



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

March 9, 2006

CALL TO ORDER:

Chair John Jostes called the meeting to order at 1:04P.M.

ROLL CALL:

Present:

Chair John Jostes

Vice-Chair Charmaine Jacobs

Commissioners, Stella Larson, Bill Mahan, George C. Myers, Addison S. Thompson and Harwood A. White, Jr.

Commissioner White arrived at 1:07 P.M.

Commissioner Mahan arrived at 1:35 P.M.

STAFF PRESENT:

Bettie Weiss, City Planner

Jan Hubbell, Senior Planner

John Ledbetter, Principal Planner

Michael Berman, Environmental Analyst

Irma Unzueta, Project Planner

Kathleen Kennedy, Associate Planner

Adam Nares, Planning Technician II

Stacey Wilson, Associate Transportation Planner

John Ewasiuk, Principal Civil Engineer

Loree Cole, Supervising Civil Engineer

Mike Grimes, Public Works Facilities Manager

N. Scott Vincent, Assistant City Attorney

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 made the following announcements:

1. The Veronica Meadows appeal was heard by City Council on Wednesday, March 7, 2006, and was continued for two weeks.
2. The 523-531 Chapala Street appeal will be heard by City Council next week. Commissioner Jacobs will represent the Planning Commission.
3. Kathleen Kennedy has been promoted to Associate Planner.

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

Chair Jostes opened the public hearing at 1:07 P.M. With no one wishing to speak, the public hearing was closed at 1:07 P.M.

II. NEW ITEMS:

ACTUAL TIME: 1:07 P.M.

A. APPLICATION OF BRENT DANIELS, L AND P CONSULTANTS, AGENT FOR JUSTIN J. AND MICHELLE M. PAWL, PROPERTY OWNERS, 40 PINE DRIVE, APN 049-100-019, E-3/PUD, ONE FAMILY RESIDENCE AND PLANNED UNIT DEVELOPMENT ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, FIVE UNITS/ACRE, (MST2004-00676)

The proposal consists of a merger of two existing parcels and a subsequent subdivision to create two new parcels. Parcel A is an existing 20,839 square foot lot that contains one single family residence and a shed. Parcel B is an existing 1,942 square foot lot that serves as an access driveway for Parcel A. Both parcels have access along an existing private driveway to Pine Drive. The total lot area of both parcels is 22,781 square feet. The subdivision would result in one 11,216 square foot parcel and one 11,565 square foot parcel. A recommendation to allow the existing private driveway connecting to Pine Drive to become a public street will be considered.

The discretionary applications required for this project are:

1. A Modification to allow Parcel 1 to have no street frontage instead of the required 60 feet or less than the required 60 feet if the private portion of Pine Drive becomes public (SBMC§28.15.080);
2. A Modification to allow Parcel 2 to have no street frontage instead of the required 60 feet. (SBMC§28.15.080);
3. A Public Street Waiver to allow the approval of a subdivision where access is provided by a private driveway that serves more than two lots (SBMC § 22.60.300); and
4. Tentative Subdivision Map for a merger of two lots and a subdivision to create two lots (SBMC§27.07).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15315 (Minor Land Divisions).

Case Planner: Kathleen Kennedy, Associate Planner

Email: kkennedy@santabarbarca.gov

Kathleen Kennedy, Associate Planner, gave the Staff presentation.

Brent Daniels, L & P Consultants, gave the presentation for the applicant.

Commissioners' comments and questions:

1. Asked if the permission of all the residents would be needed for the road to be repaved and maintained.
2. Asked if the project would require that the property owner be responsible for the indefinite maintenance of the common private road.
3. Asked for history of the smaller of the two parcels.
4. Asked how the applicant sees the project moving forward with a road that is to be maintained without City involvement. Asked detailed questions about how the City would have assurances that road would be maintained to City Standards, including from future property owners and City enforcement.
5. Asked Staff to elaborate on the noise contours from the railroad and freeway.
6. Asked Staff why modifications are necessary for improvement.

Ms. Kennedy stated that the permission of all residents was needed for changes to the private road. Mr. Vincent added that it depends upon how the existing easements are written. The applicant should address the interest held in the private road and determine whether the applicant has sufficient interest to improve and maintain the private road.

Mr. Daniels said that his understanding from the Staff report is that the property owner is required to pave and maintain the common private drive. Mr. Daniels stated that there are efforts being made with all neighbors to explain the project. Both sides of the road have been used for over 80 years by all residents. Having access provides the applicant with the right to maintain the road. If the City desires for this private road to be a public road, then all ten property owners would need to concur. The proposal includes having the road constructed and maintained to City standards.

Mr. Daniels explained the history of the parcels.

Mr. Vincent stated that the City tries to stay out of private property disputes. Four findings must be made in order to approve a public street waiver, one of which is that adequate provisions have been made for the future maintenance of the private street. The applicant has agreed to construct the road to current City standards and to maintain the road to these standards in the future. Future owners of the subdivided lots would be required to maintain the road in accordance with the terms of an

agreement that would be recorded in their chain of title. Mr. Vincent stated that the enforcement of the road maintenance would not be complicated and would not involve significant legal action.

Loree Cole, Supervising Civil Engineer, stated that if the road remained private and owner did not maintain the road, the City could repair the road and the property owners would be required to pay the cost.

Ms. Kennedy addressed the decibel range for the railroad and freeway.

Ms. Hubbell explained the street frontage modifications.

Commissioner Mahan arrived at 1:35 P.M.

Chair Jostes opened the public hearing at 1:48 P.M.

The following people spoke in support of the project:

1. David DeLisle: Supports project; disputes neighbors contentions that easements extend further to north.

The following people spoke in opposition to the project:

1. Don Adams: Future development; private road use
2. Paul Moore: Disputes location of private driveway and property lines
3. Martha Hogan: Disputes location of property lines on maps; private road needs widening.
4. Alex Fuhrer: Increase in noise
5. Laurie Nance: Noise/traffic

With no one else wishing to speak, the public hearing was closed at 2:00 P.M.

Commissioners' comments:

1. Asked Staff if, in the event of future development, the road agreement would be amended.
2. Asked Staff about lot line accuracy and if Staff is satisfied.
3. Asked the applicant if a field survey was done for the project site.
4. Asked Staff what is the minimum width required for a new public City street. Asked if parking was allowed on the private road.
5. Asked why the Staff Hearing Officer would not review this two lot subdivision.
6. Asked about the potential for parcel one to provide easement to parcel two and no others. Asked if a horseshoe loop would continue to be infeasible.
7. Asked about the undergrounding of utilities.

8. Asked Staff for input from the Fire Department. Asked about adequate turnaround for Fire Department vehicles.
9. Supports project with amended conditions; regarding ABR review, guest parking, and undergrounding of utilities; there is a need for infill housing. Concur a survey is needed.
10. Noted that granny units could be now added and have an impact on the street without a review by Planning Commission.
11. Majority of Commissioner's would like to see a field survey of property lot lines.
12. The consensus of Commissioners acknowledges that creating a flag lot on a flag lot compounds a difficult situation.
13. Acknowledges opposition by the neighborhood, but finds the project makes contributions to the neighborhood: fire hydrant, fire department turnaround, road paving and maintenance.
14. Acknowledges efforts to address access problems but are not enough to mitigate the problematic noise exposure and insufficient parking. Cannot make the street frontage modification findings for the project.

Mr. Vincent stated that if the road was not a public road at the time of future development, a public street waiver would be needed.

Ms. Hubbell addressed possible future subdivisions in the area and that it still would be unlikely for many of the lots to split. However, secondary units are allowed by right, if requirements are met.

Mr. Daniels spoke to the survey information, how it is conducted, and stated that the only survey conducted was solely for the applicant's property. Therefore, he cannot address inaccuracies of other lot lines. Mr. Daniels replied that no field survey was done.

Stacey Wilson, Associate Transportation Planner, stated that there is a range for the width of City streets depending on factors, such as parking. Frequently there are 20 foot wide travel lanes and 8 foot wide parking lanes. A complete analysis would require knowledge of the intent of the street. Ms. Wilson stated that the City does not have jurisdiction over parking on a private road.

Ms. Hubbell stated that, when there is a request for a public street waiver as part of a two lot subdivision, it will come before the Planning Commission, instead of the Staff Hearing Officer.

Ms. Wilson stated that the horseshoe loop is not a dead issue. It is inappropriate for Staff to ask applicant for easements since the adjoining property is not a part of this applicant's proposal.

Mr. Daniels stated that, according to the City's ordinance, the applicant would have to underground their current overhead utilities, but there is a pole presently used by the applicant and two neighbors, on neighboring property and beyond the scope of their control. Cooperation could be sought from the other neighbors for rerouting their connections off of the pole and the removal of the pole.

Gina Sunseri, Santa Barbara Fire Department, stated that there was a variance granted to allow a 15 foot wide roadway access in return for fire sprinklers for the house. The applicant's driveway could be used for turnaround by the Fire Department. Ms. Hubbell added that there is presently no turnaround and the project would include an easement that could be used by the Fire Department in a hammerhead approach and benefit other properties, as well.

MOTION: Thompson/Larson

Deny the project without prejudice.

This motion carried by the following vote:

Ayes: 2 Noes: 3 (Myers, Jostes, Jacobs) Abstain: 2 (White, Mahan) Absent: 0

The Commission asked the applicant if a continuance would be desired.

Mr. Daniels said that a continuance would be desired, but only with more input from Commissioners.

MOTION: Jacobs/Mahan

Approve a continuance of the project for not more than 90 days.

Commissioner's comments:

1. Commissioners need to have more information on the number of potential bedrooms, building envelopes, and associated impacts.
2. Would like another walk through of the neighborhood. Also, applicants should work with the neighborhood.
3. Does not believe that a continuance is going to make a difference.
4. Commission needs to look at the potential build-out of the whole neighborhood and not just the applicant's project.
5. Would like to see small houses. Size, bulk, scale, and visibility are not the issue here. Look at house size and number of bedrooms.

Mr. Daniels inquired on the acceptable house size range.

Ms. Hubbell suggested the applicant look at sizes of other homes in neighborhood.

This motion carried by the following vote:

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

CONCEPT REVIEW:

ACTUAL TIME: 2:45 P.M.

B. APPLICATION OF BRIAN CEARNAL, ARCHITECT FOR PETER LEWIS, PROPERTY OWNER, 316-324 STATE STREET & 323 ANACAPA STREET, APN 037-254-007 & 037-254-020, C-M. COMMERCIAL MANUFACTURING ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2205-00286)

The proposed project involves the redevelopment of the Andalusia Building” located at 318 State Street and an adjacent parcel at 323 Anacapa Street. The project would preserve and restore the existing Historic Moorish brick façade and store front commercial building (316-324 State Street) of approximately 4,523 square feet. Three warehouse structures totaling 35,841 square feet would be demolished at the rear of the Andalusia Building along with an existing residential unit of approximately 1,600 square feet located at 323 Anacapa Street. The construction of a mixed use project, including 25,071 square feet of new commercial space, 33 residential units (29 market and 4 affordable units) and an underground garage with 99 parking spaces are proposed. The commercial floor area is proposed to be divided into spaces ranging from 250 square feet to 1,500 square feet. The residential units would include a variety of mix and sizes, including 1 studio, 15 one-bedrooms, 14 two-bedrooms and 3 three-bedrooms. The new buildings and uses would connect through a series of arcades, courts, and pedestrian paseos proposed through the property between State and Anacapa Streets. The two parcels are being kept separate for ownership reasons, but are combined for purposes of this application in order to facilitate shared ingress/egress, underground parking and fire access from Anacapa Street.

The purpose of the concept review is to allow the Planning Commission an opportunity to review the proposed project design at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the proposed land use and design. No formal action on the development proposal will be taken at the concept review, nor will any determination be made regarding environmental review of the proposed project. Upon review and formal action on the application for the development proposal, the proposed project will require the following discretionary applications:

1. A Tentative Subdivision Map for residential and commercial condominium purposes (SBMC § 27.07 and 27.13);
2. A Modification of the lot area requirements to allow over-density units on a lot in the C-M Zone (SBMC § 28.21.080); and
3. A Modification to allow a portion of the residential structure at 323 Anacapa Street to be located within the required 10-foot setback (SBMC § 28.21.060).

Case Planner: Irma Unzuerta, Project Planner

Email: iunzuerta@santabarbarca.gov

Irma Unzuerta, Project Planner, gave the Staff presentation.

Brian Cearnal, architect, gave the applicant’s presentation.

Chair Jostes opened the public hearing at 3:21 P.M.

Speaking in opposition to the project:

1. Tom Williams: Vehicle access, construction, piling choice.

With no one else wishing to speak, the public hearing was closed at 3:26 P.M.

Commissioners' questions and comments:

1. Asked about Staff's interpretation of the Conservation Element, with the emphasis on views from the beach. Asked for staff's interpretation of views from lower elevations.
2. Asked architect whether soils tests and water table determinations had been conducted and whether the architect feels confident that the underground parking structure can be totally below grade.
3. Sees the trade-off for this project as blocking noise impacts to the rest of the City. Asked for feedback if sound studies have been conducted.
4. Overwhelmed by the fourth floor, large plate heights, and the oversized units; would like to see more bulk pulled out.
5. Commissioners appreciated applicant's presentation; tremendous help in assessing the project.
6. Approves of general design of units. Would like to see a breakup or modulation in the South elevation to blend in with and provide some views of the Riviera. Favors the underground parking.
7. Likes integration of Andalucian architecture with existing architecture of the historic facade. Suggest issue is not the view of the mountains being lost, but the view of a huge building. The building is not compatible with the neighborhood. Would like to see more three story design in this project. We are suffering from incremental mass in Santa Barbara. Each new building chips away at Santa Barbara's openness. Too much 4th story. There could be another large building between the project and the freeway in the future.
8. Concurs with positive attributes that have been acknowledged. Regrets the loss of commercial space, especially use by dance and art studios. Would like to see some non-profit space kept in these developments. Feels the four affordable units do not mitigate the loss of the view.
9. Visitors to Santa Barbara do not feel dwarfed by architecture. A three story building would maintain the feel of Santa Barbara. Concurs with breaking up the South wall.
10. Supports the mixed use downtown. Approves of architecture, underground parking, pedestrian use of courtyards, and landscape setbacks. Building looks too institutional as presented and very massive. Would like to see attention to water intrusion level. Concerned with potential for insufficient parking for residents and tenants. Traffic generation at Anacapa and Gutierrez needs to be addressed.

11. This is a good start to a smart growth, mixed use project. Appreciates the workable office space on the first floor and wants to see it preserved. Would like to see more live/work space. Likes the second story portal and the pedestrian link to Anacapa.
12. Would like to see a smaller FAR. Some four stories is OK, but project should not go over three stories for the most part. Fourth Story should be well set back. With regard to impact assessment, there could be some parking problems, and the traffic net/gross is unknown. Would not want to see noise, aesthetic, issues not addressed. Noise modeling analysis should include difference between courtyard and.
13. If the negative declaration does what it is supposed to do, then an EIR might be avoided. Commission expressed caution. It would be important to have input from groups that have expressed view concerns.
14. Even though this is a zone of benefit, there are no alternatives for parking. More parking is good here, since there are few options.

Ms. Hubbell said Staff looked both the conservation and open space elements; Highway 101 is considered visual open space. View analysis and view impacts are subjective; applicant needs Commission's input on what is acceptable.

Mr. Cearnal addressed the water table and is confident that the underground parking project can be done. Sound analysis has been done for impact to the courtyard and the units, but not to the outer properties; feels the building will be a barrier to sound.

Mr. Cearnal thanked the Commission for the valued input. Asked for more clarification on parking. Asked if an EIR would be avoided if modulation is done.

Chair Jostes announced a break at 4:06 PM.

Chair Jostes left at 4:06 P.M.

Vice Chair Jacobs reconvened the meeting at 4:24 P.M.

III. DISCUSSION ITEMS:

ACTUAL TIME: 4:24 P.M.

A. SEMI ANNUAL MEASURE E UPDATE

Planning Staff will present a bi-annual update for 2005 on Charter Section 1508 (Measure E), including status on the use of square footage in the various categories and residential development.

Case Planner: Adam Nares, Planning Technician II

Email: anares@santabarbaraca.gov

Adam Nares, Planning Technician, gave the Staff Presentation.

Mr. Vincent returned at 4:33 P.M.

Chair Jacobs opened the public hearing at 4:35 P.M.

With no one wishing to speak, the public hearing was closed at 4:35 P.M.

Commissioners' questions and comments:

1. Asked about the economic development square footage category and how one can acquire it.
2. Asked Staff for examples of what types of businesses fell into the economic development category.
3. Asked if Staff or Planning Commission determined if a business fell into the economic development category.
4. Asked what we have learned since we are over 75% through this measure. Would like to see Staff present an in depth analysis of where this measure is going; lessons learned.
5. Asked if the 1600 units in the pipeline are throughout the City and not just downtown.
6. Asked what is expected to be the square footage balance when we hit 2010. Asked if we will we have a significant amount of square footage after that.
7. Asked whether this measure was found a valuable tool or a waste of time. The traffic link was huge. Without Measure E, it is thought that we would have had much more commercial space.
8. Asked if we need to begin planning for another element to replace Measure E when it expires. Suggests a Measure E element be included in Santa Barbara 2030.

Ms. Hubbell stated that economic development category was added in the 1990s, because of a recession. The category started out with some interest but went sideways with the dot.com bust. Cited examples of what could be part of economic development, such as research and development or bio-tech companies.

Ms. Hubbell stated that, like the Community Priority Category, City Council first makes a preliminary determination that if a business may fall into the economic development category.

John Ledbetter, Principal Planner, stated that the lessons learned are being incorporated into the Santa Barbra 2030 Committee report that will be forthcoming. At this time, Mr. Ledbetter stated that the Measure has been successful in limiting commercial square footage. Unforeseen has been the limited housing available for those wanting to work in Santa Barbara. Ms. Hubbell added that the positive outcome of this issue has been that the workforce is now tracked. Also unforeseen was the incredible rise in housing costs. There are more units in the pipeline than ever before, and many affordable units.

Mr. Ledbetter stated that initially there are three key elements to Santa Barbara 2030: 1). Re-assessing Measure E; 2) Reassessing the housing build out; and 3) Sustainability. Recently added is 4) Outer State Street.

ACTUAL TIME: 4:55 P.M.

B. CITY STREETLIGHT GUIDELINES ADVISORY GROUP REPORT

Staff will present a progress report of the Streetlight Guidelines Advisory Group. Streetlight design, planning, and fiscal issues will be discussed. Planning Commission input and comments are being solicited.

Case Planner: John Ewasiuk, Principal Civil Engineer
Email: jewasiuk@santabarbaraca.gov

John Ewasiuk, Principal Civil Engineer, gave the Staff Presentation and introduced his team: Mike Grimes, Public Works Facilities Maintenance Manager; Steve Hausz, Historic Landmarks Commission, and Planning Commissioner Stella Larson.

Chair Jacobs opened the public hearing at 5:22 P.M.

With no one wishing to speak, the public hearing was closed at 5:22 P.M.

Commissioners' comments and questions:

1. Suggested some kind of special lighting be considered for Mission Street once undergrounding is accomplished in that area.
2. Approved of green concrete poles. Approved of doing pole replacement one at a time, as they come up, rather than waiting for complete blocks. Approved of cobra head removal.
3. Concerned with the loss of the obsolete fixtures that are on Alameda Padre Serra and Loma Alta and suggests that they be designated as landmarks. Would like to see Santa Barbara set money aside for the preservation of lighting; perhaps an adopt-a-light-fixture program.
4. Commissioners praised the Advisory Group for excellent committee meetings and staffing. Commended Mr. Hausz on the time, energy, and work that he has put into the Group. Commissioner Larson was acknowledged by her peers.
5. Asked if there was a preference for keeping the concrete poles with the cobra heads and just replacing the fixtures. Asked for the approximate cost of replacing a fixture vs. a column and a fixture.
6. Asked if there is technology available now to provide solar power to existing cobra heads.
7. Asked when applicant is asked to put in a lighting pole if they have to remove the existing one.

8. Not opposed to mixing types of poles in any area to allow for change over time within a constrained budget.
9. Suggested the potential for in-lieu fees.
10. Suggests when neighborhoods approach the Commission for undergrounding, that streetlight exchanges should be considered.
11. Asked about the uniqueness of the lighting fixtures such as in Greenwell Acres, or on Coast Village Road.
12. Some Commissioners support the development of a City standard for the use of a particular type of lights in each neighborhood. Suggest that lighting should be replaced to meet City Standards when a project comes up for approval.
13. Suggests the lighting on Lausen and Moreno, near the El Encanto, be included in the lighting suggested for Historic Preservation.
14. Asked what happens to 'dead cobras'.
15. Commissioners encouraged pursuit of a revenue stream from a lighting adoption program. Consensus of Commissioners feels that the replacement of one pole at a time is fine.

Mr. Hausz suggested that the term obsolete in the presentation does not imply that the lights will be replaced, merely that they are not being made anymore. They are not energy efficient and contribute to light pollution.

Mr. Grimes stated that the cost of replacing a cobra head and an arm is \$500.00. The cost of replacing a bell style fixture and an arm is \$2,000.00. Most of the other modern day fixtures are in the \$2,000.00 range. The cost to install a concrete pole and cobra head is approximately \$3,000.00 vs. \$5,000.00 to install a concrete pole with a domeless fixture. Mr. Grimes stated that there are retro-fitting kits available to solar power cobra heads; however, it does not add to the aesthetics. He added that the battery box and the solar panels are typically in the air, either on top of the pole or on top of a building.

Mr. Hausz stated that HLC believes the El Pueblo Viejo District is a distinct district and would not want to introduce a new kind of concrete pole, but continue with painted metal poles. ABR has agreed to concrete poles in general, specifically fluted poles. Whether it is appropriate to narrow it down to the point that design review boards do not have very much say on the design of street lights is a consideration. General acceptance is of the dome style and phasing out cobra heads over time.

Mr. Ewasiuk stated that an applicant is typically asked to retire the cobra head arm off of the wooden Edison pole; not asked to retire a concrete pole.

Mr. Grimes confirmed that the cost of exchanging a dome head for a cobra head is approximately \$2,000.00. Mercury Air was cited as an example.

Mr. Hausz stated that the City does have a lighting ordinance and lighting design guidelines. In the past, lighting has been overlooked, and that was why Greenwell Acres resulted in the lights it has.

Asked the Commission if the City should have standardization or varied lighting for different neighborhoods.

Mr. Grimes addressed the uniqueness of the lighting on Coast Village Road. The dome fixtures were retrofitted on existing concrete with a metal base and added a safety factor to Coast Village Road. Ms. Hubbell added that part of the uniqueness is attributed to the lighting having existed before Coast Village Road was annexed from the County by the City.

Mr. Grimes informed the Commission on the recycling and disposal of 'dead cobras'. Recycling whole fixtures is generally not an option, although components can be salvaged for their materials.

IV. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

1. Commissioner Mahan reported on the Highway 101 Improvements Design Subcommittee and shared the scope of the Hot Springs roundabout and the proposed landscaping. Caltrans and SBCAG will be providing the domed-type streetlights for pedestrian ways.
 2. Commissioner Mahan reported on the Neighborhood Preservation Ordinance Steering Committee meeting last Saturday; it will meet again on Friday, March 10th. The community has divided opinions on this ordinance. The FAR's do include the garage at 500 feet and are net numbers. Commissioner Larson echoed that the Neighborhood Preservation Ordinance Steering Committee attendance was filled to capacity.
 3. Commissioner White reported on the Water Commission; Cachuma Lake is close to spill level and may occur with another heavy rain.
 4. Commissioner Myers reported on the Santa Barbara 2030 Outreach Committee and that workshops would be coming to neighborhoods; encouraged attendance.
- B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.

None were requested.

V. ADJOURNMENT

Chair Jacobs adjourned the meeting at 6:10 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary