



# City of Santa Barbara

## Planning Division

### PLANNING COMMISSION MINUTES

February 21, 2008

#### CALL TO ORDER:

Chair George C. Myers called the meeting to order at 1:00 P.M.

#### ROLL CALL:

##### **Present:**

Chair George C. Myers

Commissioners Bruce Bartlett, Charmaine Jacobs, John Jostes, Addison S. Thompson and Harwood A. White, Jr.

##### **Absent:**

Vice-Chair Stella Larson

#### STAFF PRESENT:

Jan Hubbell, Senior Planner

Danny Kato, AICP, Senior Planner

Sarah Knecht, Assistant City Attorney

Heather Baker, Project Planner

Roxanne Milazzo, Assistant Planner

Julie Rodriguez, Planning Commission Secretary

#### I. PRELIMINARY MATTERS:

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

Senior Planner Jan Hubbell announced that the applicant for the 3230 State Street appeal to the Planning Commission has requested that the item be continued to April 17, 2008. The appellants to the appeal object to the request and will address the Commission before a decision is made on granting a continuance.

- B. Announcements and appeals.

Ms. Hubbell made the following announcements:

1. Melissa Hetrick was introduced as a new Environmental Analyst in the Community Development Department.

2. The Planning Commission's decision on 1440 Rogers Court is being appealed to the City Council on February 26, 2008. Commissioner Jostes will represent the Commission.
3. The 517 Chapala Street appeal will be heard by the City Council on March 4, 2008.
4. Students from the UCSB Environmental Studies class were auditing the Planning Commission hearing.

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

Chair Myers opened the public hearing at 1:05 P.M.

James Kahan voiced a concern to the Commission about projects being evaluated without being looked at in greater depth before being brought to the Planning Commission and asked for follow-up. Cited examples such as 1298 Coast Village Road; 517 Chapala Street; 3230 State Street; and 630 E. Micheltorena Street.

With no one else wishing to speak, the hearing was closed at 1:07 P.M.

## II. STAFF HEARING OFFICER APPEAL:

ACTUAL TIME: 1:07 P.M.; reheard at 4:40 P.M.

APPEAL BY TONY FISCHER OF THE APPLICATION OF T-MOBILE FOR THOMAS THOMPSON, 3230 STATE STREET, APN 053-332-030, C-2 COMMERCIAL/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2006-00574)

The 15,000 square foot project site has frontage on both State Street and Calle Alamo. Existing development on site consists of a commercial building. The proposed project involves a new unmanned wireless communication facility. The proposal consists of a panel antenna installation, demolition of an existing storage area, and the construction of new equipment and trash storage areas. The discretionary application required for this project is a Modification to permit the alterations/installations to be located within the required twenty-foot (20') front yard setback facing Calle Alamo (SBMC §28.45.008). On October 24, 2007, a public hearing was held and the Staff Hearing Officer approved the request as submitted. This is an appeal of that action.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

Case Planner: Roxanne Milazzo, Assistant Planner  
Email: [rmilazzo@SantaBarbaraCA.gov](mailto:rmilazzo@SantaBarbaraCA.gov)

Mr. Tony Fischer, Friends of Outer State Street, Appellant, addressed the Commission requesting the denial of a continuance for the appeal.

Ms. Hubbell reviewed the options for continuance available to the Commission.

Sarah Knecht, Assistant City Attorney, reviewed the facts and criteria for the Planning Commission's decision in considering a continuance.

Chair Myers opened public comment at 1:16 p.m. and, with no one wishing to speak, closed the public hearing.

James Kahan, Friends of Outer State Street, spoke to the Commission on why the appeal should go forward. Mr. Kahan added that, while the applicant is not present, the appellant is present.

One Commissioner sought clarification from Staff as to whether this project would be returning to the Architectural Board of Review.

Danny Kato, Senior Planner, gave the background of the project and stated that Staff was not prepared to make a presentation today. Mr. Kato strongly recommended that the project be continued to April 17, 2008.

One Commissioner acknowledged the appellant's comments and fees that were paid and wanted to have the project heard as soon as possible, given the appellant's legitimate concerns that were raised today.

Ms. Hubbell stated that April 17, 2008 was not the earliest available, but gave the applicant time for a redesign and time to return to the ABR.

Three Commissioners disagreed with the continuance and felt that if the appellant was prepared and wanted the hearing that we should go forward with the hearing.

The Commissioners have asked that Staff to hear the appeal today at the end of the Agenda.

**MOTION: Jostes/Jacobs**

Continue the item to later in the agenda.

This motion carried by the following vote:

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

Chair Myers reconvened the meeting to this item 4:40 P.M.

Roxanne Milazzo, Assistant Planner, gave the Staff presentation.

Ms. Milazzo answered the Planning Commission's questions about the number of parking spaces required on the site, the inability to move the trash enclosures to another area, and

responded that a parking study had not been conducted to consider the impact by the elimination of a parking space to accommodate the trash enclosure.

Tony Fischer and James Kahan, Friends of Outer State Street, gave the appellant presentation.

Danny Kato, Senior Planner, answered the Planning Commission's questions about prior permitting and the illegality of existing structures, and the status of a pending ordinance on changing setbacks for multiple frontages.

Karl Forster, representing the applicant, addressed the Commission.

Chair Myers opened the public hearing at 5:09 P.M.

The following people spoke in opposition to the project or with concerns:

1. Scott Sanderfer, neighbor, asked that the Commission deny the project and pointed out that many other neighbors would be present but had been informed that the hearing was going to be continued to another date.
2. Jennifer Sanderfer expressed concern to the Commission about what environmental studies had been done to address the safety of the cell tower and any environmental effects of the tower on nearby school children.

With no one else wishing to speak, the public hearing was closed at 5:12 P.M.

Mr. Fisher readdressed the Commission and recapped some of the permit history and discrepancy of what was built in relation to what was approved in the plans.

Ms. Hubbell stated that cell tower emissions are addressed on the federal level and only aesthetics can be addressed at the local level.

**MOTION: Jostes/Thompson**

**Assigned Resolution No. 009-08**

Uphold the Staff Hearing Officer Appeal, based on not being able to make the findings necessary to grant the modification.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Larson, Jacobs)

Chair Myers announced the ten calendar day appeal period.

III. DISCUSSION ITEM:

ACTUAL TIME: 1:28 P.M.

APPLICATION OF CITY OF SANTA BARBARA REDEVELOPMENT AGENCY,  
PLAZA DE LA GUERRA, APN: 037-092-037, C-2/PR LIMITED  
COMMERCIAL/PARKS & RECREATION, GENERAL PLAN DESIGNATION:  
MAJOR PUBLIC AND INSTITUTIONAL – CITY HALL AND GENERAL  
COMMERCE (MST2007-00496)

The project scope for this project has not been finalized. City Council will finalize the project scope for environmental review purposes after this Planning Commission hearing. Potential project components, set forth for discussion purposes, may include electrical hardware relocation, a new refuse enclosure for City Hall and nearby restaurant use, a new hardscape path across the park lawn, a decorative water element or fountain, possible flagpole relocation, parking changes to accommodate more park uses leading to a potential loss of up to 35 on-street public parking spaces on the site by disallowing parking within the Plaza de la Guerra loop but continuing to allow deliveries in morning hours, implementing one-way driving and diagonal parking on De la Guerra Street to accommodate 16 more parking spaces on De la Guerra Street, potential designation of up to 10 spaces in the City Hall parking lot for public use, raised roadway surfaces to create a level main park area with no curbs, outdoor dining use expanded into the southwestern corner of the park area, installation of bollards along De la Guerra Street and potentially in other areas of the park to limit vehicle access, landscaping improvements including new perimeter trees in the park, outdoor lighting improvements, and potential signage from State Street to direct pedestrians to the Park.

The purpose of the concept review is to allow the Planning Commission and the public an opportunity to review the potential project components at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the proposals. The opinions of the Planning Commission may change or there may be policy or ordinance changes that could affect the project that would result in requests for project design changes. **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. Historic Landmarks Commission A Historic Landmarks Commission Design Review application is required. (SBMC§22.22.130); and
2. Sign Committee A Design Review application for Sign Committee is required if signage components are included. (SBMC §28.70.030)

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

The Commission approved Staff's request to have the applicant presentation go first.

Marck Aguilar, Redevelopment Specialist, gave the applicant presentation, joined by Doug and Regula Campbell, Campbell and Campbell, Architects; and Dereck Rapp, Principal Engineer, Penfield & Smith.

The applicant team answered the Planning Commission's questions about the potential use of free Wi-Fi in the Storke Placita, stating that there is sufficient electricity available and cited other cities, such as San Francisco that have used it; the decision for preservation of lawn made to make minimal changes to the Plaza; and an explanation of the use of bollards for public safety.

Mr. Aguilar explained the ongoing process and background when asked about the presentation being a product of a three-year Council Subcommittee process.

Heather Baker, Project Planner, responded to the Commission's inquiry, stating that any proposed changes to De la Guerra Plaza would be included in environmental review.

Heather Baker, Project Planner, gave the Staff presentation.

Chair Myers called for a ten minute recess at 2:28 P.M., during Ms. Baker's presentation, to address technical difficulties, and reconvened the hearing at 2:36 P.M. to resume Ms. Baker's presentation.

Chair Myers acknowledged that Commissioner Jacobs would need to leave by 3:00 P.M.

Commissioner Jacobs left the dais at 2:58 P.M., stating that she would follow the hearing via TV-18 and provided her comments. She would like to see the elimination of the lawn, free Wi-Fi offered, and to see the Plaza return to a gathering place.

Staff answered the Commission's questions about the parking stall angles; and what would happen if State Street were to be closed off at a later date; and parking on the easterly direction of de la Guerra Street.

Chair Myers opened the public hearing at 2:51 P.M.

The following people gave their comments to the Commission:

1. Bill La Voie, Historic Landmarks Commission, referenced the book from the Trust for Historic Preservation, Plaza de la Guerra Reconsidered, and noted that there is nothing historic in the current design of the Plaza. The Historic Landmarks Commission unanimously supports the conceptual plan.
2. Dennis Jaffe, Coalition for Sustainable Transportation, Walk Santa Barbara, supports goals of the conceptual plan; suggests doing a survey of people who park in the loop to understand travel/use habits; and asked if the Santa Barbara News-Press (SBNP) could make some accommodations.

3. Patrick O'Dowd, former Chief Curator, Santa Barbara Trust for Historic Preservation, stated that the ten parking spaces in front of City Hall were not historic and should not be added to the parking baseline; gave a brief summary of the Plaza's history, including support by the two former SBNP owners for the Plaza project.
4. Virginia Sato, Kai Sushi, noted trash and lack of sidewalk cleaning in the Plaza; would like to see parking alternatives for the Plaza businesses, and consideration for handicap access. Stated that the Plaza really does need change. Expressed concern about open drug use and homeless people who frequent the Plaza.
5. Frank Hotchkiss believes that the Plaza is the heart of the City and should be a draw for the public, but also notes that closure of the Plaza to parking would limit easy access to buildings on the Plaza perimeter. Suggests adding commerce, or using the Plaza for periodic festivals, exhibits, and ongoing attractions, such as a sculpture, floral or succulent garden. The plan being considered does not address these points.
6. Barry Capello, representing Ampersand, the parent company of SBNP, believes that the Commission should make planning decisions that are good for the citizens of Santa Barbara and that should include consideration of the history of the Plaza. Proposed plan concepts do not deal with the reality of getting to City Hall or to the businesses surrounding the Plaza. Asked who will pay for the potential Wi-Fi. Asked about the loss of parking and suggested that parking at City Hall be considered for loss of parking.
7. Meagan Williams stated she and her friends like the current Plaza with improvements; do not turn into a theme park; parking removal will result in more vagrancy.
8. Lloyd Albright has seen many plans in the past for De la Guerra Plaza and believes that this plan will impact the perimeter businesses if the Plaza is shut off from vehicular access. Has not heard, and would like to hear, about the estimated costs for this project. Believes that we should fix current streets in Santa Barbara instead.
9. Marc Phillips brought enlarged historical pictures of De la Guerra Plaza and listed ten reasons he feels that the Plaza is beautiful as it stands and that the proposed plan is an unnecessary expense of resources. The vehicular access is historical and a fine example of early California planning. The Plaza is beautiful and should be kept the way it is and maintained, but not changed.
10. Harold Hattier is opposed to blocking off the Plaza to traffic and altering the present design of the Plaza. The only changes he would like to see would be to fix the sidewalks and improve lighting. Urged enforcement of trash rules. Agrees with other speakers about the loss of parking impacting adjacent businesses.
11. Michael Self opposes the removal of parking and vehicular access. Would like to see the public area of the Plaza cleaned up and made safer for the public.
12. Phoebe Alexiades (not present, but Chair Myers read comments into record) does not support closing off De la Guerra Plaza and believes it should retain the historic setting it has now.
13. Terry Tyler does not support the project and feels that we need to be responsible about the unknown costs given the economy. Suggest that there be security cameras present to control the drug problems present in the Placita.

14. Lanny Ebenstein feels that the elimination of the vehicular access would impact civic and business access. Supports minor improvements such as electrical needs, but not loss of historical character; the current Plaza should be designated as a landmark.
15. Dennis Rickard stated that this project has been fought before and was taken away from the De la Guerra Plaza Committee. Noted a conflict in the consultant also being on the Board for the Historic Preservation. His family owns the adobe on the corner of Anacapa and De la Guerra Streets. Wants to know if the present owner's property taxes will increase to pay for the plan that they do not want. Closing the Plaza will increase the vagrancy that exists now.
16. James Main, Main Fine Art, has a petition of 60 other businesses that oppose the plan and do not want to see an increase in events, lack of circulation, and impact of business. A fountain added to the Plaza would increase vagrancy. Would support widening of sidewalks on State Street side and the loss of a few parking spaces.
17. Alan Howard, small business owner nearby, is opposed to the plan and would be impacted by the loss of the right hand turn. His customers would have to walk two blocks to get to his store that sells furniture and art. Customer would not be able to load furniture and risk being ticketed. Only common carriers would be able to use street loading zone. Expressed concern that a fountain in Storke Placita would make vagrancy worse and that closing the Plaza to traffic would result in a dead zone. Did not support additional events.
18. Cas Stimson, Old Spanish Days, needs as much space as possible available in the Plaza and does not want the trees to be part of the project. The berms, curb cuts, trees, and bollards would impact the ability to bring service vehicles to the festival booths. Bollards should be removable, if used, to maintain access. The water feature is extremely dominant and projects to the street; would impact the mercado's booths in the evening. Would like to see utilities (waste, water, electricity) improved.
19. Bonnie Raisin opposes the Plaza plan and use of taxpayers and general fund monies. Would like to see the Plaza become ADA accessible and eliminate visual clutter. Sidewalk widening not needed.
20. Kellum de Forest praised the consultant's design. The Historic Structures and Environmental Impact Reports will bring insights on the project's impact to the area. Handicap access is needed to City Hall and the Santa Barbara News-Press.
21. David Crosby, was unable to remain for the hearing. Chair Myers read his opposition to changes in the Plaza into the record.
22. Jarrell Jackman, Executive Director, Trust for Historic Preservation, wanted to be clear that the trust is not opposing closure of the Plaza to parking, but it doesn't have to be closed and has not yet reviewed the plans. Supports handicapped access to City Hall and SBNP. Suggested seriously considering the 1924 plan for the Plaza.
23. Dale Francisco feels that the elimination of parking should be the lowest priority concern. States that we already have pedestrian access to the Plaza and the low vehicle speeds maintain pedestrian safety. Believes that we should improve the Plaza, but not eliminate what is already there. Asks the Commission to be open to the community in its desires. Concerned with the reality of how the plan would be

implemented in Santa Barbara and the reduction of vitality that a closure would bring.

24. Scott Wynn, Cars Are Basic, opposed to plan. Feels that the plan is an attempt to create something that is not here and the elimination of cars will impact businesses, resulting in movement or closure. Referenced what happened in Portland when downtown was closed off and businesses moved off to suburbs. States that bicycle numbers in the City have dropped, not increased since 1973, based on City data.
25. Maria Arroyo, Downtown Organization, read letter into the record submitted on behalf of William Duvall, President, asking that improvements be made to the infrastructure of De la Guerra Plaza, but not change the circulation and parking.

With no one else wishing to speak, the public hearing was closed at 4:03 P.M.

Commissioner's comments:

1. One Commissioner could not see where the motivation for making changes is coming from, given the public comments made.
2. Some Commissioners do not want to see turf grass, given the need for water, maintenance, and the contradiction with sustainability; prefers permeable paving, consistent with 1924 materials, be used. More conducive to making events in the Plaza work. Believes that trees and planters can be added without the need for grass. Other Commissioners support retaining most or all of lawn.
3. Most Commissioners do not support closure and elimination of parking, a design can be worked out that is supported by local businesses, as required by the Circulation Element policy.
4. Most Commissioners felt that electrical needs must be resolved, with one Commissioner suggesting the relocation of electrical transformer hardware.
5. Many Commissioners felt that refuse enclosures need to be provided. One Commissioner felt that there needs to be more than one trash area. One Commissioner suggested that a small number of parking spaces on the westerly side could be lost to install a trash enclosure that is convenient to businesses and doesn't block pedestrian access.
6. A study of where people are actually walking will help determine where walkways should go. One Commissioner felt that pedestrian access is needed, and could be improved by not having so much lawn.
7. Many Commissioners felt that even though economics are not part of the Planning Commission's purview, did not understand why major renovation of the Plaza should be considered, given existing budget issues.
8. Dilemma over clarification of the street is a result of this property being a City Park that has transformed into a street. The General Plan calls for general agreement of the effective business owners and property owners; that is not present. One Commissioner sees a time for redevelopment coming about when the SBNP and the City parking lot come together to allow for connectivity to the Plaza and State Street; otherwise does not see cars being removed from the Plaza.

9. Some Commissioners did not support the decorative water element. One Commissioner commented regarding maintenance associated with standing water; suggested other options be considered that did not include standing water.
10. Improvements need to be in sync with Old Spanish Day's Fiesta activities.
11. Does not see how the elimination of a few parking spaces could allow better pedestrian activity, but thinks that the improvements and connectivity sound reasonable.
12. One Commissioner feels that De la Guerra Plaza wants to be a proper plaza. This concept project is premature; the larger vision needs to come about for addressing the parking issues, beyond diagonal parking on De la Guerra Street, in order to gain consensus from business owners and pedestrians. This started as a fix-it project and has grown to far more.
13. Concerned with one way access on street, without having addressed the parking. Concerned with creation of a dead zone that diagonal parking could bring. Felt that we should not be in the business of providing outdoor dining for adjoining businesses, but should improve ways of handling the paving; to have a dedicated street makes it difficult to have multiple uses.
14. Bollards are not friendly and send message that you are in a danger zone between cars and pedestrians.
15. Outdoor lighting needs to be attractive and address safety.
16. The proposal presented is well intended, represents visionary approach as opposed to a needs-based approach; the needs-based approach is the only way we can go about this project.
17. De la Guerra Plaza needs to be revitalized to become an attractive place to go, to pass through, and an attractive place to interact. It once offered this kind of place, but does not at the present time due to the vagrants on-site. Connections are needed for the public to interact with each other; government; and all surrounding institutions around De la Guerra Plaza.
18. Fire access and truck access are a critical determinant in circulation considerations. Would like to see fewer cars parked around the Plaza, but does not see that we are at a point where that can happen now.
19. Likes the idea of keeping grass; a sense of oasis that attracts people. Supports inclusion of succulent gardens, but only if need-based.
20. One Commissioner felt that if/when we get to an EIR; alternatives need to be analyzed for how to manage parking resources, not only at the Plaza, but also in the City parking lot and SBNP parking lot. Collaboration is necessary among all parties.

Staff stated the next step is to go to City Council for direction based on the comments received.

Mr. Aguilar thanked the Commission and will take the comments to the City Council Subcommittee before going to City Council for consideration of a Scope of Work for Plaza improvements.

Chair Myers called a recess at 4:31 p.m.

**IV. ADMINISTRATIVE AGENDA**

D. Committee and Liaison Reports.

None were given

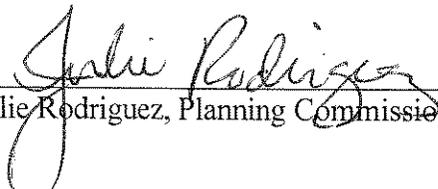
E. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.

None were requested.

**VII. ADJOURNMENT**

Chair Myers adjourned the meeting at 5:18 P.M.

Submitted by,

  
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Julie Rodriguez, Planning Commission Secretary

