



# City of Santa Barbara Planning Division

## PLANNING COMMISSION MINUTES

January 27, 2005

### **CALL TO ORDER:**

Chair Jonathan Maguire called the meeting to order at 1:05 p.m.

### **ROLL CALL:**

#### **Present:**

Vice-Chair Bill Mahan

Commissioners, Charmaine Jacobs, John Jostes, Stella Larson, George C. Myers, and Harwood A. White, Jr.

Chair Jonathan Maguire

### **STAFF PRESENT:**

Jan Hubbell, Senior Planner

Jessica Grant, Associate Planner

Michael Berman, Environmental Analyst

Renee Brooke, Assistant Planner

Rob Dayton, Supervising Transportation Planner

Stacey Wilson, Assistant Transportation Planner

Jim Austin, Fire Inspector

Steven Faulstich, Housing Programs Supervisor

Mick Kronman, Harbor Operations Manager

Lisa Nelson, Engineering Technician, Waterfront Department

N. Scott Vincent, Assistant City Attorney

Liz N. Ruiz, Planning Commission Secretary

## **II. PRELIMINARY MATTERS:**

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

There were no requests.

- B. Announcements and appeals.

Jan Hubbell, Senior Planner, announced the appeal for 218 Santa Cruz Boulevard has been withdrawn while the El Encanto Hotel appeal has been rescheduled for May 10, 2005.

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

Chair Maguire opened the public hearing period at 1:06 p.m., and the following people wished to speak:

Mr. Paul Hernadi, Resident, requested the Commission to start an Outer State Street Area comprehensive planning effort and prepare a cumulative Environmental Impact Report.

Ken Loch, a homeless person, wanted to educate the community on the relationship between mental health, science, sports, and the arts.

The public hearing was closed at 1:12 p.m., and Chair Maguire called for a moment of silence for those who lost their lives at La Conchita.

To avoid the appearance of a conflict of interest Commissioner Jacobs stepped down at 1:13 p.m.

### III. NEW ITEM:

#### ACTUAL TIME: 1:10 P.M.

#### APPLICATION OF JAN HOCHHAUSER, AGENT AND ARCHITECT FOR THE SANTA BARBARA MENTAL HEALTH ASSOCIATION, 617 GARDEN STREET, APNS 031-152-025 AND 031-152-028; C-M COMMERCIAL MANUFACTURING ZONE, GENERAL PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTIONAL/OFFICES-RESIDENTIAL (MST2002-00257)

The proposed project is a mixed-use development, proposed by the Mental Health Association in Santa Barbara County (MHA), containing 25 low income affordable apartment units for downtown workforce housing, 26 very-low income units for MHA clients, a 4,991 square foot MHA office, a 5,262 square foot Fellowship Club for MHA clients, and a 2,822 square foot office/conference facility intended for governmental agencies or non-profit organizations. A total of 110 parking spaces would be provided, including maintenance of 35 spaces for City employees and 6 spaces for the Alano Club. The existing 1,160 square foot office building, four apartment units, and a 5,212 square foot athletic club, and City employee parking lot would be demolished.

The discretionary applications required for this project are:

1. A Modification to provide less than the required number of parking spaces (SBMC § 28.90.100);
2. A Modification for bonus density to allow a total of 51 residential units on a lot in the C-M Zone (SBMC § 28.21.080.7);
3. A Lot Line Adjustment between parcels APN 031-152-025 and APN 031-152-028 (Gov. Code §66412);

4. Development Plan Approval for 6,703 square feet of net new non-residential square footage (SBMC § 28.87.300); and
5. A Recommendation to City Council for a Final Community Priority Designation of 703 square feet from the Community Priority Category for Offices (SBMC § 28.87.300).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Sections 15301 and 15332.

Jessica Grant, Associate Planner, gave a brief overview of the project.

Anne Marie Cameron, Santa Barbara Mental Health Association, and Jan Hochhauser, Agent and Architect for the Santa Barbara Mental Health Association, gave a presentation of the project.

The public hearing opened at 1:57 p.m., and the following person spoke in support of the project:

Mr. Rob Pearson, Executive Director, Santa Barbara City Housing Authority.

With no one else wishing to speak, the public hearing was closed at 2:01 p.m.

Commissioners' comments and questions;

1. Asked about the health of the Redwood tree proposed to remain and how it will be protected. Suggested using pervious paving.
2. Expressed concern about the southerly elevation and the lack of a defined pedestrian entry. Asked why the project restricts residents from entering from the alley.
3. Asked if any consideration was given to integrating solar (i.e. photovoltaic solar system) into the project design.
4. Asked if there was going to be assigned parking in the parking structure. Suggested requiring a parking sticker for the commercial spaces
5. Inquired about the proposed roof top equipment and the proximity of equipment to the residential units.
6. Questioned why the standard bus pass condition for employees was not included. Concerned about whether sufficient bicycle parking has been included and where it should be located.
7. Questioned the need to keep the driveway to Garden Street between the project and the Alano Club. Suggested redesigning the area to close the driveway and provide the additional parking the Alano Club needs to recommission its second story for use. These questions should be resolved prior to building permit issuance.
8. Asked why a pedestrian crosswalk was not required across Garden Street to the City offices.
9. Expressed concern about the lack of a differentiated pedestrian way along the alley to Cota Street.
10. Suggested moving the work time to start at 7:00 a.m. as opposed to 8:00 a.m., given that the project is in a commercial area. Also, allow quiet interior work to occur any time.

11. Pleased the project includes rental units. Expressed support for an excellent project and thanked the applicant for a great presentation. Project provides a necessary service for those with special needs.

Derek Eichelberger, Arcadia Studio, addressed landscaping questions.

Randy Mudge, Arborist, spoke about the Redwood tree to be preserved and discussed its condition and likelihood of survival after project is constructed.

Scott Schell, Associated Transportation Engineers, addressed the parking stalls and how they will be assigned, and said that the gated court yard would be open in the daytime and locked in the evening.

Ms. Wilson added that the parking management agreement allows the property owner to fine tune the assigned parking over time depending upon the parking demand for the various uses.

Steve Wayne, Civil Engineer for the project, addressed site drainage.

Carl Steinberg noted the Mental Health Association would be responsible for the curb cut on Ortega Street, if needed by the City during construction of the proposed project. However, Mr. Steinberg recommended that the right of way improvements condition be revised to be more specific about the required right of way improvements and their timing on Ortega Street.

Ms. Hubbell answered the questions regarding the Garden Street entrance to the Alano Club, and adding striping for a crosswalk.

Ann Marie Cameron addressed the Alano Club parking question and explained that a parking modification would still be required.

Chris Jacobs, Attorney for the Santa Barbara Mental Health Association, addressed the Alano Club easement and noted that the Mental Health Association is willing to communicate with the Alano Club on the easement issue.

Jim Austin, Fire Inspector, addressed the Alano Club situation and noted that closure of the joint access would not have any effect on emergency access since emergencies would be handled from Cota and Garden Streets.

Steven Faulstich, Housing Programs Supervisor, addressed the target income percentage for the proposed rental units.

Mr. Jacobs asked for clarification and/or corrections in the Conditions.

N. Scott Vincent, Assistant City Attorney, stated that some of the changes can be made and will be reflected in the final Resolution.

**MOTION: Mahan/White**

**Assigned Resolution No. 006-05**

Move to approve the parking modification, lot area modification, lot line adjustment, development plan and give a positive recommendation to City Council for the project to receive a final Community Priority designation, subject to the findings outlined in the staff report, and subject to the conditions of approval as amended below:

- Make minor changes to conditions A.2, A.4, C.1, C.13, and E.8 to clarify their meaning.
- Add standard conditions requiring the use and collection of recycled materials by project residents and commercial tenants and require employer to provide bus passes to employees.
- Amend redwood tree protection measures to include additional measures outlined by the project arborist, including expanding the pervious paving around the tree to the maximum extent feasible.
- Require the Architectural Board of Review to approve revised plans that allow the westerly exit to be used as a resident entrance and to make the entrance more inviting and dignified.
- Clarify the required improvements on Ortega Street.
- Add a condition requiring the Mental Health Association and the Alano Club to explore removing the joint access to Garden Street and replace with additional parking for the Alano Club, as well as additional landscaping. If additional parking can be provided, explore allowing the Alano Club to recommission the closed second story.
- Provide directional signage to assist Fellowship Center guests in locating the Center entrance.
- Revise site and floor plans to clearly show bicycle parking areas in the parking garage, the Fellowship Center Courtyard area, and at the commercial entrance on Garden Street.
- Work with Transportation Operations staff to restudy the red curbs at the main entrance and to consider a crosswalk across Garden Street from the main entrance to the City offices.
- Allow construction set-up to occur between 7:00 a.m. and 8:00 a.m., Monday through Friday and allow quiet interior construction any time.
- Provide signs on the alley from Cota Street that alert drivers to watch for pedestrians.

This motion carried by the following vote:

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

Chair Maguire announced the ten calendar day appeal period.

Chair Maguire recessed at 3:54 p.m. and reconvened at 4:15 p.m.

**IV. CONTINUED ITEM:**

**ACTUAL TIME: 4:15 P.M.**

**APPLICATION OF MICK KRONMAN (HARBOR OPERATIONS MANAGER) AGENT FOR CITY OF SANTA BARBARA WATERFRONT, P O BOX 1990 SANTA BARBARA, CA 93109 APN #017-191-0WF, HARBOR COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: HARBOR (MST04-00809/CDP2004-00010)**

The project would set aside a 320-acre area where permits would be required to moor up to 48 boats. The mooring area would be outside the harbor off East Beach. City approved mooring equipment (ground tackle including an anchor, chain, and buoy) would be required and would be inspected annually. Each location for the mooring would be inspected prior to placement of the anchor to identify a 50-foot diameter circle within which no sensitive ocean floor habitat is located. This ocean floor and mooring equipment inspection would be repeated annually as a part of the permit process. If no sensitive habitat is found, the anchor would then be centered within the circle. If sensitive habitat is identified, the circle would be relocated until the circle does not include sensitive resources. Currently, mooring or anchoring is not permitted within 300 feet of the Wharf from April 1st through October 31st or within a half mile of the Wharf from November 1st through March 31st, by City Ordinance. Mooring is permitted in the proposed mooring area without any permit required by the City.

The discretionary application required for this project is a Coastal Development Permit (SBMC § 28.45.009) by the California Coastal Commission. The Planning Commission will make a recommendation to the California Coastal Commission on whether to approve or deny the project.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15308, Actions by regulatory agencies to protect the environment (MST2004-00809).

Michael Berman, Environmental Analyst, gave the staff presentation.

Mick Kronman, Harbor Operations Manager, Waterfront Department, introduced Lisa Nelson, Engineering Technician, also with the department. He gave a presentation of the project.

With no one wishing to speak the public hearing was opened and closed at 4:38 p.m.

Commissioners' comments and questions:

1. Noted that 48 moorings are proposed and asked what the demand is for moorings.
2. Stated that this is a good project; like the "baby steps" approach.
3. Asked about electrolysis occurring, routine maintenance and if it would require zinc to minimize electrolysis.
4. Asked if there are provisions for automatic pumps in case of a storm.
5. Asked how many boats there would be during storm season as opposed to what is there now.

6. Suggested a prohibition on anchoring without a permit during stormy season.
7. Will there be a check of the vessel as well as ground tackle.
8. Stated the types of boats that are causing the problems are those being passed from one owner to the next. Asked how that activity can be policed.
9. Asked if moorings are transferable.
10. Would the chain and anchoring be inspected?
11. Asked if like cars, would there be a requirement to have an insurance policy on the vessel.

Mr. Kronman responded that annual inspections would be required to make sure the mooring is maintained. He stated that existing demand is for 30 to 40 moorings and the demand is expected to increase. Year-round usage outside of the new mooring area will probably decrease because the anchorage would be more than a mile from Stearns Wharf. Visitors in the anchorage are encouraged to use the visitors' berths in the harbor during storms. About 80% of the weather in the winter is gorgeous, so the Waterfront Department is not interested in prohibiting use of the anchorage area, which could result in no winter anchorage at all for transient boats.

**MOTION: White/Jacobs**

**Assigned Resolution No. 004-05**

Planning Commission recommends to the California Coastal Commission that it approve the Coastal Development Permit for the mooring layout as presented by staff with the Conditions outlined in the staff report.

This motion carried by the following vote:

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

**V. DISCUSSION ITEMS:**

**ACTUAL TIME: 5:08 P.M.**

**A. PRESENTATION ON ARROYO BURRO WATERSHED VISIONING PROCESS**

Representatives from Community Environmental Council will present "A New Vision for the Arroyo Burro Watershed" written by the Arroyo Burro Visioning Project, a group of residents, business owners and environmental representatives.

Mike Mowers, Manager, Watershed Resources Center, Community Environmental Council, presented the Vision. Additional comments were provided by Jean Holmes and Gary Shumaucher, Members of Friends of Arroyo Burro

Commissioners had the following comments and questions:

1. Praised the group for putting the Vision booklet together.
2. Asked what the status is on the DNA testing.
3. Thanked the group for leading the way for other creek visions. The efforts show another way to bring together stakeholders to protect a watershed.

4. While this is a model for other watersheds, each creek is different and stakeholders on other creeks may need to be open to a diversity of creek experiences, depending on the existing development along the creek.
5. Pleased to see public access included in the Vision. Creek protection also needs to be sensitive to the consideration of pathways.
6. Asked if there were lessons learned that would apply to the broader community.

Ms. Hubbell stated the City may have test results later this year from DNA testing.

Ms. Holmes stated that watershed visioning is evolving. It takes many baby steps to achieve the goals.

Mr. Schumauker added that it is necessary to make the process as open as possible.

Chair Maguire recessed at 5:35 p.m. and reconvened at 6:36 p.m.

**ACTUAL TIME: 6:36P.M.**

**B. DISCUSSION OF TRAFFIC MITIGATION ISSUES FOR LAS POSITAS VALLEY**

Discussion of traffic issues and mitigation options for Las Positas Valley.

Rob Dayton, Supervising Transportation Planner, briefly reviewed traffic issues and mitigation for this project.

Chair Maguire opened the public hearing at 6:49 p.m., and the following people spoke on the subject:

1. Ken Balmy, Veronica Springs Neighborhood Association, stated that, in addition to Las Positas Road, the City needs to look at traffic on connecting streets. Also need to preserve the remaining semi-rural area.
2. Judy Orias, Secretary, Hidden Valley Resident Association, stated that Hidden Valley is very much a part of Las Positas Valley. In looking at the future, the City will need to consider redevelopment of Earl Warren Showgrounds, Valle Verde Retirement Community expansion, and development of the Hidden Valley school site, in addition to the projects already under consideration. She requested the large number of seniors who live in the area and their need for emergency response be considered when looking at traffic problems. She stated she is not sure that the Las Positas Road/U.S. 10 interchange can be fixed. She asked if, both philosophically and practically, money will solve the problems. In addition to other intersections the City also needs to look at traffic impacts at the Modoc/La Cumbre and Modoc/Hollister intersections. There are also a number of other problems in the area including soils, high fire hazard, emergency access and others.
3. Rose Balmy, Veronica Springs Neighborhood Association, stated there needs to be a push for a comprehensive general plan for the valley.
4. James Kahan, Allied Neighborhoods Association and Grove Lane Association, expressed concern about tying the Las Positas Valley into the Outer State Street area. It would take



at least two years to complete a comprehensive plan, so development should be stopped until the plan is complete.

5. Naomi Kovacs, Resident, expressed concern about the timing of improvements required to mitigate project impacts. She asked that the Commission consider both short and long-range planning solutions and include both the projects that we know about, as well as potential development as allowed by zoning in the analysis.
6. Lee Moldaver stated that traditional fee-based traffic mitigation does not deal with the broader issues. He noted that, even with Measure D tax money, it is very expensive to make improvements. He suggested the City consider finding another way to charge existing residents who also contribute to traffic impacts. The City needs a broad, creative approach to funding.

With no one else wishing to speak, the public hearing was closed at 7:12 p.m.

Commissioners' comments and questions:

1. Asked what will be necessary to bring the Las Positas/101 Highway interchange to an acceptable level of service. Both the north and south bound ramps have problems. Expressed concerns about how pedestrians and bicyclists would fit in. Concerned that a project to improve the interchange would be "non-Santa Barbara," thus raising other policy issues.
2. Stated that the Earl Warren Showgrounds is an unknown. It is not clear what will happen to the facility in the future and it is not under the City's control. Concerned about how the City will deal with changes. Future planning needs to consider the potential effects of such changes. Commented that future changes to the Showgrounds would be subject to the California Environmental Quality Act.
3. Asked how the Modoc/Las Positas intersection changes.
4. Thanked Mr. Dayton and members of the public who came out to address Las Positas Valley issues. Would like Mr. Dayton's presentation put in written form and distributed to the Commission.
5. Asked what the City would do if the money was available.
6. Suggested that changing Calle Real back to a two-way street could be part of the solution. There are limited options for alternate routes and additional connections in the Valley.
7. Stated that the hillsides of Las Positas Valley should not be seen as a place for future development. Density should go Downtown, not in the Valley.
8. The issues are sobering; it seems as if the problems are almost insolvable.
9. Stated that the City doesn't necessarily need a new General Plan for the area to evaluate what the City should and should not do.
10. Stated that until planning process for the area is in place, the amount of development that occurs in Las Positas Valley and the Outer State Street area needs to be minimized.
11. Stated that the Planning Commission can help elevate the broader policy issues for City Council to consider. Historically, since the adoption of Charter Section 1508 (Measure E), the City has made statements of overriding considerations for unavoidable traffic impacts community priority and housing projects. Need to find a way to allocate scarce

resources consistent with Charter Section 1507, which is the guide to land use decisions, and requires the City to live within its resources. Need to determine the priorities.

12. Stated that the funding source for traffic improvements needs to be as broad as possible, but also recognize there are issues about what to do with projects that have broad community benefits, such as Cottage Hospital and Elings Park.
13. Stated that since almost everyone uses the Las Positas overpass, there should be a way for everyone to pay. Asked how that could happen.

Mr. Dayton commented that there is no solution in the foreseeable future to address cumulative traffic congestion issues at Modoc and Las Positas. Hopefully, Measure D will be re-authorized As it expires in 2009. Ms. Hubbell stated that maybe a supplemental utility tax could be implemented if the voter's say agree.

## **VI. ADMINISTRATIVE AGENDA**

### **A. Committee and Liaison Reports.**

Commissioner Larson stated that the ABR has asked for direction from the Commission on Ridgeline and Steep Hillside Development.

Commissioners' Jostes and Myers attended a Transfer of Development Rights seminar last week, which raised good questions for the Planning Commission to think about.

Chair Maguire announced former Governor Michael Dukakis is now a board member for Amtrak. He and several other regional transportation people from Santa Barbara, Ventura County and the State will be holding a symposium on funding commuter rail in our area on Feb. 7, 2005, at 9:00 a.m. at the Santa Barbara Public Library. You can contact the City of Santa Barbara Public Works Department for more information

Chair Maguire attended a meeting of the Eastside Study Group, which is once again meeting regularly. They are concerned about how the City of Santa Barbara Police Department deals with immigration law. They are also interested in the changes being proposed for the 101 project.

Commissioner White reviewed the Harbor Commission meeting minutes, noting that the cap repair program for the breakwater is underway, and half of the dredging has been done for the year.

- B. Review of the decisions of the Modification Hearing Officer in accordance with SBMC §28.92.026.

None.

**VIII. ADJOURNMENT**

Chair Maguire adjourned the meeting at 7:55 p.m.

Submitted by,

---

Liz N. Ruiz, Planning Commission Secretary