

DRAFT

City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

March 13, 2008

CALL TO ORDER:

Chair George C. Myers called the meeting to order at 1:05 P.M.

ROLL CALL:

Present:

Chair George C. Myers

Vice-Chair Stella Larson

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

STAFF PRESENT:

Jan Hubbell, Senior Planner

N. Scott Vincent, Assistant City Attorney

Peter Lawson, Associate Planner

Stacey Wilson, Associate Transportation Planner

Chelsey Swanson, Assistant Transportation 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.

Ms. Hubbell announced that the 1236 San Andres Street appeal was not upheld by the City Council on Tuesday and that the Planning Commission decision was upheld.

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

Chair Jacobs opened the public hearing at 1:06 P.M. and heard the following speakers:

1. Chris Wilkinson acknowledged appreciation for the work of the Commission and started to discuss the project before the Commission today. Chair Myers stated that Mr. Wilkinson was out of order.
2. Tony Fischer spoke to the Commission with concerns over 'expired' concept comments given to other review boards before being seen by the Planning Commission. Recommended policy change for projects that have not received current comments from the other review boards.

With no one else wishing to speak, Chair Myers closed the hearing at 1:13 P.M.

II. CONTINUED ITEM:

ACTUAL TIME: 1:13 P.M.

This following item was previously noticed for January 17, 2008, continued to February 7, 2008, and rescheduled for March 13, 2008.

RECUSALS: To avoid any actual or perceived conflict of interest, the following Commissioners recused themselves from hearing this item:

1. Commissioner Jacobs recused herself due to her husband's firm has representing the client.
2. Commissioner White recused himself due to the applicant being a client of his for an extended period of time.
3. Commissioner Bartlett recused himself due to a longstanding personal and business relationship with the applicant.

Commissioners Jacobs, White, and Bartlett left the dais at 1:13 P.M.

EX PARTE COMMUNICATION: Commissioner Larson disclosed communication with the applicant to clarify building height.

APPLICATION OF JEFF GORRELL ARCHITECT FOR JOHN PRICE, APPLICANT, 1298 COAST VILLAGE ROAD, 009-230-043, C-1 & R-2 ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL (MST2004-00493)

The proposed project involves the demolition of an existing gas station with two repair bays and the construction of a new mixed use building. The new 18,196 square foot mixed use building would be comprised of eight residential condominiums and approximately 5,000 square feet of commercial space, located on the ground floor. All of the residential units would be located on the second and third floors. Five residential units would include two bedrooms, two units would include one bedroom each and one unit would include three bedrooms. Approximately 38 parking spaces are provided, with nine covered parking spaces located at grade level and 29 parking spaces located below grade. Grading would be approximately 9,500 cubic yards of cut and 1,500 cubic yards of fill.

Currently, the 18,196 square-foot lot is split by two zoning designations; the northern portion, totaling approximately 7,150 square feet, is zoned R-2, and the southern portion, totaling about 11,046 square feet, is zoned C-1. The Planning Commission initiated re-zoning the portion of the subject property zoned R-2 (Two Family Residential) to C-1 (Limited Commercial) on April 7, 2005. The entire property is located in the Coastal Overlay (SD-3) Zone, which would not change with this request.

The discretionary applications required for this project are:

1. A recommendation to City Council for Zoning Map Amendment to change the zoning from R-2, Two-Family Residential, to C-1, Commercial Zone District (SBMC §28.92.080.B);
2. A recommendation to the City Council for a Local Coastal Program Amendment to change the zoning to match the Local Coastal Plan designation of General Commerce.
3. A Modification to allow a portion of the building to encroach 7 feet into the required 17 foot northern interior yard setback (SBMC §28.92.110.A.2);
4. A Modification to allow the 10% common open space to be located above the ground floor level (SBMC §28.92.110.A.2);
5. A Modification to allow one second floor covered balcony to encroach 3 feet 6 inches into the 10 foot front yard setback on Coast Village Road (SBMC §28.92.110.A.2);
6. A Modification to allow the emergency stair way to encroach up to 9 feet 2 inches into the 10 foot front yard setback on Olive Mill Road (SBMC §28.92.110.A.2);
7. A Coastal Development Permit (CDP2005-00003) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060);
8. A Development Plan to allow the construction of 5,000 square feet of nonresidential development (SBMC §28.87.300);
9. A Tentative Subdivision Map for a one-lot subdivision to create eight (8) residential condominium units and one (1) commercial unit (SBMC 27.07 and 27.13);

The Planning Commission will consider approval of the Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

Case Planner: Peter Lawson, Associate Planner
Email: plawson@santabarbaraca.gov

Peter Lawson, Associate Planner, gave the Staff presentation.

Staff answered Planning Commission questions about clarification of the two parcels creating zoning splits on a single parcel; clarification of the two parcels with a single assessor number, plan for the accessory building on the neighboring lot crossing the project

lot line; clarification of Measure E allocations referenced in Staff Report; and clarification of conditions of approval found in the Staff Report. Additional questions were answered about wheel chair accessibility on Coast Village Road and proposed changes to the median; and a review of valet-only parking restrictions.

Jeff Gorell, Lenvik and Minor Architects, gave the applicant presentation, joined by Scott Schell, Associate Traffic Engineers and Sam Maphis, Landscape Architect.

Mr. Gorrell answered Planning Commission questions about plans for solar photo-voltaic panels on the roof; location of trash receptacles; and considerations for terminating sidewalks further south to allow for service vehicles, such as the trash companies.

Chair Myers stated that there are 200 letters received by the Commission and approximately 4 to 1 ratio in favor of the project. Public hearing opened at 2:49 P.M.

The following people spoke in support of the project:

1. Leone Murphy
2. Frank Viera
3. Ernie Sandoval
4. Masoud Emamy
5. Jeff Overeem
6. David Pintard
7. David Reardon
8. Ed Edick
9. Sean Checketts
10. John Lane
11. Hewson Gadsby
12. Jaime Melgoza, could not stay, but expressed support for the project.
13. Brad Foley
14. Linda Uellner
15. Peter Richards could not stay, but expressed support for the project.
16. Brian Richards
17. Susan Subject could not stay, but expressed support for the project.
18. Todd Berlinger
19. Michael Silva
20. Brian Barnwell could not stay, but expressed support for the project.
21. Alex Weathers could not stay, but expressed support for the project.
22. Roy Handleman could not stay, but expressed support for the project.
23. Kevin Goodwin could not stay, but expressed support for the project.
24. Mike Underwood
25. Kathy Odell
26. Mike Viera could not stay, but expressed support for the project.
27. Richard Berti
28. Rob Vance

29. John Bull
30. Scott Perry
31. Darren Wilson

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

1. Derrick Westin, representing Sandy and John Wallace, reminded the Commission that the zone change is discretionary. Due to opposition by the Montecito Association and Salud Carbajal's office, the project should be denied. He asked that the project be submitted to the Montecito Planning Commission given that the majority of the neighboring area is in the County. Encourage a long range plan to be developed for the area. A focused EIR should be prepared and the Negative Declaration is not correct due to the fact that the City standards are being applied, which is not appropriate. Size, bulk, and scale are not appropriate for the neighborhood. Project should be developed to current R-2 zoning. Concerned with the ficus hedge that would separate properties and suggested that it be lowered.
2. Bob Acknefeckie, Environmental Law Attorney, spoke to the water supply analysis and made three points: 1) There have been a number of changes to the original Mitigated Negative Declaration (MND) on water usage numbers and, at a minimum, the (MND) should be recirculated to contain the new information; 2) The revised Negative Mitigated Declaration does not address availability of water; and 3) there is not an analysis of water supplies; provides a fair argument that there needs to be an Environmental Impact Report (EIR). Looking at other projects approved in the Montecito Water District service area is hearsay and does not provide concrete evidence that there is available water.
3. Jeff Farrell, neighbor, would like to retain 'village' character of the neighborhood. A zoning modification would need findings that have not been seen. Would like to see a smaller version of the project that did not violate the zoning and setback ordinances; project requires an EIR.
4. John Wallace, immediate neighbor, submitted pictures, and expressed concern about the modifications requested; specifically, the northern setback causing an impact on privacy. Further, the hedge will not survive the development and replacement with 5 gallon trees is not appropriate. He would like to see a shorter project developed in keeping with a 30'ft proposed limit. The interior courtyard makes the building look larger. Encourages the Commission to make history and preserve the neighborhood character.
5. Lloyd Applegate, Coast Village Road Business Association, feels that development on Coast Village Road needs to be consistent with the future Vision Plan.
6. Jim Kahan, Friends of Outer State Street, submitted a letter and spoke to the Commission about the 30'ft restriction in single family residence zoning areas. The Tentative Map must be consistent with Zoning Laws, the Coastal Plan and the General Plan. The ABR did not state that the project is compatible with the neighborhood.

7. Naomi Kovacs, Executive Director, Citizens Planning Association, expressed concerns about traffic. The project requires a full EIR, not a Mitigated Negative Declaration.
8. Judy Orias, Allied Neighborhood Association, does not believe that Commission can make findings that this is good zoning practice. Concerned with the height; residential zones in the area are under siege; the project is not compatible with the neighborhood. Asked for an EIR to be done.
9. Phoebe Alexiades, speaking for Martha Kay, who opposed the project's height, density and traffic impact in this area. Cited a waterfall that can only be viewed from that corner. This building cannot be compared with the Montecito Inn that has historical significance to the community and was built in the 1920's. The Montecito Inn is the only building with a visible third story from Coast Village Road. Does not see a need for 8 new condos when there are currently 17 vacant new condos in Montecito and 74 condos currently on the market in the South Coast, not including Goleta and Carpinteria. Read a notice from her Montecito Water District bill asking residents to reduce their water consumption by 10%.
10. Michele Michaelson, left Chambers, but was opposed, saying that the project was too large in scale for the neighborhood. Ms. Michaelson returned to Chambers and added that the public view need to be considered, much of it has been lost to walls and hedges over time.
11. Judith Eshkanian, encouraged Mr. Price to stay within the City's zoning limits and build a remodeled gas station.
12. Sally Jordan asked that the Commission grant no modifications. Expressed concern for impeding the view for drivers at the intersection from five streets and potential need for a streetlight that would further impact traffic. Also expressed concern for public safety that would be impacted by the traffic to Olive Mill Road, which is one of two main arteries to the area; would impact access by fire, sheriff, and emergency vehicles.
13. Delfina Mott would support a 2-story building, but not the proposed 3-story project. Development of this project would have 3rd story occupants looking into her residence and vice-versa. Concerned with construction impacts once the project starts.
14. Robert Miller stated that this area was not always a part of the City of Santa Barbara, only later annexed for sewer access; would like consideration for retaining its Montecito character.
15. Jane Van Dyke Deering just relocated to Montecito for the village character. Does not see how Montecito Inn could be compared to the proposed project. Each has a different profile and different backdrops. The Montecito Inn serves as a noise barrier; the proposed project would not. Wants preservation of mountain views.
16. Roxanne Nomurra requests an EIR. She works in neighboring building and would not only lose all views, but would have project imposing on her window.
17. Joe Atwell challenged the consultant's traffic report stating that it was created using data from a San Diego matrix. There are only two gas stations. Removing one would increase traffic. Would like to see a local traffic study done.
18. Martha Maxi Decker could not stay but wants a lower building.

19. Danny Copus expressed concern over significant public view loss. Concerned with traffic increase.
20. Juergen Boehr, neighbor, concerned with size, bulk and scale of the project. Ficus hedge will be impacted by either loss or damage and will impact the neighbor's privacy. The project will cast a large shadow over the gateway to the community. Concerned with construction parking that is not in the City's purview and would impact parking on the County side of Olive Mill Road. Would like to see project reduced and parking on Olive Mill Road made off limits to construction workers.
21. Sally Kinsell echoed the size, bulk and scale concern, but was even more concerned with the traffic impacts and circulation. She recapped existing traffic concerns on Olive Mill Road and suggested that the applicant reconsider the entrance on Coast Village Road.
22. Kathleen Lauriau could not stay but is opposed to the project, stating that there should be a 2-story height limitation for Coast Village Road.
23. Jerre Stetson could not stay but expressed that the building is too big.
24. Bill Palladini, President, Montecito Association, had concerns with the proposed building and believes that there are other options for the property. Appreciates that Mr. Price and Mr. Gorrell attended the meetings and provided information to the Association. Concerned with the impact on Montecito and the surrounding neighborhoods; traffic impacts to Coast Village Road and Olive Mill Road intersection; water usage; and blockage of mountain views. There are other options for developing the site, including a park or leaving it as a gas station. Requests that the Commission not approve project as proposed and suggests a revised project. Would like to see a comprehensive plan for Coast Village Road that would address parking, height and design. Montecito Association would like to participate in that process. Consistent with a letter sent by Supervisor Carbajal's office to Mayor Blum, this project should be reviewed by the Montecito Planning Commission
25. Paul Dinkel believes that we should maintain current regulations.
26. Henry Kinsell could not stay, but felt that the project would increase car density
27. Marco Ferrell, speaking on behalf of Sybil Roberts, spoke for 'Save Coast Village Road'. He submitted a printout of an online petition with 172 signatures against the project, excluding "spam" signatures.
28. Chris Wilkinson could not stay, but opposed current project and negative impacts on his residence.
29. Thomas Bollay, former City of Santa Barbara Historic Landmarks Commissioner, expressed concern for the size of the three stories and the mass, bulk, and scale of the project. Stated that when you no longer have all of your parking below grade and need to put some parking at grade, then the Floor Area Ratio (FAR) explodes. Suggested a redesign to get all the parking below grade to reduce the size, bulk, and scale to create an El Paseo type building.
30. Christina Allison was concerned with the potential impact of traffic gridlock on Coast Village Road and the impact on public safety during an emergency.
31. Doris Kuhns was concerned with the impact on Olive Mill Road with delivery trucks and use of the entry and exit. Very concerned with potential parking issues by construction workers using Olive Mill Road.

32. Jim Westby was most concerned with the preservation of the existing charm of Coast Village Road, the loss of open space, and the use of modifications and rezoning to accommodate the project.
33. Holly Makenna could not stay, but was concerned with more traffic, more congestion, blockage of mountain views, loss of small village feeling, and not holding fast to City regulations.
34. Deborah Branch, Tennis Shop of Montecito, feels that the building is too large and not compatible with the neighborhood. Believes that there should be two gas stations on Coast Village Road.
35. Diane and James Giles could not stay, but expressed concern for the size of the project and the setbacks.
36. Dick Thielscher could not stay, but felt that the project did not meet requirements of Montecito.
37. Michael Self could not stay, but felt that the City should not continue granting zoning changes and modifications.
38. Dennis Ohanian could not stay, but is against the construction project and felt that it would be blight on Coast Village Road.
39. Rob McGee could not stay, but felt that it would bring too much traffic and blocked views.
40. Harold Hattier expressed concern that all Santa Barbara development is increasing in size. He is opposed to this project and feels that it is too big. Would support a gas station on the location.
41. Michael Vance lives on the eastern side of Olive Mill Road and expressed concern about building within a flood zone.
42. A person with the initials WFM could not stay, but left a note opposing the project because it added to the abundance of available commercial and residential units in a poor economy.

Courtney Dietz, Walk Santa Barbara, was still gathering information on the project and could neither support, nor oppose the project, but commented that the project increased pedestrian walkability.

Public comment speaker slips were also submitted by the following persons could not stay and who did not indicate support or opposition on the speaker slip:

1. William Northrup: Project economically inadvisable
2. Barbara Garner: Concerned with traffic flow, poor site lines, and increasing potential for traffic accidents.
3. Kellum de Forest.
4. Linda Macneil

Ms. Hubbell informed the Commission of two phone calls that were received by Staff in support of the project; Amy Ruiz and Meagan Wooton.

With no one else wishing to speak, the public hearing was closed at 5:20 P.M.

Chair Myers called a recess at 5:20 P.M and reconvened at 5:35 P.M.

Chair Myers gave the applicant and his team the opportunity to address public comment:

Scott Schell, ATE, responded to the Commission on some of the public's concerns over the methodology that was used in the traffic analysis. The proposed driveway will be out of the busy intersection. The morning trips will be from residential use.

Doug Fell informed the Commission that the property is miszoned, and the R-2 portion of the property is not consistent with the General Plan and Local Coastal Plan designation of General Commerce. Therefore, the request for rezoning is to be consistent with the General Plan and the Coastal Zoning Plan.

Bill Spiewak, Arborist, stated that the ficus trees are cut back to the edges of the sidewalk and have surprisingly survived. He does not believe that the project will significantly impact the roots of the trees as there will be additional planter area for the trees as part of the landscape plan. He also noted that the ficus trees have been severely cut back at an angle to the property line on the north side and should be trimmed further on the south side to provide balance to the trees. The two Eucalyptus trees will not decline due to tree protection measures that are proposed.

Ms. Hubbell stated that, if the front balcony was uncovered that it would not require a modification. Stated that the traffic engineer hired by the opponents of the project and the project traffic engineer are both in agreement on the traffic analysis related to trip reduction. Spoke to the difficulty or infeasibility of canyonization of Coast Village Road, due to the current, existing built environment that is currently at or beyond the maximum allowable height. Ms. Hubbell stated that a park could not be considered due to City's inability to financially maintain any new park. Also, while the City could not condition the parking on Olive Mill Road, the applicant could be encouraged to work with the County on the parking issue. Staff can include conditions that there would be no construction parking within the residential neighborhood.

Mr. Vincent spoke to the water supply concerns and how Staff analyzes the water supply based on the whole record. Staff has corrected all misinformation on water usage on this project and identified that the overall increase of water would be very small. The Montecito Water District acknowledges that it continues to supply its customers with water, even in a low rain fall year. Further, the District has not rescinded their can and will serve letter. It is appropriate to look at other projects within the District for staff's analysis to determine whether there is an adequate supply.

Staff answered additional Planning Commission questions about researching any agreement that was part of the annexation of Coast Village Road which required new development to be approved by a vote of the people. Staff responded to the request by the 1st District Supervisorial Office to submit the project to the Montecito Planning Commission for

comments. There has been input by Montecito Association on this project on several occasions. Staff stated that review by another agency would set a precedent, and it needs to be considered on a more global basis, since the City borders Montecito on several areas. Further, the Montecito Planning Commission would need to review the project based upon the City's regulations, not the County regulations..

The Commissioners deliberated on requesting a continuance to review all the material received, including information distributed during the course of the hearing, for a future discussion, deliberation, and decision.

Staff asked the Commission to provide direction on what additional information they would expect if the item was continued. Staff agreed to provide the Commission with additional information on flooding, and any agreements associated with the original annexation of Coast Village Road.

Mr. Fell asked that the public comment be closed if a continuance were issued.

Commissioners asked that they not be contacted in support, or opposition, to the project and that all discussion take place publicly in the hearing.

MOTION: Jostes/Larson

Continued the project to March 20, 2008 noting that the public hearing on the project has been closed. The continuance of the meeting will be to consider all of the information provided up to and during the hearing and, at the next meeting, to address the issues posed for the project.

This motion carried by the following vote:

Ayes: 4 Noes: 0 Abstain: 0 Absent: 3(Bartlett, Jacobs, White)

III. ADMINISTRATIVE AGENDA

MOTION: Jostes/Larson

Continue the Administrative Agenda to March 20, 2008.

This motion carried by the following vote:

Ayes: 4 Noes: 0 Abstain: 0 Absent: 3 (Bartlett, Jacobs, White)

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.

None were requested.

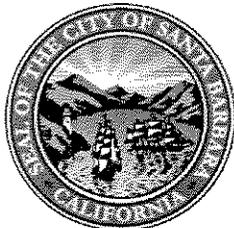
VII. ADJOURNMENT

Chair Myers adjourned the meeting at 6:03 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary

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City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

March 20, 2008

CALL TO ORDER:

Chair George C. Myers called the meeting to order at 1:05 P.M.

ROLL CALL:

Present:

Chair George C. Myers
Vice-Chair Stella Larson
Commissioners John Jostes and Addison S. Thompson

Absent:

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

STAFF PRESENT:

Jan Hubbell, Senior Planner
N. Scott Vincent, Assistant City Attorney
Rob Dayton, Principal Transportation Planner
Steve Foley, Supervising Transportation Planner
Peter Lawson, Associate Planner
Stacey Wilson, Associate Transportation Planner
Chelsey Swanson, Assistant Transportation 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.

Ms. Hubbell announced that Deborah Hughey, Planning Technician, is leaving the City to work for the Montecito Sanitary District.

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

Chair Myers opened the public hearing at 1:06 P.M. and, with no one wishing to speak, the hearing was closed.

II. **CONTINUED ITEM:**

ACTUAL TIME: 1:06 P.M.

The following item was continued from March 13, 2008.

RECUSALS: To avoid any perceived conflict of interest, the following Commissioners recused themselves from this hearing:

1. Commissioner Jacobs recused herself due to her husband's law firm having represented the applicant in the past on an unrelated matter.
2. Commissioner White recused himself due to the applicant being a client of his for an extended period of time.
3. Commissioner Bartlett recused himself due to his architectural firm having the applicant as a client on a project in another city.

APPLICATION OF JEFF GORRELL ARCHITECT FOR JOHN PRICE, APPLICANT, 1298 COAST VILLAGE ROAD, 009-230-043, C-1 & R-2 ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL (MST2004-00493)

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Currently, the 18,196 square-foot lot is split by two zoning designations; the northern portion, totaling approximately 7,150 square feet, is zoned R-2, and the southern portion, totaling about 11,046 square feet, is zoned C-1. The Planning Commission initiated rezoning the portion of the subject property zoned R-2 (Two Family Residential) to C-1 (Limited Commercial) on April 7, 2005. The entire property is located in the Coastal Overlay (SD-3) Zone, which would not change with this request.

The discretionary applications required for this project are:

1. A recommendation to City Council for Zoning Map Amendment to change the zoning from R-2, Two-Family Residential, to C-1, Commercial Zone District (SBMC §28.92.080.B);

2. A recommendation to the City Council for a Local Coastal Program Amendment to change the zoning to match the Local Coastal Plan designation of General Commerce.
3. A Modification to allow a portion of the building to encroach 7 feet into the required 17 foot northern interior yard setback (SBMC §28.92.110.A.2);
4. A Modification to allow the 10% common open space to be located above the ground floor level (SBMC §28.92.110.A.2);
5. A Modification to allow one second floor covered balcony to encroach 3 feet 6 inches into the 10 foot front yard setback on Coast Village Road (SBMC §28.92.110.A.2);
6. A Modification to allow the emergency stair way to encroach up to 9 feet 2 inches into the 10 foot front yard setback on Olive Mill Road (SBMC §28.92.110.A.2);
7. A Coastal Development Permit (CDP2005-00003) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060);
8. A Development Plan to allow the construction of 5,000 square feet of nonresidential development (SBMC §28.87.300);
9. A Tentative Subdivision Map for a one-lot subdivision to create eight (8) residential condominium units and one (1) commercial unit (SBMC 27.07 and 27.13);

The Planning Commission will consider approval of the Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

Case Planner: Peter Lawson, Associate Planner
Email: plawson@santabarbaraca.gov

Peter Lawson, Associate Planner, gave the staff presentation and outlined changes to the Conditions of Approval.

Staff responded to questions about where construction workers would park and the letter from the Montecito Water District.

Commissioners' Comments:

1. The Commission has reviewed the project three times; thought the rezoning was appropriate then and continues to think so; the applicant responded well to the Concept review in 2006. Zoning needs to be consistent with the General Plan – standard of planning practice and theory; noted that the General Plan includes no buffer between the Commercial designation and adjacent property as is sometimes the case in other areas; also noted that C-1, Limited Commercial, Zone allows a lower density and intensity of uses and a lower height than the C-1, Commercial Zone in the Downtown; finally noted the allowed height is 45 feet and the applicant proposes 35 feet maximum height.

2. Reviewed the project against the Urban Design Guidelines and conclude the Guidelines are met and that project improves the relationship to Coast Village Road. Project is about the lowest three-story structure possible and architecture is to be commended. Project has great pedestrian scale and gracious architecture.
3. Commissioners agreed with the use of a Mitigated Negative Declaration, prepared using Master Environmental Assessment thresholds and methodologies consistently used by the City.
4. Commissioners agreed that the setback modification for the balcony is fine, noting that no modification would be required if it were not covered.
5. One Commissioner noted that a 60-year-old gas station is not the optimum use for the site.
6. Project will provide a real benefit by adding on-street parking along Coast Village Road.
7. Modification to allow some of the 10% open space requirement on the second floor is acceptable; however, the interior courtyard does push square footage to the street and increases the bulk of the building.
8. Two Commissioners indicated the setback modification on Olive Mill Road is questionable, especially where the stair turns.
9. One Commissioner also stated the northerly setback should be met on at least the second floor and, preferably, the first floor too.
10. One Commissioner supported some setback modification on the north side, but not as much as proposed.
11. One Commissioner expressed concern about trash pickup and bus stop on Olive Mill Road near a busy intersection.

STRAW VOTE: Jostes

Approve a Modification of the northern setback.

This motion failed by the following vote:

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

STRAW VOTE: Thompson

Approve a Modification to allow the emergency stair way to encroach up to 9 feet 2 inches into the 10 foot front yard setback on Olive Mill Road.

This motion failed by the following vote:

Ayes: 1 Noes: 3 (Myers, Jostes, Thompson) Abstain: 0 Absent: 3 (Bartlett, Jacobs, White)

MOTION: Thompson/Jostes

Approve the project, making the findings in the Staff Report and Conditions of Approval, with the modifications excluding modification #6 for the emergency stairway on Olive Mill Road and return to the Architectural Board of Review for a redesign of the Olive Mill Road elevation.

Assigned Resolution No. 012-08

This motion carried by the following vote:

Ayes: 3 Noes: 1 (Myers) Abstain: 0 Absent: 3 (Bartlett, Jacobs, White)

Chair Myers announced the ten calendar day appeal period.

Mr. Fell asked for clarification of the motion by the Commission.

III. ADMINISTRATIVE AGENDA

MOTION: Larson/Thompson

Continue the Administrative Agenda to April 10, 2008 for a complete Commission.

This motion carried by the following vote:

Ayes: 4 Noes: 0 Abstain: 0 Absent: 3 (Bartlett, Jacobs, White)

IV. ADJOURNMENT

Chair Myers adjourned the meeting at 1:56 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

March 20, 2008

CALL TO ORDER:

Chair George C. Myers called the meeting to order at 1:05 P.M.

ROLL CALL:

Present:

Chair George C. Myers
Vice-Chair Stella Larson
Commissioners John Jostes and Addison S. Thompson

Absent:

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

STAFF PRESENT:

Jan Hubbell, Senior Planner
N. Scott Vincent, Assistant City Attorney
Rob Dayton, Principal Transportation Planner
Steve Foley, Supervising Transportation Planner
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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 that Deborah Huey, Planning Technician, is leaving the City to work for the Montecito Sanitary District.

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

Chair Myers opened the public hearing at 1:06 P.M. and, with no one wishing to speak, the hearing was closed.

II. CONTINUED ITEM:

ACTUAL TIME: 1:06 P.M.

The following item was continued from March 13, 2008.

RECUSALS: To avoid any perceived conflict of interest, the following Commissioners recused themselves from this hearing:

1. Commissioner Jacobs recused herself due to her husband's law firm having represented the applicant in the past on an unrelated matter.
2. Commissioner White recused himself due to the applicant being a client of his for an extended period of time.
3. Commissioner Bartlett recused himself due to his architectural firm having the applicant as a client on a project in another city.

APPLICATION OF JEFF GORRELL ARCHITECT FOR JOHN PRICE, APPLICANT, 1298 COAST VILLAGE ROAD, 009-230-043, C-1 & R-2 ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL (MST2004-00493)

The proposed project involves the demolition of an existing gas station with two repair bays and the construction of a new mixed use building. The new 18,196 square foot mixed use building would be comprised of eight residential condominiums and approximately 5,000 square feet of commercial space, located on the ground floor. All of the residential units would be located on the second and third floors. Five residential units would include two bedrooms, two units would include one bedroom each and one unit would include three bedrooms. Approximately 38 parking spaces are provided, with nine covered parking spaces located at grade level and 29 parking spaces located below grade. Grading would be approximately 9,500 cubic yards of cut and 1,500 cubic yards of fill.

Currently, the 18,196 square-foot lot is split by two zoning designations; the northern portion, totaling approximately 7,150 square feet, is zoned R-2, and the southern portion, totaling about 11,046 square feet, is zoned C-1. The Planning Commission initiated re-zoning the portion of the subject property zoned R-2 (Two Family Residential) to C-1 (Limited Commercial) on April 7, 2005. The entire property is located in the Coastal Overlay (SD-3) Zone, which would not change with this request.

The discretionary applications required for this project are:

1. A recommendation to City Council for Zoning Map Amendment to change the zoning from R-2, Two-Family Residential, to C-1, Commercial Zone District (SBMC §28.92.080.B);

2. A recommendation to the City Council for a Local Coastal Program Amendment to change the zoning to match the Local Coastal Plan designation of General Commerce.
3. A Modification to allow a portion of the building to encroach 7 feet into the required 17 foot northern interior yard setback (SBMC §28.92.110.A.2);
4. A Modification to allow the 10% common open space to be located above the ground floor level (SBMC §28.92.110.A.2);
5. A Modification to allow one second floor covered balcony to encroach 3 feet 6 inches into the 10 foot front yard setback on Coast Village Road (SBMC §28.92.110.A.2);
6. A Modification to allow the emergency stair way to encroach up to 9 feet 2 inches into the 10 foot front yard setback on Olive Mill Road (SBMC §28.92.110.A.2);
7. A Coastal Development Permit (CDP2005-00003) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060);
8. A Development Plan to allow the construction of 5,000 square feet of nonresidential development (SBMC §28.87.300);
9. A Tentative Subdivision Map for a one-lot subdivision to create eight (8) residential condominium units and one (1) commercial unit (SBMC 27.07 and 27.13);

The Planning Commission will consider approval of the Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

Case Planner: Peter Lawson, Associate Planner
Email: plawson@santabarbaraca.gov

Peter Lawson gave the Staff presentation and responded to the Commission's prior questions by stating that, under the annexation, any new development on Coast Village Road was not subject to the vote of the people; the project is not within the flood plain; and reviewed the Architectural Board of Review comments; and the correct Conditions of Approval.

Staff answered Planning Commission questions about construction worker's parking being left to the contractor to arrange; and the significance of the Montecito Water District March 19, 2008 letter that showed the comparison between local condominium uses as being matched well.

Chair Myers reiterated that a full applicant presentation and full public hearing on March 13, 2008.

Commissioner's comments:

1. One Commissioner asked the applicant if any changes had been made to the project since the last hearing. The applicant confirmed there were no changes made.
2. One Commissioner supported the rezoning and summarized the project activity over the last two years. Supports the project given the General Plan and Zoning considerations making it one of the smallest Floor Area Ratio (FAR) projects seen; project is well-designed; and the benefits and sidewalk improvements improve the relationship to Coast Village Road.
3. One Commissioner feels that the Mitigated Negative Declaration is the appropriate California Environmental Quality Act (CEQA) document for this project.
4. Commissioners reviewed the zoning concerns for the commercial and residential elements and referenced the General Plan as one reason for consistency in approving the zoning as C-1. Did not see a buffer zone on the land use map, indicating that this entire site was intended as C-1 use; feels the project is consistent with the zoning designation. Three Commissioners supported the zoning change. The intent of the C-1 zone is to provide a buffer with residential area.
5. Commissioners reviewed the modifications as necessary and appropriate for the site and found that they were justifiable; front yard setback modification was appropriate as it comes from adding a roof to a second floor balcony; Olive Mill Road modification is necessary for the emergency stairway use; northerly setback modification is consistent with the 17'6" setback and provides modulation. One Commissioner felt that the open space in the center of the second and third floors was what was causing a concern for the neighbors because it contributed to the large appearance; would like the applicant to reconsider.
6. One Commissioner could not find justification for the Olive Mill Road modification and felt that the applicant should restudy pulling the project back on Olive Mill Road.
7. One Commission felt that more justification was needed for the northerly setback modification. Just because it is possible, does not necessarily make it right.
8. The Coastal Development Plan is consistent with the Local Coastal Plan and with principles of sound community planning. One Commissioner could make the findings for the Coastal Development Plan if findings could be made for the other modification.
9. Can support tentative subdivision map.
10. One Commissioner maintained original position that the existing gas station was no longer appropriate for that location.
11. Believes that the underground parking is a benefit to the community, as well as the addition of street parking; a one story building could not support construction of underground parking, therefore making it necessary for a 2-3 story building. Commends the architect for bringing the project to 36', well under the 45' maximum allowed.
12. Would like to see the zoning map addressed;
13. Not sure that the tower element is needed if upper floors are pulled back.

14. The project is well thought, but the mass is larger than necessary and could be pushed back.
15. One Commissioner could not support two of the proposed modifications and believed the Commission should look at continuing the project to allow the applicant to eliminate some of the modifications, or send to the Architectural Board of Review to work out on a design level.
16. Supports the addition of accessibility across the median from corner to corner. Believes that the project will bring more people out on foot.
17. Does not find the emergency stairway protruding an issue.
18. One Commissioner believed in neighborhood interaction and felt that the balcony modification is buffered by the garage that encroaches a foot; supportive of the modification.
19. Most Commissioners commended the Architect for the sensitivity of the project as an entry to the City and the attractive architecture proposed that blends into the character of Montecito.
20. One Commissioner summarized the approach that the Commission takes in reaching its decision.
21. Two Commissioners supported use of form-based codes for Coast Village Road.
22. One Commissioner can support a 10' interior yard setback on northern side; can support 10" common open space above ground floor; two-story balcony modification is a non-issue.
23. Concerned with the encroachment with the emergency stairway; eastern elevation is too massive for this location and does not transition well with the neighborhood. Would favor the study of a four-story element more in the center of the project.
24. Remains concerned with the bus stop and trash pick-up access on Olive Mill Road and the traffic impact to the intersection. Two Commissioners would look to see adjustments made to the project on the emergency stairway and the massing on the eastern elevation of the project.

As Commissioners deliberated, two Commissioners voiced desire to reach a decision today.

Douglas Fell requested that a straw vote separate the first and second floor on the northern property line.

STRAW VOTE: Jostes

Approve a Modification to allow a portion of the building to encroach 7 feet into the required 17 foot northern interior yard setback (SBMC §28.92.110.A.2).

This motion carried by the following vote:

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

STRAW VOTE: Thompson

Approve a Modification to allow the emergency stair way to encroach up to 9 feet 2 inches into the 10 foot front yard setback on Olive Mill Road (SBMC §28.92.110.A.2);

This motion carried by the following vote:

Ayes: 1 Noes: 3 (Myers, Jostes, Thompson) Abstain: 0 Absent: 3 (Bartlett, Jacobs, White)

MOTION: Thompson/Jostes

Assigned Resolution No. 012-08

Approve the project, making the findings in the Staff Report and Conditions of Approval, with the modifications as determined by the two straw votes to exclude modification #6 for the emergency stair way on Olive Mill Road and return to the Architectural Board of Review for a redesign.

This motion carried by the following vote:

Ayes: 3 Noes: 1 (Myers) Abstain: 0 Absent: 3 (Bartlett, Jacobs, White)

Chair Myers announced the ten calendar day appeal period.

Mr. Fell asked for clarification of the motion by the Commission.

III. ADMINISTRATIVE AGENDA

- A. Committee and Liaison Reports.
- B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.

MOTION: Larson/Thompson

Continue the Administrative Agenda to April 10, 2008 for a complete Commission.

This motion carried by the following vote:

Ayes: 4 Noes: 0 Abstain: 0 Absent: 3 (Bartlett, Jacobs, White)

IV. ADJOURNMENT

Chair Myers adjourned the meeting at 1:56 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary

DRAFT