



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

December 12, 2013

CALL TO ORDER:

Chair Jordan called the meeting to order at 1:01 P.M.

I. ROLL CALL

Chair Mike Jordan, Vice Chair Deborah L. Schwartz, Commissioners Bruce Bartlett, John P. Campanella, Sheila Lodge, June Pujo, and Addison Thompson.

STAFF PRESENT:

Bettie Weiss, City Planner
John Ledbetter, Principal Planner
Renee Brooke, Senior Planner
Susan Reardon, Senior Planner
Jaime Limon, Senior Planner
N. Scott Vincent, Assistant City Attorney
Rob Dayton, Principal Transportation Planner
Irma Unzueta, Project Planner
Peggy Burbank, Project Planner
Suzanne Riegler, Associate Planner
Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:

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

None.

B. Announcements and appeals.

Ms. Brooke made the following announcements:

1. The Staff Hearing Officer's November 13, 2013 decision for 1732 Gillespie Street is being appealed to the Planning Commission and will be heard in January.

2. City Administrative Offices will be closed from Tuesday, December 24, 2013 - through Wednesday, January 1, 2014. City offices will reopen on Thursday, January 2, 2014.

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

Chair Jordan opened the public hearing at 1:03 P.M.

1. Joyce Untch commented on hedge heights and asked for preservation of the city's legacy.
2. Phil Walker commented on a specific accident in front of his home that was thwarted by an illegally installed fence and advocated for public safety.

With no one else wishing to speak, the hearing was closed at 1:08 P.M.

III. **STAFF HEARING OFFICER APPEAL:**

ACTUAL TIME: 1:08 P.M.

APPEAL BY KENNETH LEVIN OF THE STAFF HEARING OFFICER'S DECISION FOR THE APPLICATION OF CEARNAL ANDRULAITIS, LLP ARCHITECT FOR AVENUE 26 HOLDINGS, LLC, 101 S. LA CUMBRE ROAD (FORMERLY KNOWN AS 100 S. LA CUMBRE ROAD), APN 051-022-027, C-2 COMMERCIAL AND SD-2 SPECIAL DESIGN DISTRICT 2 ZONES, GENERAL PLAN DESIGNATION: COMMERCIAL/ MEDIUM HIGH RESIDENTIAL (15 27 DU/ACRE) (MST2013-00018)

The 25,765 square foot site is developed with a 1,737 square foot gas station (closed since 2005), a surface parking lot, and related structures, all of which are proposed to be demolished. The project site is actively undergoing soil remediation for ground water contamination caused by Leaking Underground Storage Tanks. The proposal includes the redevelopment of the site with a one-story, 4,737 square foot commercial building, a 25-space parking lot, soil excavation, installation of remediation equipment and vapor intrusion barriers, and site improvements. The improvements include an outdoor seating area, installation of new landscaping, construction of a trash enclosure, and elimination of driveway aprons along the La Cumbre Road and Lane frontages. The discretionary applications requested for the project are:

1. A Front Setback Modifications to allow a building greater than 15 feet in height to be constructed within the required 20-foot front setback on La Cumbre Road and La Cumbre Lane (SBMC §28.45.008 and §28.92.110);
2. A Front Setback Modification to allow a trash enclosure within the required 10-foot front setback on La Cumbre Lane (SBMC §28.45.008 and §28.92.110); and
3. A Development Plan for the allocation of 3,000 square foot of additional commercial development from the Prior Pending Category (SBMC Chapter 28.85).

On October 30, 2013, the Staff Hearing Officer partially approved the Modification requests, subject to several conditions. The appellant is appealing the partial approval of the project and related conditions of approval.

The project activity is within the scope of the 2011 General Plan and the Program EIR analysis for the General Plan. No further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183). City Council environmental findings adopted for the 2011 General Plan remain applicable for this project.

Case Planner: Suzanne Riegler, Associate Planner

Email: SRiegler@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 2687.

Suzanne Riegler, Associate Planner, gave the Staff presentation.

Kenneth Levin gave the Appellant presentation.

Brian Cearnal, Cearnal Andrulaitis, gave the Applicant presentation.

MOTION: Schwartz/Lodge

Assigned Resolution No. 015-13

Deny the appeal and uphold the decision of the Staff Hearing Officer; approve the development plan and front setback modifications to allow a building greater than 15' in height, located within the required 20' setback, and deny the front setback modification for the trash enclosure, make the findings and conditions contained in section IX, pages 8-10 of the Staff Report dated December 5, 2013.

This motion carried by the following vote:

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

Chair Jordan announced the ten calendar day appeal period.

Chair Jordan called for a recess at 3:07 P.M. and resumed the hearing at 3:19 P.M.

IV. NEW ITEM:

ACTUAL TIME: 3:19 P.M.

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

- A. Commissioner Thompson recused himself due to being a member of the Santa Barbara Cemetery Association.
- B. Commissioner Bartlett recused himself due to Verizon being a leasee on property that he owns.

Commissioners Thompson and Bartlett left the dais at 3:21 P.M.

APPLICATION OF TRICIA KNIGHT, AGENT FOR VERIZON WIRELESS, LEASEE, 900 CHANNEL DRIVE, APN 017-393-002, R-1 ONE-FAMILY RESIDENCE ZONE AND SD-3 COASTAL OVERLAY ZONE, LOCAL COASTAL PLAN DESIGNATION: OPEN SPACE (MST2011-00246)

The proposed project involves installation of a 50-foot tall mono-pole containing nine cellular telephone antennas and associated ground equipment in a 552-square foot site contained within a seven-foot high stucco wall on vacant land owned by the Santa Barbara Cemetery Association. The discretionary applications required for this project are:

1. A Coastal Development Permit (CDP2011-00019) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060);
2. A Conditional Use Permit to allow a cellular tower greater than 45 feet tall in a residential zone (SBMC §28.94.030.DD); and
3. A Modification to allow development in the Front Setback (SBMC §28.15.085).

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 or Conversion of Small Structures.

Case Planner: Peggy Burbank, Project Planner

Email: PBurbank@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 4582.

Peggy Burbank, Project Planner, gave the Staff presentation.

Tricia Knight, Agent, gave the Applicant presentation.

Chair Jordan opened the public hearing at 3:51 P.M. and with no one wishing to speak, the public hearing was closed.

MOTION: Schwartz/Lodge

Assigned Resolution No. 016-13

Approved the project, making the findings for the Coastal Development Permit, Conditional Use Permit, and Front Setback Modification as outlined in the Staff Report, dated December 5, 2013, subject to the Conditions of Approval in Exhibit A of the Staff Report with the following revisions to the Conditions of Approval:

1. Add new Condition C.1.f, under Requirements Prior to Permit Issuance that reads:
Fences, Screens, Walls and Hedges: All fences, screens, walls and hedges on the property shall meet the height limitations of SBMC Section 28.87.170. The proposed fence and gate indicated on drawing sheets A-1 and A-2 shall terminate at the property line.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Bartlett, Thompson)

Chair Jordan announced the ten calendar day appeal period.

Commissioner Jordan called for a recess at 3:56 P.M and reconvened the hearing at 3:58 P.M

Commissioners Thompson and Bartlett returned to the dais at 3:58 P.M.

V. **DISCUSSION ITEM**

ACTUAL TIME: 3:58 P.M.

AVERAGE UNIT SIZE DENSITY INCENTIVE PROGRAM

Staff will present to the Planning Commission three process review options for rental projects developed under the Average Unit Size Density Incentive Program. The Planning Commission will forward a recommendation to the City Council.

Case Planner: Bettie Weiss, City Planner

Email: BWeiss@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 5509.

Bettie Weiss, City Planner, gave the Staff presentation. John Ledbetter, Principal Planner and Rob Dayton, Principal Transportation Supervisor, were available to answer questions.

Chair Jordan opened the public hearing at 4:18 P.M.

The following people commented on the project:

1. Greg Reitz, developer, requested that any decisions made not be retroactive, that any referral to the Planning Commission be limited to projects that do not fit the AUD and that the process not be lengthened.
2. Lisa Plowman, SB4ALL, submitted a letter suggesting an alternative option.
3. Paul Zink, Architectural Board of Review (ABR) Chair, stated that staff reports are helpful to ABR and that approving four story buildings is going to be difficult for ABR.

With no one else wishing to speak, the public hearing was closed at 4:37 P.M.

Commissioner's Comments:

Commissioner Lodge:

- Would like to see an automatic referral to the Planning Commission for formal action.

- Preferred a concept design review prior to proceeding to the Planning Commission.
- Suggested that there be an automatic referral for all projects with 8 or more units.

Commissioner Lodge left the dais at 5:28 P.M.

Commissioner Pujo:

- Supported using a trigger of half an acre for High Density/Priority Housing Overlay projects
- Supported concept review at PC for comments not action.
- Would like one design review meeting before Planning Commission.
- Keep the process timeline down and the cost of projects down. Remove any overlap of listed fees from projects and notice once.

Commissioner Schwartz:

- Proposed an ordinance amendment in the long term to establish formal early review by the Planning Commission.
- The Planning Commission should provide direction, not just comments.
- In the short term, would like a number of parties able to call up a project to the Planning Commission: staff, applicant, review board, or Planning Commission (like the Staff Hearing Officer process).
- Suggested a trigger of 10 units or more for formal Planning Commission review.

Bettie Weiss, City Planner, reminded the Commission that an applicant already has the ability to request a concept review without an ordinance amendment. Any other party calling up a project to the Planning Commission would require an ordinance change.

Commissioner Campanella:

- Recommended looking at the four vacant half acres sites in the commercial zones before deciding on the number of units.
- Did not support going to the Medium-High density tier, or going below 5 units in the High Density/Priority Housing categories.
- Allow the test to work with the established parameters.

Commissioner Thompson:

- Believed the design review boards have the capability of reviewing AUD projects if given the same support that is given to the Planning Commission.
- Felt SB4ALL's alternative makes most sense if the Planning Commission is involved.
- The Applicant always has the option to come to the Planning Commission prior to design review.

Discussion followed on what type of action would the Planning Commission take if the Applicant came to the Planning Commission first. No agreement was made pending further discussion at the next Planning Commission meeting.

Commissioner Jordan:

- Agreed with other Commissioners that design review boards are capable of handling AUD reviews.
- Would like to find a way to keep Planning Commission involvement on a comment level.
- Liked SB4ALL's option, but with some tweaks on triggers and thresholds.
- Did not want an ordinance amendment that would permanently involve the Planning Commission.

Commissioner Bartlett

- Believed that design review boards are capable of reviewing AUD projects and should get the same support the Planning Commission receives.
- Only projects found inconsistent with city policies should be reviewed by the Planning Commission.
- Whatever policy direction is taken should not be retroactive.
- Applicant should have ability to call for an initial PC concept review and combined ABR or HLC.
- Training should be provided to design review boards.

MOTION: Thompson/Bartlett

Continue discussion to December 19, 2013

This motion carried by the following vote:

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

VI. ADMINISTRATIVE AGENDA

ACTUAL TIME: 6:27 P.M.

D. Committee and Liaison Reports.

1. Staff Hearing Officer Liaison Report
None.
2. Other Committee and Liaison Reports
None.

VII. ADJOURNMENT

Chair Jordan adjourned the meeting at 6:27 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary