes 25 cubic yards of cut and 135 cubic yards of fill outside the main building footprint. Grading under the main building footprint would involve 110 cubic yards of cut. The project also includes landscaping changes, bioswales and retention basin adjacent to the proposed residences. On April 16, 2009, this project was reviewed and continued by the Planning Commission.

The discretionary applications required for this project are:

1. A Modification to allow the building to encroach into the front setback (SBMC §28.21.060 and §28.92.110.A.2);
2. A Modification to allow the entry stair and a support column to encroach into the interior setback to the east (SBMC §28.21.060 and §28.92.110.A.2);
3. A Coastal Development Permit (CDP2005-00021) to develop a three unit residential condominium project located in the Appealable Jurisdiction of the Coastal Zone. (SBMC §28.44.060)

4. A Tentative Subdivision Map for a one-lot subdivision to create three (3) residential condominium units (SBMC 27.07 and 27.13).

The Planning Commission will consider approved the Negative Declaration prepared for the project on April 16, 2009 pursuant to the California Environmental Quality Act Guidelines Section 15074.

Case Planner: Susan Riegle, Assistant Planner  
Email: SRiegle@SantaBarbaraCA.gov

Susan Riegle, Assistant Planner, gave the Staff presentation.

Mark Edwards, Owner, gave the applicant presentation joined by Pete Ehlen, Architect.

Chair Larson opened the public hearing at 1:39 P.M.

The following people spoke in support of the project:

1. Richard Untermann
2. Scott Bailey

Chair Larson noted two letters of opposition into the record received from Paula Westbury and Robert Maxim. With no one else wishing to speak, the public hearing was closed at 1:46 P.M.

Keith Rivera, Architectural Board of Review (ABR) Member, recapped the comments made by the Architectural Board of Review and provided clarification for the Commission about dialogue that occurred regarding the entry and articulation.

Mr. Ehlen responded to the Commissions questions regarding design and site details.

Staff answered the Planning Commission's questions about the requirement of the front setback modification as being triggered by the encroachment of the third story deck on the roof of the second floor. Scott Vincent, Assistant City Attorney, provided the definition of a setback as compared to a deck. A front setback modification was required for the third story since the third story roof element encroached more than two feet into the setback.

Mr. Kato explained the background for the zoning ordinance allowing for a design waiver instead of a modification for the purposes of allowing garages, carports, and uncovered parking spaces within 3' of the an interior property line.

Staff and the Commission shared clarification and discussion over setbacks as defined by the zoning ordinance and applied to this project.

The Commissioners made the following comments:

1. The majority of the Commission acknowledged the applicant's efforts to explore all alternatives to reduce impacts regarding building size and mitigate noise while respecting the Mission Creek development limitation area. Also acknowledged were the cutting-edge elements, such as the green roof and drainage.
2. A minority of the Commission held concerns with internalizing the garage space; the loss of the design's presence to the street; neighborhood compatibility; and sound community planning. On the subject of sound community planning, concerns were raised about the size of units as related to neighborhood compatibility and future PlanSB policies. Standard size units would result in less mass, bulk, and scale and would be more compatible with the neighborhood. This project's unit size is considered luxury size, and does not meet Santa Barbara's housing needs.
3. Commissioners Jacobs and White would consider supporting the project without modifications.
4. Commissioner Larson liked the building and architectural style, but felt it was out of scale with the lot size and could not support the project.

The Commissioner asked the applicant if he would consider the project without modifications. Commissioners White and Jostes asked for clarification of the applicant's need to put the staircase in the side-yard setback and for another alternative. After consideration, the Applicant agreed to eliminate the interior yard modification.

**MOTION: White/Jostes**

**Assigned Resolution No. 033-09**

Approved the Front Setback Modification, Coastal Development Permit, and Tentative Subdivision Map, making the findings as outlined in the Staff Report, with exception to the interior setback findings, and subject to the Conditions of Approval in Exhibit A of the Staff Report.

This motion carried by the following vote:

Ayes: 4 Noes: 3 (Jacobs, Larson, Lodge) Abstain: 0 Absent: 0

Chair Larson announced the ten calendar day appeal period.

**III. ADMINISTRATIVE AGENDA**

- A. Committee and Liaison Reports
  1. Staff Hearing Officer Liaison Report  
None

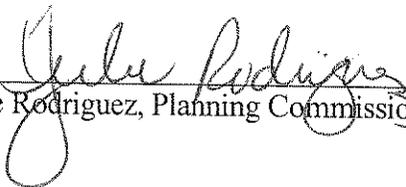
2. Other Committee and Liaison Reports

- a. Commissioner Larson reported on the Historic Landmarks Committee held September 2, 2009.
- b. Commissioner Jostes requested that future Staff Reports list the Floor Area Ratio (FAR). Commissioner Bartlett further suggested developing a matrix of comparisons within neighborhoods as data is becomes known. Mr. Vincent cautioned against taking a matrix and inadvertently creating ad-hoc standards that are only in the purview of City Council and suggested that consideration be given to the development of a multi-family or commercial FAR.

**VII. ADJOURNMENT**

Chair Larson adjourned the meeting at 2:56 P.M.

Submitted by,

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

