



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

January 14, 2016

CALL TO ORDER:

Chair Thompson called the meeting to order at 1:00 P.M.

I. ROLL CALL

Chair John P. Campanella, Vice-Chair June Pujo, Commissioners Jay D. Higgins, Mike Jordan, Sheila Lodge, Deborah L. Schwartz, and Addison Thompson.

STAFF PRESENT:

Beatriz Gularte, Senior Planner
Susan Reardon, Senior Planner
N. Scott Vincent, Assistant City Attorney
Tava Ostrenger, Assistant City Attorney
Tony Boughman, Assistant 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.

Planning Commission Secretary Julie Rodriguez announced that at the Commission's request on January 7, 2016, the Minutes and Resolution of December 3, 2015 had been reviewed for accuracy and were confirmed by Staff as accurate as presented to the Commission on January 7, 2016. The Minutes of December 3, 2015 and Planning Commission Reso No. 019-15 were made final as presented.

C. Review, consideration and action on the following draft Planning Commission Minutes and Resolutions:

1. December 10, 2015
2. PC Resolution No. 020-15
Recommendation to City Council – Bicycle Master Plan

MOTION: Jordan/Thompson

Approve the minutes and resolution.

This motion carried by the following vote:

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

Commissioner Jordan acknowledged Ms. Rodriguez with appreciation for the accuracy and content of the Minutes and Resolution. Chair Campanella concurred.

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

Chair Campanella opened the public hearing at 1:05 P.M. and, with no one wishing to speak, closed the hearing.

III. STAFF HEARING OFFICER APPEAL:

ACTUAL TIME: 1:05 P.M.

**APPLICATION OF IHAB GHANNAM, 2609 DE LA VINA STREET, 051-292-003,
C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION:
COMMERCIAL/MED HIGH RESIDENTIAL (MST2015-00117)**

On November 11, 2015, the Staff Hearing Officer denied an application for a Medical Marijuana Storefront Collective Dispensary at 2609 De La Vina Street. A public hearing will be held for the Planning Commission to hear the appeal by the applicant of the Staff Hearing Officer's denial of the proposed Medical Marijuana Storefront Collective Dispensary. The project includes interior floor plan improvements, and minor exterior alterations for the existing commercial building.

The discretionary application required for this project is a Storefront Collective Dispensary Permit (SBMC §28.80.030).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(a), Existing Facilities.

Contact: Tony Boughman, Assistant Planner

Email: TBoughman@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 4539

Tony Boughman, Assistant Planner, gave the Staff presentation. Tava Ostrenger, Assistant City Attorney and Susan Reardon, Staff Hearing Officer were also present to answer any of the Commission's questions.

Rebecca Eggeman, Attorney for Ihab Ghannam, gave the Applicant/Appellant presentation. Ihab Ghannam, Applicant, and Bill Wolf, Pacific Architects, were also available to answer any questions.

Chair Campanella opened the public hearing at 2:33 P.M.

Kathy Richardson, Oak Park area resident, was concerned that the Applicant had not met all requirements, including parking. She does not think that the application is ready for a decision and all should be in writing prior to any approval. She asked the Commission to uphold the Staff Hearing Officer's decision.

Mr. Boughman stated that email comments in opposition to the dispensary permit were received from Nora Ghallager, Jennifer Alire, and Nancy Peterson.

With no one else wishing to speak, the public hearing was closed at 2:37 P.M.

Chair Campanella reopened the public comment at 2:48 P.M.

Zahur Lalji, Camarillo resident, asked that complete and incomplete applications be treated fairly when reviewed. The parking situation is going to be an issue for all applicants.

With no one else wishing to speak, the public hearing was closed at 2:49 P.M.

Susan Reardon expressed her concern over parking. It is not so much that there are residential uses around the commercial area, but she is concerned with the distance, the location in the rear, the path of travel, and lack of specificity related to addressing crime and loitering problems. She would take into consideration in a future application what elements the applicant has added to address these concerns.

MOTION: Schwartz/Pujo(02:23)

Assigned Resolution No. 001-16

Deny the appeal, without prejudice, and have the application return to Staff for an amended application, without guarantee of a future approval.

This motion carried by the following vote:

Ayes: 4 Noes: (Lodge, Jordan, Higgins) Abstain: 0 Absent: 0

Three Commissioners did not support the provision in the motion for the application to continue in the process, and voted "No".

Commissioner Higgins stated it is not fair to comment on an application that was insufficient at the time it went to the Staff Hearing Officer hearing without the benefit of supplemental materials. He would not want to give a false sense of support that the Commission would approve this if it were to return.

Commissioner Jordan stated that even though this site is allowed in the Ordinance, it has too many challenges with the parking lot in the back and client entrance in the front.

Commissioner Lodge stated that the path that patients would have to take for parking is not approvable.

Chair Campanella announced the ten calendar day appeal period.

IV. ADMINISTRATIVE AGENDA

ACTUAL TIME: 3:37 P.M.

A. Committee and Liaison Reports

1. Staff Hearing Officer Liaison Report

None was given.

2. Other Committee and Liaison Reports

- a. Commissioner Lodge reported on the Historic Landmark Commission meetings of December 16, 2015 and January 13, 2016.
- b. Commissioner Campanella reported that the next meeting will be a Joint meeting with the Montecito Planning Commission to receive an update.
- c. Commissioner Campanella reported that the next regular Planning Commission will be held on February 4, 2016.

V. ADJOURNMENT

Chair Campanella adjourned the meeting at 3:40 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 001-16

2609 DE LA VINA STREET

STOREFRONT COLLECTIVE DISPENSARY PERMIT

JANUARY 14, 2016

APPLICATION OF IHAB GHANNAM, 2609 DE LA VINA STREET, 051-292-003, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/MED HIGH RESIDENTIAL (MST2015-00117)

On November 11, 2015, the Staff Hearing Officer denied an application for a Medical Marijuana Storefront Collective Dispensary at 2609 De La Vina Street. A public hearing will be held for the Planning Commission to hear the appeal by the applicant of the Staff Hearing Officer's denial of the proposed Medical Marijuana Storefront Collective Dispensary. The project includes interior floor plan improvements, and minor exterior alterations for the existing commercial building.

The discretionary application required for this project is a Storefront Collective Dispensary Permit (SBMC §28.80.030).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(a), Existing Facilities.

WHEREAS, the Planning Commission has held the required public hearing on the appeal of the above application, and the Appellant/Applicant was present.

WHEREAS, no one appeared to speak in favor of the appeal, and one person appeared to speak in opposition thereto and in upholding the Staff Hearing Officer's decision, and the following exhibits were presented for the record:

1. Staff Report with Attachments, January 7, 2016.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Nancy Peterson, via email
 - b. Jennifer Alire, via email
 - c. Nora Gallagher, via email
4. Correspondence received in opposition to the project for Staff Hearing Officer hearing on November 11, 2015:
 - a. Karen and Dr. William Gallivan, via email
 - b. Nora Gallagher, via email
 - c. Becky Spadoro, via email
 - d. Elaine Morello, via email
 - e. Jeanise Eaton, via email

- f. Teri Zanini, President, Santa Barbara Federal Credit Union, via email
- g. Elaine Andersen Morello, via email

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission upheld the decision of the Staff Hearing Officer in denying the Storefront Collective Dispensary Permit, without prejudice, and asked that the application to return to Staff for an amended application, without guarantee of a future approval.

This motion was passed and adopted on the 14th day of January, 2016 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 4 NOES: 3 (Higgins, Jordan, Lodge) ABSTAIN: 0 ABSENT: 0

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

Julie Rodriguez, Planning Commission Secretary

Date

PLEASE BE ADVISED:

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) CALENDAR DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.