



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

DECEMBER 7, 2006

CALL TO ORDER:

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

ROLL CALL:

Present:

Commissioners Stella Larson, Bill Mahan, George C. Myers, Addison S. Thompson and Harwood A. White, Jr. (left at 1:49 P.M.)

Absent:

Vice-Chair Charmaine Jacobs

STAFF PRESENT:

Bettie Weiss, City Planner
Jan Hubbell, Senior Planner
Michael Berman, Environmental Analyst
Kathleen Kennedy, Associate Planner
N. Scott Vincent, Assistant City Attorney
Kathleen Goo, Acting Planning Commission Secretary

I. PRELIMINARY MATTERS:

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

Jan Hubbell, Senior Planner announced the following changes to the agenda:

1. A request was made to hear the Staff Hearing Officer (SHO) report out of order on the agenda so that Ms. Bettie Weiss, City Planner, could make a report to the Commission.
2. Item IV, 230 Lighthouse Road, has been continued to the January 11, 2007 Planning Commission meeting at the applicant's request, and will not be noticed.

MOTION: White/Mahan

To continue Item IV, 230 Lighthouse Road to the January 11, 2007 Planning Commission meeting.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jacobs)

B. Announcements and appeals.

Ms. Hubbell made the following announcements on pending appeals and projects before Council:

1. 40 Pine Drive has a hearing before Council on January 9, 2007.
2. Veronica Meadows has a pending hearing before Council on December 12, 2006, which involves a revised design per Council's direction in October, regarding two options to either include two affordable housing units or not, but both options include bridge access and no access from Alan Road to a majority of the project. An ordinance will be introduced at that appeal hearing and then adopted and concluded with a legislative action at the next afternoon meeting on December 19, 2006, with a recommendation to the Coastal Commission for a portion of the project.
3. 3408 & 3412 State Street has a pending appeal before Council on February 27, 2007.
4. The Cottage Workforce Housing appeal was heard at the Council hearing on November 21, 2006 and the Planning Commission's decision was upheld.

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

Chair Jostes opened the public hearing at 1:09 P.M. and, with no one wishing to speak, the public hearing was closed at 1:10 P.M.

D. Ms. Weiss requested the Commission to make a formal written request if the Commission would like to have the December 6th Staff Hearing Officer (SHO) item regarding proposed alterations to an existing mixed-use project at 128-138 East Canon Perdido Street and 825-833 Santa Barbara Street, referred forward for review by the Commission. The proposed project consists of lot area modifications for converting existing 15 units into 17 units, garages and storage to new non-residential floor area, and requested parking modifications.

Ms. Weiss stated she concurred with staff's recommendation to restore the residential units back to the original 15 units, but did not concur with staff's recommendation to grant the parking modification for safety considerations and other improvements which would eliminate all parking on the property.

Commissioners' comments and questions:

1. Asked if Ms. Weiss recommended that the item should be reviewed by the Planning Commission regardless of whether an appeal is filed, but felt the appropriate action was taken by the SHO and it would be appropriate for the Commission to wait for the appeal since the applicant may decide to revise the plans and return to SHO.
2. Suggested that the applicant take advantage of the ten day appeal period, but will consider foregoing filing for the suspension hearing and leave the decision to the Staff Hearing Officer.

Ms. Weiss responded that she believed that the project could benefit from Planning Commission review.

Mr. Vincent explained to the Commission some of the reasoning for establishing the SHO hearings, the ramifications of an appeal with a filed suspension hearing before the Commission, and the scope of the Staff Hearing Officer's authority.

Ms. Weiss suggested the Commission review a replay of the SHO session before making a decision.

Mr. Vincent and Ms. Hubbell clarified that SHO hearings give applicants the opportunity for open discussion before possible review by the Planning Commission.

II. NEW ITEM:

ACTUAL TIME: 1:31 P.M.

APPLICATION OF MICHAEL SANDECKI AGENT FOR CALTRANS, 501 NIÑOS DRIVE, 017-362-005, PR ZONE, GENERAL PLAN DESIGNATION: OPEN SPACE/BUFFER STREAM (MST06-00590/CDP06-00019)

The project would establish a minimum of 1,240 square feet of wetland on the west bank of Sycamore Creek. An area of approximately 4,000 square feet would be graded to widen the creek channel in order to create 1,240 square feet of new wetland. The banks of the creek would also be graded to reduce the bank slope and 400 cubic yards of soil and concrete rubble would be removed and disposed of off-site. Five mature eucalyptus trees and weedy, non-native vegetation would be removed. Two large limbs of a large Eucalyptus tree on the east bank of the creek, overhanging the restoration area, would be removed. An area approximately 6,000 square feet including the new wetland and graded creek banks would be planted with 36 native sycamore, poplar and alder trees and 364 native shrubs. A temporary drip irrigation system would be installed. Temporary fencing would also be installed to keep people out of the area where plants are being established. The fencing will be removed once the plants have been established (5 years). The project site, including the plantings, fencing and irrigation system would be maintained by CALTRANS for a five year period. At that time, the project site would be turned over to the Parks and Recreation Department for maintenance, which is expected to be minimal.

The discretionary application required for this project is Coastal Development Permit (CDP2006-00019), to allow wetlands restoration in the Appealable portion of the Coastal Zone (SBMC §28.45.009).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15333, small wetlands restoration projects.

Case Planner: Michael Berman, Environmental Analyst
Email: mberman@SantaBarbaraCA.gov

Michael Berman, Environmental Analyst, gave the staff presentation.

Commissioners' comments and questions:

1. Asked about broken concrete and bank removal and disposal or recycling.

2. Asked about the five year temporary fencing and plans to replace the removed Eucalyptus trees.
3. Asked for clarification of the Parks and Recreation (PR) zone findings and how it applies to the proposed project.

Mr. Mike Sandecki, Caltrans Environmental Coordinator, responded that the concrete rubble will be sent to a recycling facility. He clarified that the purpose of the temporary five year green fencing is to prevent intrusion of pedestrian traffic while the newly planted growth is established, which may not be needed for the complete five year period. The five year period was required by the Army Corp of Engineers for Caltrans maintenance of the plants and shrubs and irrigation equipment. The Eucalyptus trees will be removed and replaced with other trees and shrubs.

Mr. Vincent clarified that the proposed project is within a park but that the typical PR zone findings do not fit well for this type of project. He suggested that the Commission review how the project interacts with the other potential recreational uses of the park property.

Chair Jostes opened the public hearing at 1:46 P.M. and, with no one wishing to speak, the public hearing was closed at 1:47 P.M.

Commissioners' comments and questions:

1. Commented that support of the Caltrans project would result in giving Sycamore Creek some of the attention it richly deserves and is a credit to Caltrans' creek mitigation efforts to improve the Highway 101 experience.
2. Stated that the Eucalyptus tree removal is strongly supported with replacement by indigenous Sycamore trees.
3. Encouraged Caltrans to put up a black chain link fence since it can be seen through, progress can be followed more easily, and more appealing for aesthetic viewing since it is part of the park.
4. Commented that the project is strongly supported and seems to be a great step forward, and will be looking forward to seeing the results of such thoughtful mitigation.

MOTION: White/Mahan

Assigned Resolution No. 050-06

Approve the Coastal Development Permit of the project, making the findings outlined in Section VII of this report, and subject to the Conditions of Approval in Exhibit A, amended with the condition that the concrete rubble shall be recycled.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jacobs)

Chair Jostes announced the ten calendar day appeal period.

COMMISSIONER WHITE STEPPED DOWN ON THE NEXT ITEM.

III. CONTINUED ITEMS: CONTINUED FROM NOVEMBER 16, 2006

ACTUAL TIME: 1:50 P.M.

APPLICATION OF JEFF GORRELL, ARCHITECT FOR JEMESA PROPERTIES, LLC, 1929 CLIFF DRIVE, APN 045-015-016, C-P/R-2/SD-3, RESTRICTED COMMERCIAL, TWO-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL, NEIGHBORHOOD SHOPPING CENTER (MST2004-00492)

The project consists of a proposal to demolish the existing 1,354 square foot (net) service station, six gas pumps, canopy and underground storage tanks and to construct a 2,618 square foot (net) mini mart, 1,272 square foot (net) car wash, 395 square foot (net) equipment room, 1,725 square foot canopy, four gas pumps and eight parking spaces. A variance, approved by the City Council, to allow encroachments into the Cliff Drive setback would be required.

The discretionary applications required for this project are:

1. A Modification to allow less than the required number of parking spaces (SBMC§28.94.030);
2. A Modification to allow the building to encroach into the rear yard setback (SBMC§28.54.060);
3. A Conditional Use Permit to allow a car wash and automobile service station/mini-market in the C-P/R-2 Zone (SBMC§28.94.030);
4. Development Plan approval for 2,931 square feet of additional non-residential floor area (SBMC§28.87.300); and
5. A Coastal Development Permit to allow development in the non-appealable jurisdiction of the Coastal Zone (SBMC§28.45.009).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 (new construction of small structures).

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

Kathleen Kennedy, Associate Planner, gave the staff presentation, and mentioned she received two letters in support and one in opposition .

Mr. Jeff Gorrell, Architect representing the owners, presented the applicant's project to the Commission.

Mr. Sam Mafis, Landscape Architect, presented additional project information to the Commission.

Mr. Scott Schell of Associated Transportation Engineers, clarified transportation and traffic information for the Commission.

Commissioners' comments and questions:

1. Asked about car wash water recycling.
2. Asked about the Cliff Drive variance going to the City Council.
3. Asked about required light standards on site.
4. Asked about surface drainage.
5. Asked about using permeable paving.
6. Asked about cobra head lighting fixtures in the area.
7. Asked about employee parking on site, and whether the site would be able to accommodate alternative transportation parking such as bicycles.
8. Asked about hours of operation with regard to noise level standards and effects on neighboring residences.
9. Asked if the project would preclude any future changes along the frontage of the property.

Ms. Hubbell clarified the variance would go directly to City Council with possible recommendation by the Commission, and staff is looking into considering minor inclusions into the variance setback for narrowing of the road since staff feels Cliff Drive is too wide.

Mr. Sam Mafis clarified that all standards will be met for City photometric light standards, requirements, and guidelines, including ABR aesthetic standards. He also clarified surface drainage improvements to the south with approved neighbor easements, with all other wash water recycled for reuse on site. He confirmed drainage will be filtered to the westerly site, and clarified that permeable paving would not viable on such a heavily traveled site.

Mr. Gorrell stated that the site would accommodate employee parking on site, but that most employees will use alternative transportation. He also confirmed that noise level standards will be observed, but that it was interesting that the noise study noted that the automobile noise was louder than the car wash noise.

Ms. Hubbell clarified that the Conditions of Approval address the noise issue by limiting the hours of operation from 8:00 A.M to 8:00 P.M. daily, and the stipulation that no public address system shall be used.

Ms. Hubbell clarified that the area in front of the property might change in the future, but the project does not compromise any future City proposed changes.

Chair Jostes opened the public hearing at 2:32 P.M.

The following members of the public were in opposition to the proposed project:

Ms. Catherine McCannon, Co-President of the La Mesa Neighborhood Association, expressed opposition to the requested parking modification for fear of reducing available residential parking from delivery vans and lack of adequate mini market customer parking, vehicles waiting for the car wash impeding traffic into the street, and recommended the Commission vote against the variance.

Ms. Berni Bernstein, also Co-President of the La Mesa Neighborhood Association, also expressed similar parking and landscaping concerns for the Mesa.

The following members of the public were in support of the proposed project:

Ms. Inez Gilkeson supported the project, but had concerns that the noise of operation of the car wash would extend too late into the evening hours at 8:00 P.M., the installation of a landscaping berm, and encroachment into the 10 foot setback.

Ms. Hubbell read a letter of support into the record by the Braun Family Partnership that requested a height increase of the wall by one to two feet to provide better sound qualities. They also supported the setback modification and would accept a one foot setback on their common rear property.

The public hearing closed at 2:43 P.M.

Commissioners' comments and questions:

1. Commented that the variance is approvable, but commented that the Commission should look at the Cliff Drive developments as a whole and suggested a step in a direction toward a similar measure like the Upper State Street Study, but less formal.
2. Commented that the project, car wash, and stacking space capacity parking design is acceptable, but suggested the addition of permeable paving to the conditions in order to assist in water run-off. Commented further that convenience stores should not be competition for the grocery stores since they provide service to a different clientele, and asked for separate motion to Council recommending approval of the variance, and found the planter area acceptable.
3. Commented that the lighting and waste clutter should be minimized, and expressed concern that the parking lot accommodate employee parking on the site and not in the surrounding neighborhood, and found the architecture acceptable for the Mesa area.
4. Wanted staff to verify that all water conservation issues are maintained as required by State Law for the car wash.
5. Commented that a bio-swale or infiltration system for soil treatment should be added to Section E of the Conditions of Approval or into the site plan.
6. Suggested that solar panels be added to the plans even if it means a reduction of the rear yard setback.
7. Suggested incorporation of scuppers for water drainage runoff and other impervious surfaces, including other possibilities for the installation of solar panels.

Mr. Mafis responded that he will look into the possibilities permeable paving.

Ms. Hubbell stated that a bio-swale or soil infiltration system will be added to the Conditions of Approval, as well as the maintenance of the infiltration system.

Mr. Gorrell stated that he would research the possibilities of including a bio-swale and solar panels.

Ms. Hubbell stated that the height of the wall over the standard 8 foot height was not part the modification so the wall height increase cannot be approved at this time.

MOTION: Mahan/Larson

Assigned Resolution No. 051-06

Approve the parking and yard modifications, and the Conditional Use Permit, Development Plan, and Coastal Development Permit for the project, making the findings outlined in Section VII of the Staff Report, and subject to the Conditions of Approval in Exhibit A, and amended as follows: 1) There shall be a 3 foot setback from the rear property line. 2) Photovoltaic cells shall be installed if feasible with ABR approval. 3) Permeable paving shall be installed if feasible with ABR approval. 4) Bio-swales shall be installed where feasible in the southeast and southwest corners of the property. 5) Storm water filter interceptors shall be installed on the site.

This motion carried by the following vote:

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

Chair Jostes announced the ten calendar day appeal period.

MOTION: Mahan/Myers

Assigned Resolution No. 051-06

Recommend approval of setback variance to City Council with the comment that the Commission does not believe it will impede future improvements to the site, and will improve amenities.

This motion carried by the following vote:

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

Chair Jostes announced the ten calendar day appeal period.

IV. CONCEPT REVIEW:

THE FOLLOWING ITEM WAS CONTINUED AT THE APPLICANT'S REQUEST TO THE JANUARY 11, 2007 MEETING, AND WILL NOT BE RE-NOTICED.

APPLICATION OF LISA PLOWMAN, AGENT FOR SOUTHERN CALIFORNIA-NEVADA CONFERENCE – UNITED CHURCH OF CHRIST, 230 LIGHTHOUSE ROAD, APN: 045-021-021, E-3/S-D-3 ONE FAMILY RESIDENTIAL/COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 5 UNITS PER ACRE (MST2006-00455) CONTINUED TO JANUARY 11, 2007.

The proposed project involves the rezone of the property from one-family residential (E-3) to two-family residential (R-2), and development of the site with 22 three-bedroom condominium units under the Garden Apartment Zoning designation (SBMC, Chapter 28.30). Four of the units would be affordable to middle-income homebuyers, and two of the units would be affordable to upper-middle-income homebuyers. The development includes 58 parking spaces. The subject parcel is currently developed with a church, which is proposed to be demolished as part of the project.

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. Initiation of a Rezone from E-3/S-D-3 to R-2/S-D-3 by the Planning Commission (SBMC, §28.92.020);
2. General Plan Map amendment to amend the General Plan Land Use Map for the subject parcel from Residential 5 dwelling units per acre to Residential, 12 units per acre;
3. Local Coastal Plan Amendment to amend the General Plan Land Use Map in the Coastal Zone (SBMC §28.45.009.7);

The following decisions will be contingent upon City Council approval of the rezone and General Plan Amendment and Coastal Commission approval of the Local Coastal Plan Amendment:

4. Tentative Subdivision Map (TSM) for a one lot subdivision with 22 residential condominiums (SBMC Chapters 27.07 and 27.13);
5. Lot Area Modification to allow two over-density units (bonus density) on a lot in the R-2 Zone (assuming zone change) (SBMC §28.92110, A, 2);
6. Front Setback Modification to reduce the required 30-foot front yard setback (based on Garden Apartment Development standards in SBMC Chapter 28.30) (SBMC §28.92110, A, 2);
7. Interior Yard Setback Modifications (3) to reduce the required 30-foot interior yard setbacks (based on Garden Apartment Development standards in SBMC Chapter 28.30) (SBMC §28.92110, A, 2);
8. Conditional Use Permit to allow Garden Apartments in the R-2 Zone SBMC §28.94.030, K);
9. Coastal Development Permit to allow development in the non-appealable jurisdiction of the Coastal Zone (SBMC §28.45.009.6);
10. Recommendation by Planning Commission and final approval by the City Council of Rezone, General Plan Map Amendment and Local Coastal Plan Amendment (SBMC, §28.92.080 (B)); and
11. Design Review Approval by the Architectural Board of Review (ABR) (SBMC, Chapter 22.68).

Case Planner: Allison De Busk, Associate Planner

Email: adebusk@SantaBarbaraCA.gov

V. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

Commissioner Larson reported on the Streetlights Advisory Subcommittee will soon be ready to bring the Master Plan to the Commission.

Commissioner Mahan reported on his last meeting with the Airport Terminal Project Subcommittee. Most were pleased with progress on the project, but solar photovoltaic lighting may have to be further studied since the planned roof area might not have sufficient space for the terminal electrical needs, and that it was decided that the roof of the main terminal would not be an acceptable aesthetic location.

Chair Jostes commented that the Runway Safety Area Extension Project wetland restoration will be something to look forward to after the project is finished.

Commissioner Thompson also reported that there will be a sustainability presentation for the Airport Terminal Project at City Council on December 19, 2006 for all interested parties.

B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.080.

None were requested.

VI. ADJOURNMENT

MOTION: Mahan/Larson

Adjourn the meeting.

This motion carried by the following vote:

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

Chair Jostes adjourned the meeting at 3:12 P.M.

Submitted by,

Kathleen Goo, Acting Planning Commission Secretary