



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

May 5, 2005

CALL TO ORDER:

Vice-Chair John Jostes called the meeting to order at 1:07 p.m.

ROLL CALL:

Present:

Vice-Chair John Jostes

Commissioners, Charmaine Jacobs, Stella Larson, Bill Mahan, George C. Myers and Harwood A. White, Jr.

Absent:

Chair Jonathan Maguire

Commissioner White arrived at 1:09 p.m.

Commissioner Jacobs arrived at 1:22 p.m.

STAFF PRESENT:

Jan Hubbell, Senior Planner

Victoria Greene, Project Planner

Michael Berman, Environmental Analyst

Kathleen Kennedy, Assistant Planner

Roxanne Milazzo, Assistant Planner

N. Scott Vincent, Assistant City Attorney

Liz N. Ruiz, Senior Recording Secretary

II. PRELIMINARY MATTERS:

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

Senior Planner, Jan Hubbell, announced the continuation of 1013 San Diego Road indefinitely per the request of the applicant. She also announced the request of staff to continue the General Plan Update on Conditions, Trends, and Issues Reports: Parks and Recreational Facilities, Creeks and Storm Drain System due to lack of a quorum on the part of the Recreation Commission.

MOTION: Mahan/Larson

To continue these items as requested.

This motion carried by the following vote:

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

B. Announcements and appeals.

None.

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

Vice-Chair Jostes opened the public hearing at 1:08 p.m., and the following person addressed the Planning Commission:

Ms. Katie Jacobs stated her concerns in regards to the San Diego Road item being continued.

Commissioner White stated that comments on an agenda item that is being continued can be taken if Vice-Chair Jostes agrees to it.

Scott N. Vincent, Assistant City Attorney, suggested that the parties here today make their comments in writing as that would give the applicant clear indication as to their intentions regarding their comments and not have to rely on summarized minutes. Their written copies will be submitted along with the rest of the package at the time the Planning Commission hears that item or they can attend the meeting.

Commissioner Mahan requested that staff encourage the applicant to contact his neighbors and keep them informed in regards to his project.

Commissioner Larson commented, in the letter for continuation from the applicants, they do note that they will be meeting with the neighbors.

III. CONSENT ITEMS:

ACTUAL TIME: 1:14 P.M.

A. APPLICATION OF VADIM HSU, ARCHITECT, AGENT FOR ALISA MARTIN AND WILLIAM AND LARA URBANY, PROPERTY OWNERS, 720 W. PEDREGOSA STREET, APN 043-122-016, R-2/ TWO FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE (MST2004-00742)

The proposed project involves demolition of an existing single family residence and detached garage and the construction of two new residential condominiums. The proposed two-story units would be 1,662 and 1,803 square feet each with attached two-car garages.

The discretionary application required for this project is approval of a Tentative Subdivision Map pursuant to SBMC §27.07. The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15315 which allows minor divisions of land in urbanized areas.

MOTION: Mahan/Larson

To waive the presentation of the staff report.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Jacobs & Maguire)

Vadim Hsu, Architect and Agent for the applicant, addressed the Planning Commission.

Commissioners' comments and questions:

1. Questioned need for 11 ½ foot plate heights for first floor.
2. Asked whether ABR recommendations had been incorporated in the plans.
3. Asked if all of the story poles are lowered, and in regards to the studies and suggestions from ABR, have they been fully addressed? Asked staff if the drawings they have before them are the most recent and if they reflect ABR's comments.
4. Asked for clarification about a cupola.
5. Concerned that there is a single block of mass here, and would like to hear about the front and the back yard setbacks.
6. Feels the subdivision map is appropriate in this area. Noted that units are very large, a big box with nice details, but still needs shaping. Agrees with ABR that the cupola should be replaced with dormer windows; landscaping should incorporate as much greenery as possible, use permeable pavement, and would like to see these details in the final building.
7. The apparent volume of the building is too large for the neighborhood. Tall plate heights, proposed roof pitch and cupola add to apparent volume.
8. Stated this is a nine bedroom facility, and the more bedrooms, the more likelihood you are going to have more cars. Feels when you try to fit so many bedrooms on the size of this lot is too much.
9. Thanked applicant for his cooperation.

Mr. Hsu stated that the first floor plate heights have been reduced to 10 feet.

Victoria Greene, Project Planner, clarified to the Planning Commission that the plans they are seeing reflect revisions that have been made based on the ABR's comments; however, the project has not returned to ABR yet.

Vice-Chair Jostes opened the public hearing at 1:19 p.m.

The following people spoke in opposition to the project:

Russell Clay Ruiz

Marc Martinez

With no one else wishing to speak, the public hearing was closed at 1:24 p.m.

Mr. Hsu once again addressed the Planning Commission and outlined the changes he is willing to make regarding his project.

MOTION: Jacobs/Myers

Assigned Resolution No. 033-05

Move to make the findings for and approve the tentative subdivision map to allow a two-unit condominium at this site, with amendments to the Conditions of Approval as follows: forward comments to ABR to scale back the apparent volume; change the roof plate height for the first floor of the two story portion of the building to nine feet. Reduce roof pitch to five to twelve and delete the cupola; and create a break in the roof ridge, removal of the rear cantilever and enhancement of the front porch.

This motion carried by the following vote:

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

Vice-Chair Jostes announced the ten calendar day appeal period.

ACTUAL TIME: 1:47 P.M.

B. APPLICATION OF WILLIAM COOPER (ARCHITECT), AGENT FOR MR. AND MRS. SANCES (PROPERTY OWNER), 3202 CAMPANIL DRIVE, 047-110-006, A1/SD3 ZONES, GENERAL PLAN DESIGNATION: R1-1DU/AC (MST2004-00891, CDP2005-0001)

The proposed project would expand an existing residence by adding 165 square feet (sf) to the kitchen and remodeling it, add approximately 600 sf of deck, replace a staircase, enclose the 880 sf area under the deck for storage, and add a trellis above the deck addition. Low voltage exterior lighting is proposed. The discretionary applications required for this project are:

1. Coastal Development Permit (SBMC §28.45.009); and
2. Neighborhood Preservation Ordinance Findings (SBMC § SBMC §22.68.060);

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 (MST04-00891).

MOTION: White/Mahan

To waive the staff report.

This motion carried by the following vote:

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

Vice-Chair Jostes opened the public hearing at 1:48 p.m., and with no one wishing to speak, it was closed.

Commissioners' comments and questions:

1. Stated he has no problems at all with this application, and is ready to support it and make a motion when the Commission is ready.
2. Hoped the neighbors were in attendance because, in reading their request, they are asking that the construction hours be changed to 8:00 a.m. – 4:00 p.m.

MOTION: Mahan/Jacobs

Assigned Resolution No. 034-05

Move to approve the Coastal Development Permit; and make a change in the conditions to shorten the ending construction time from 5:00 p.m. to 4:00 p.m.

This motion carried by the following vote:

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

Vice-Chair Jostes announced the ten calendar day appeal period.

IV. NEW ITEMS

ACTUAL TIME: 1:52 P.M.

APPLICATION OF Y.S. KIM, AGENT FOR ROSS CATHIE, PROPERTY OWNER, 1627 & 1631 LOMA STREET, APN 027-153-015, R-2: TWO FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS/ACRE (MST2002-00629)

The project consists of a proposal to convert an existing duplex into two condominium units. Two (2) one-car garages currently exist on the site. A modification is requested to allow a new two-car garage to encroach into the interior yard setback.

The discretionary applications required for this project are:

1. Modification to allow a new two-car garage to encroach into the interior yard setback (SBMC§28.18.060);
2. Tentative Subdivision Map for a one-lot subdivision for the conversion of two (2) residential units to two (2) condominium units (SBMC§27.07); and
3. Condominium Conversion Permit to convert two (2) existing residential units to two (2) condominium units (SBMC§28.88).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15315 (minor land divisions) and Section 15303 (conversion of small structures).

Kathleen Kennedy, Assistant Planner, gave a brief overview of the project.

Vice-Chair Jostes opened the public hearing at 1:56 p.m., and with no one wishing to speak, it was closed.

Commissioners' comments and questions:

1. Expressed concern regarding the drainage down the driveway to the proposed garage and the need for a strip drain across the front of the garage. A drainage plan should be required and permeable paving should be required for the driveway.
2. Stated that the new garage doors should match the existing garage doors.
3. Asked that the exterior security lighting be removed per the City lighting ordinance.
4. Asked whether a requirement to change the existing cobra head street light to a residential quality street light would be appropriate. Stated that the neighborhood should be polled asking if a residential street light is favored.

Mr. Vincent addressed the Planning Commission noting that ad hoc conditions such as the changing out of a streetlight need to be proportionate, not to the value that is added to the project, but the impact the project presents to the neighborhood. So, in this case, if the project was altering the right-of-way such that it removed an existing streetlight, the replacement of that streetlight as part of the new right-of-way improvements would be a response to that impact. This project is not changing the light at all. He does not see where this project is impacting the neighborhood in such a way to justify changing out the light.

Y. S. Kim, Agent for the property owner, addressed the Planning Commission.

Ms. Hubbell addressed the Planning Commission questions, in particular the question raised about imposing a condition that the applicant install a streetlight as part of a project.

MOTION: Jacobs/Mahan

Assigned Resolution No. 035-05

Make the findings and approve the modification and the tentative subdivision map and add the following to the Conditions of Approval: remove existing non-conforming security lighting; new garage doors to match existing wood garage doors; the drainage plan include a strip drain and an energy dissipater in front of the new garage; and possibly a bio swale to address the drainage problem so that it does not impact the neighbors on Grand Avenue. Provide permeable paving on the driveway if feasible. In addition, include that a follow-up building inspection be conducted and the standard streetlight petition with a residential streetlight design approved by the Street Light subcommittee.

Comments to the motion:

Commissioner Larson asked that the retaining wall be reviewed by ABR, and the applicant clarified that they had.

Commissioner Jacobs addressed several conditions that were added in the motion above.

Commissioner White expressed his concern in regards to the drainage, and would like staff to keep in mind improving the run-off quality.

This motion carried by the following vote:

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

Vice-Chair Jostes announced the ten calendar day appeal period.

V. APPEAL ITEM:

ACTUAL TIME: 2:32 P.M.

APPEAL OF SYNDI SOUTER, AGENT FOR SCOTT MCCOSKER, OF A MODIFICATION DENIAL FOR 1464 LA CIMA ROAD, APN 041-022-032, R-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST200444-00856)

The proposed project involves the expansion and conversion of an existing carport to a two-car garage. The carport, due to a Modification that was approved at its time of construction, is located within the front yard setback. The discretionary application required for this project is a Modification to permit alterations and additions within the required twenty-foot (20') front yard setback (SBMC §28.15.060), and a request to delete an original condition of approval prohibiting enclosure of the carport. On January 26, 2005, the Modification Hearing Officer denied this application. This is an appeal of that decision.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 (ENV04-00856).

In order to avoid the appearance of a conflict of interest, Commissioner White stepped down at 2:32 p.m.

Roxanne Milazzo, Assistant Planner, made the staff presentation.

Syndi Souter, Souter Land Use Consulting and Agent for the applicant, addressed the Planning Commission.

Jan Hochhauser, Hochhauser Blatter Architecture and Planning, addressed the Planning Commission.

Scott McCosker, Owner, addressed the Planning Commission.

Commissioners' comments and questions:

1. Asked staff for clarification when the wall to the west was built and if it was there when the 1982 decision was made.
2. Asked staff where the recorded view easement over the property is located.
3. Asked if Transportation Staff has been at the site, and if they are satisfied that this is a safe situation.
4. Asked what the parking situation is in front of this garage when the proposed doors would be closed; if there is room for a space, and if there any provision to preclude any blockage of the street right-of-way.
5. Stated that enclosing the garage is an enhancement and if convinced that this is reasonably safe, can support the applicant's request.

Ms. Milazzo stated the wall was approved in 1976, but was built closer to the property line than is shown on the plans. The view easement does not affect the carport.

Vice-Chair Jostes opened the public hearing at 2:49 p.m.

The following people spoke in opposition to the project:

John Cook
Kathy Cook

With no one else wishing to speak, the public hearing was closed at 2:55 p.m.

Mr. Hochhauser once again addressed the Planning Commission to clarify some of the public comments made.

Mr. Vincent addressed the Planning Commission and suggested that they require recording the resolution of this matter in the chain of title for this property so as to clear the language on the title that currently exists relating to the old condition. Since they are approving the enclosure of the garage, it should be made clear they are eliminating the prior limitation of the Planning Commission Approval. However, the Commission was informed that the title was never recorded. Therefore, it was advised by the Assistant City Attorney to rescind Condition 1 of both resolutions numbers 117 and 125.

MOTION: Mahan/Myers

Assigned Resolution No. 036-05

Move to accept the recommendation of staff, and approve the appeal, thus overturning the Modification Hearing Officer's original findings and approving the modification, making the necessary findings, rescinding Condition 1 of both City Council Resolution No.s 117 and 125 through a recorded document.

The amended motion was carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Maguire & White)

Chair Maguire announced the ten calendar day appeal period.

VI. NEW ITEM:

THIS ITEM IS BEING CONTINUED INDEFINITELY

APPLICATION OF RAYMOND APPLETON, AGENT FOR PAUL AND JACQUELINE KURTA, 1011 AND 1013 SAN DIEGO ROAD, APN: 029-202-015, E-1 ONE FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE (MST2004-00887)

The proposed project involves the demolition of the existing 232 square foot study that connects the main residence to the second unit (“cottage”); construction of 261 square feet of additions to the main residence; construction of two new covered porches totaling 130 square feet; construction of 203 square feet of new decks; an as-built deck, an as-built spa and a new fence and trellis. These improvements would result in two detached single-family residences (totaling 3,305 square feet and 569 square feet respectively), an accessory building of 240 square feet and one covered garage parking stall and two uncovered parking spaces on the property. The applicants are also proposing development restrictions that would limit the future size of the main home to 4,305 square feet and limit the cottage and recreation building to their current sizes.

The discretionary applications required for this project are:

1. A Modification to allow less than the required building separation between the main residence and the additional dwelling unit (SBMC § 28.15.070);
2. A Modification to permit an as-built deck to encroach into the required interior yard setback (SBMC §28.15.060);
3. A Modification to provide less than the required number of covered parking stalls (SBMC §28.90.100);
4. A Modification to allow less than the required lot area for an additional dwelling unit in the E-1 zone (SBMC § 28.94.030.X and 28.15.080); and
5. A Conditional Use Permit for an additional dwelling unit in a single-family zone (SBMC § 28.94.030.X).

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

VII. DISCUSSION ITEM:

THIS ITEM IS BEING CONTINUED TO JUNE 2, 2005

**JOINT MEETING WITH PARK AND RECREATION COMMISSION REGARDING
GENERAL PLAN UPDATE 2030 – CONDITIONS, TRENDS, AND ISSUES REPORTS:
PARKS AND RECREATIONAL FACILITIES, CREEKS AND STORM DRAIN SYSTEM
(MST 2005-00002)**

Planning and Park and Recreation Department staff, with the assistance of Jerry Draggoo, Moore Iacofano, & Goltsman Inc. will present the Conditions, Trends, and Issues Reports for Parks and Recreational Facilities and Creeks and Storm Drain System. These Conditions, Trends, and Issues Reports are the fifth in a series of baseline reports that are being prepared during Phase I of the General Plan Update (GPU) 2030 process. The Planning Commission, Park and Recreation Commission, and members of the Creeks Advisory Committee will be asked to review and comment on these reports.

Commissioner White returned at 3:04 p.m.

VIII. ADMINISTRATIVE AGENDA:

A. Committee and Liaison Reports.

Commissioner Larson reported on the Streetlights Sub Committee. Staff is attempting to set a meeting of the Committee.

Commissioner Mahan reported on the De Guerra Task Force.

Vice-Chair Jostes reported that he and Commissioner Myers will be meeting with the Ordinance Committee.

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

None.

IX. ADJOURNMENT

Chair Maguire adjourned the meeting at 3:09 p.m.

Submitted by,

Deana Rae McMillion, Admin/Clerical Supervisor for Liz N. Ruiz, Senior Recording Secretary