



# City of Santa Barbara Planning Division

## PLANNING COMMISSION MINUTES

October 6, 2005

### **CALL TO ORDER:**

Chair Jonathan Maguire called the meeting to order at 1:15 p.m.

### **ROLL CALL:**

#### **Present:**

Chair Jonathan Maguire

Vice-Chair John Jostes

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

### **STAFF PRESENT:**

Jan Hubbell, Senior Planner

Kathleen Kennedy, Assistant Planner

Chelsey Swanson, Assistant Planner

Marisela Salinas, Associate Planner

Barbara Shelton, Environmental Analyst

Joe Poire, Fire Inspector III

Ryan Diguilio, Fire Inspector

Stacey Wilson, Assistant Transportation Planner

N. Scott Vincent, Assistant City Attorney

Sherrell Bortman, Planning Commission Secretary

Deborah J. Bush, Recording Secretary

## **II. PRELIMINARY MATTERS:**

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

Senior Planner Jan Hubbell announced that Item IV. B., 1325 West Mountain Drive, has been continued indefinitely at the applicant's request.

**MOTION: Jostes/Mahan**

Continue 1325 West Mountain Drive indefinitely at the applicant's request.

This motion carried by the following vote:

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

B. Announcements and appeals.

Ms. Hubbell introduced Sherrell Bortman, the new Planning Commission Secretary.

Ms. Hubbell stated that 1905 Cliff Drive has been appealed, and will be scheduled for sometime in November 2005, and a notice of cancellation for the October 13, 2005, Planning Commission has been sent out.

Ms. Hubbell also announced that resignations from the Planning Commissioner's must be received by October 14, 2005, and new applications must be received by October 28, 2005.

C. No public comments from members of the public pertaining to items not on this agenda.

**III. CONSENT ITEM:**

**ACTUAL TIME: 1:17 P.M.**

**APPLICATION OF MR. AND MRS. BRUCE VENTURELLI, PROPERTY OWNERS, 2210 EDGEWATER WAY, APN: 041-343-010, E-3/S-D-3 SINGLE-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2005-00324; CDP2005-00009)**

The project site is a 7,100 square foot lot in the E-3, Single Family Residence zone and is currently developed with a 1,788 square foot, two-story, single-family residence and a detached 498 square foot garage attached to a 138 square foot workshop. The proposal consists of a 443 square foot second-story addition with approximately 170 square feet of new deck area. The discretionary applications required for this project are:

1. A Coastal Development Permit to allow the proposed development in the Appealable Jurisdiction of the Coastal Zone (SBMC § 28.45.009); and
2. Two Modifications to allow an as-built fence to exceed the 3-½' height limit within 10' of the both front property lines (SBMC § 28.87.170).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 (addition to an existing facility).

Case Planner: Chelsey Swanson, Assistant Planner

Email: [cswanson@santabarbaraca.gov](mailto:cswanson@santabarbaraca.gov)

Ms. Hubbell requested that the staff report be waived.

**MOTION: Mahan/Jacobs**

Waive the Staff Report at Staff's request

This motion carried by the following vote:

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

**Commissioners' questions and comments:**

Two commissioners stated their support of the project, the fence height modification and the well-designed second story. Communication from the applicant to his neighbors regarding the project was also appreciated by the Commission.

**MOTION: Jacobs/Mahan**

**Assigned Resolution No. 061-05**

Approve the modifications to allow the as-built fence to remain, exceeding the height limit, and approve the Coastal Development Permit to allow for the development in the Appealable jurisdiction of the coastal zone; making the required findings outlined in the Staff report and subject to the conditions of approval outlined in the Staff report.

This motion carried by the following vote:

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

Chair Maguire announced the ten calendar day appeal period.

**IV. NEW ITEM(S):**

**ACTUAL TIME: 1:21 P.M.**

- A. **APPLICATION OF BOB GODA, PENFIELD & SMITH, AGENT FOR ANDREW M. SEYBOLD, PROPERTY OWNER, 415 ALAN ROAD, APN 041-091-024, A-1/SD-3, ONE-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES AND CHRIS PELONIS, PROPERTY OWNER, 23 WADE COURT, APN 047-071-020, E-3/SD-3, ONE-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, ONE UNIT PER ACRE (MST2005-00078)**

The project consists of a request to initiate a Zone Change for a portion of the parcel located at 415 Alan Road from A-1/SD-3 (One-Family Residence Zone/Coastal Overlay Zone) to E-3/SD-3 (One-Family Residence Zone/Coastal Overlay Zone). If the zone change is initiated, a Local Coastal Program Amendment would be required as well. If the initiation request goes forward, the proposed project, which also includes the parcel located at 23 Wade Court, would also require a Tentative Subdivision Map, Lot Area Modification, and Coastal Development Permit.

The discretionary applications required for this project are:

1. Initiation of a Zone Change from A-1/SD-3 (One-Family Residence Zone/Coastal Overlay Zone) to E-3/SD-3 (One-Family Residence Zone/Coastal Overlay Zone); and
2. Initiation of a Local Coastal Program Amendment to accept the zone change.

Case Planner: Kathleen Kennedy, Assistant Planner

Email: [kkennedy@santabarbaraca.gov](mailto:kkennedy@santabarbaraca.gov)

Kathleen Kennedy, Case Planner, presented the Staff report.

Bob Goda, Agent, Penfield & Smith, introduced Andrew Seybold, property owner. Mr. Seybold gave a brief presentation of the project.

Mr. Goda gave his presentation.

Public comment opened at 1:35p.m. With no one wishing to speak, it was closed at 1:35p.m.

Commissioners' questions and comments:

Asked Staff when the 415 Alan Road property was zoned A-1.

Ms. Hubbell stated that the zone change probably happened during the 1975 down zoning.

During the discussion, the Commissioners either individually or collectively stated:

1. The project proposed would provide an opportunity for smaller lots with lower-cost housing close to the beach.
2. Zoning change would create two superior lots, compatible with the Alan Road neighborhood.
3. Slope density is a significant issue of concern. There is no broad community benefit without conditions aligned with it. It undermines the legitimacy of slope density ordinance.
4. The traffic is already at capacity at Las Positas Road. Traffic conditions and Charter Section 150 prohibit support of the proposal.
5. Encourage property owners to pursue a lot line adjustment, which could improve the configuration of the Wade Court. Lot, instead of a zoning change.
6. A lot line adjustment would allow for extra land to be apportioned among the existing parcels to loosen up some of the development for the future.
7. The proposed project would not, in reality, be lower-cost housing, but smaller, high-cost housing.
8. Supportive, but there are many conditions which should be looked at.

**MOTION: White/Jostes**

**Assigned Resolution No. 062-05**

Deny the applicant's request to initiate the zone change and the local Coastal program amendment due to constraints on traffic resources and the aggravation of slope density non-conformity, as recommended by Staff.

This motion carried by the following vote:

Ayes: 4 Noes: 3 (Myers, Maguire, Mahan) Abstain: 0 Absent: 0

**Comments to the Motion:**

Mr. Goda addressed the Commission. The slope density of the Wade Court lot and the new lot would conform with the required lot size. The only one of the three lots not conforming is the lot already non-conforming, so slope density should not apply here. Sewage and other utilities resources are already in place.

Asked that if the Commission did decide to allow a lot line adjustment, could the lot be split at a later date.

Ms. Hubbell stated that sometimes it is appropriate to consider a lot line adjustment if it makes sense with the topography. However, the Wade Court property lot line comes at a natural break in the topography. When the Commission considered the lot line adjustment months ago, it was determined that it was not appropriate. If a lot line adjustment was allowed, it would still need to go through the same rezoning and LCP amendment process.

Ms. Hubbell suggested proceeding with the Administrative Agenda at this time as the next application is to be continued and the following item cannot be presented until nearer the scheduled time of 3:00 p.m.

Chair Maguire announced the ten calendar day appeal period.

**NEW ITEM(S):**

- B. APPLICATION OF GRANT GIBSON (PROPERTY OWNER), 1325 WEST MOUNTAIN DRIVE, APNS 021-050-027 AND 021-020-012; CITY ZONING: A-1/SINGLE-FAMILY RESIDENCE ZONE; CITY GENERAL PLAN DESIGNATION: MAJOR HILLSIDE; CURRENT COUNTY ZONING: 40-E-1, SINGLE FAMILY RESIDENTIAL (40 ACRE MINIMUM LOT SIZE); CURRENT COUNTY COMPREHENSIVE PLAN DESIGNATION: MA 40 (MOUNTAINOUS AREA, 40 ACRE MINIMUM) (MST2003-00131).**

The applicant is requesting that the City initiate annexation of a 1.32-acre portion of a 56.1-acre parcel within the unincorporated area of Santa Barbara County to the City of Santa Barbara. The project would require a lot line adjustment between two properties (2.01 and 56.1 acres in size), resulting in a 3.33-acre lot and a 54.78-acre lot, to allow the future annexation to occur. At this time, the discretionary application required for this project is an

Initiation of Annexation. If annexation of this property is initiated, the necessary applications required for the project, as currently proposed, would be:

1. An Annexation of the subject property within the unincorporated area of Santa Barbara County to the City of Santa Barbara;
2. A General Plan Amendment upon annexation of the property to add the subject property to the City's General Plan Map;
3. A Zoning Map Amendment upon annexation of the property to zone the subject property;
4. A Lot Line Adjustment between two lots, in order to obtain 1.32 acres from an adjacent lot (Gov. Code §66412); and
5. A Conditional Use Permit to allow an additional dwelling unit on the property (SBMC §28.94.030.X).

**The Planning Commission will review at a conceptual level a potential development project related to the request for Initiation of Annexation. However, no formal action on the development proposal will be taken at this time, nor will any determination be made regarding environmental review of a proposed project.**

Case Planner: Renee Brooke, Project Planner

Email: rbrooke@santabarbaraca.gov

Continued indefinitely at applicant's request.

The Commission recessed at 2:07 p.m. and reconvened at 2:57 p.m.

**NEW ITEM(S):**

**ACTUAL TIME: 2:57 P.M.**

- C. **APPLICATION OF BOB GODA, AGENT FOR EUGENE & PATRICIA BUCCIARELLI, SIDNEY & PAMELA MACOFSKY, GENE SCHECTER, AND DAVID & JANE GEYER (PROPERTY OWNERS); 1568-1576 LA VISTA DEL OCEANO DRIVE, (035-180-085, -084, & -058 AND 035-170-023 & -022); E-1, ONE-FAMILY RESIDENCE ZONE; GENERAL PLAN DESIGNATION: RESIDENTIAL – 3 UNITS PER ACRE (MST1999-00714; MST99-00513; MST98-00706; MST2003-00652; AND MST1999-01043)**

The project consists of five inter-related applications located at the end of the lower portion of La Vista del Oceano Drive which is currently unimproved and centrally located in that neighborhood. The affected project site totals approximately an acre and a half. There are new residences and associated improvements proposed at 1568, 1570, 1575, and 1576 La Vista del Oceano Dr. The associated improvements would require numerous walls and fences. The upper three lots (1568, 1570 and 1576 La Vista del Oceano Dr.) would be accessed from a private driveway that comes off of La Vista del Oceano Drive. The

proposal includes raising the La Vista del Oceano Drive road bed a maximum of eight feet and completing the roadway to Ricardo Avenue in order to provide vehicular access to the lots. In order to raise the road bed, some grading will be required on neighboring parcels (1562 & 1564 La Vista del Oceano Dr.) that are not directly related to this project.

The following discretionary applications are required for the project:

1. 1568 La Vista del Oceano Drive (035-180-085/Bucciarelli - Banko)
  - (a) Neighborhood Preservation Ordinance Compliance is required to allow grading in excess of 500 cubic yards (SBMC §22.68.070). The project site is located within the Hillside Design District.
  - (b) A Modification to allow fences, walls, and hedges within the required front yard setback and on either side of a driveway to exceed 3-½' in height in the E-1 Zone (SBMC §28.87.170).
2. 1570 La Vista del Oceano Drive (035-180-084/Macofsky – Meaney)
  - (a) Neighborhood Preservation Ordinance Compliance is required to allow grading in excess of 500 cubic yards (SBMC §22.68.070). The project site is located within the Hillside Design District.
  - (b) A Modification to allow fences, walls, and hedges within the required front yard setback and on either side of a driveway to exceed 3-½' in height in the E-1 Zone (SBMC §28.87.170).
3. 1575 La Vista del Oceano Drive (035-170-023/Schechter – Gradin) & (035-170-022/Geyer)
  - (a) A Modification to allow fences, walls, and hedges within the required front yard setback and on either side of a driveway to exceed 3-½' in height in the E-1 Zone (SBMC §28.87.170).
  - (b) A Modification to allow encroachment into the required front yard setback in the E-1 Zone (SBMC §28.15.060.1).
  - (c) A Modification to allow parking in the required front yard setback in the E-1 Zone (SBMC §28.15.060.1 and §28.90).
  - (d) A Modification to provide less than the required 1,250 square feet of open yard in the E-1 Zone (SBMC §28.15.060.3).
  - (e) Voluntary Lot Merger of APN 035-170-023 and 035-170-022.
4. 1576 La Vista del Oceano Drive (035-180-058/Geyer – Meaney)
  - (a) Neighborhood Preservation Ordinance Compliance is required to allow grading in excess of 500 cubic yards (SBMC §22.68.070). The project site is located within the Hillside Design District.
  - (b) A Modification to allow fences, walls, and hedges within the required front yard setback and on either side of a driveway to exceed 3-½' in height in the E-1 Zone (SBMC §28.87.170).
  - (c) A Modification to allow parking in the required interior yard setback in the E-1 Zone (SBMC §28.15.060.2 & §28.90).
5. La Vista del Oceano Drive Roadway including:

“Hairpin Lot” on La Vista del Oceano Drive (035-170-022/Geyer)

1564 La Vista del Oceano Drive (035-180-077 – D’Hoker/Enders)

1562 La Vista del Oceano Drive (035-180-078 - Converse)

- (a) Neighborhood Preservation Ordinance Compliance is required to allow grading in excess of 500 cubic yards (SBMC §22.68.070). The project site is located within the Hillside Design District.
- (b) A Modification to allow fences, walls, and hedges within the required front yard setback and on either side of a driveway to exceed 3-½’ in height in the E-1 Zone (SBMC §28.87.170).

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

Case Planner: Marisela Salinas  
Email: msalinas@santabarbaraca.gov

Marisela Salinas, Associate Planner, gave the Staff presentation.

Commissioner Jacobs returned at 3:00 p.m. and took her seat at the dais.

David Geyer, Property Owner, gave a presentation of the project.

Bob Goda, Agent, Penfield & Smith, gave a presentation of the project.

The Public Hearing opened at 3:11 p.m.

The following person spoke against the 1575 La Vista del Oceano Drive portion of the project:  
Steven Rogers

The Public Hearing closed at 3:24 p.m.

Kirk Gradin, Architect, presented a composite site plan for 1575 La Vista del Oceano Drive and showed various options that were considered for the site.

Commissioners’ Questions and Comments:

1. Asked about the traffic study done by Penfield & Smith and the methodology used in the conclusion.
2. Asked for input from Christine Pierron, Chair, Architectural Board of Review (ABR), about the Board’s conclusions regarding the project..
3. Stated that this project is in the High-Fire Area and asked what the distinctions were from other areas in the High Fire Area. Asked if the Fire Department accepts the sixteen-foot road, that the residents would use in the event an evacuation was necessary.



4. Asked if solutions were considered that maintained La Vista del Oceano Drive as a dead end. Asked if the Transportation Division considered making the street a one-way street.
5. Asked where the pedestrian path begins and ends. Asked if there is potential to create pockets for pedestrian safety. There should be a stronger pedestrian element for the safety of the pedestrians. Commissioners asked for additional pedestrian amenities to better define the pedestrian pathway and provide more safety.
6. Asked if a sidewalk or pedestrian path could be created across 1575 La Vista del Oceano Drive.
7. Asked if there is flexibility in reducing the size, bulk and scale of each home. Commissioners discussed ways to reduce the size. Commissioners recognized the challenges of the sites.
8. Commissioners felt that the Alta Mesa neighborhood has been one of the most difficult areas to develop. As a whole, they feel that the homes in the area have become too large. Expressed concern about the view of the houses from the south.
9. Landscape is an important component for this project. Would like to see the use of canopy and skyline trees wherever possible to help mitigate the massing further.
10. Commissioners commended the owners' persistence, patience and creativity in pursuing the project.
11. Stated that Ricardo Avenue was not far away from the parking, and asked what the linear distance was from 1575 La Vista del Oceano Drive.
12. Asked ABR Chairperson Pierron if the ABR had suggested that the applicant for 1575 La Vista del Oceano Drive study an alternate design with the garage at the bottom of the site rather than as proposed. Commissioners preferred a solution that lowered the house on the site and minimized the massing and use of retaining walls.
13. Commissioners supported relocating the guest parking space to the driveway of the proposed garage for 1575 La Vista del Oceano Drive.
14. Commissioners considered conditions that would empower the building inspectors to require additional monitoring and mitigations during forecasts of heavy precipitation.
15. Deferred to the Architectural Board of Review to use their discretion as to the sandstone material or other similar material that would be appropriate for the retaining walls.

Stacey Wilson, Assistant Transportation Planner, explained the methodology used in the traffic study as the preparer of the report described it to her. The conclusions are based on extremely conservative figures, assuming the maximum amount of traffic that would use the road. She stated that the only viable roadway solution was a through-street, due to site constraints. She noted that initially the Planning Commission directed that no sidewalk facilities be provided to minimize the height of the walls. Relating to concerns about the speed of traffic, the Transportation Division believes that the design of the road is traffic calming.

Joe Poire, Fire Inspector III, explained how the Fire Department evaluates waivers and the distinctions in the various neighborhoods located in High Fire Areas. A waiver was granted in this

particular case because completing the roadway connection provided a greater benefit for emergency access. He noted that the property in the Coastal High Fire Area, which is less hazardous than the Extreme High Fire Area in the foothills.

Christine Pierron, Architectural Board of Review (ABR) Chairperson, stated that the ABR members are concerned with the guest parking space for 1575 La Vista del Oceano Drive due to the height of the retaining walls. The Board would support either eliminating the guest space or placing it in the driveway, in front of the proposed garage. She stated that sandstone cladding of the retaining walls is important. Overall, the ABR is satisfied with the size, bulk, and scale of the project; however, the Board would like to see the skyline trees maximized.

**MOTION: Jacobs/Myers**

**Assigned Resolution No. 063-05**

Approve the projects at 1568, 1570 and 1576 La Vista del Oceano Drive, and the La Vista del Oceano Drive roadway improvements, adopting the Mitigated Negative Declaration and environmental findings, and making the Neighborhood Preservation Ordinance and Modification Findings as outlined in the Staff Report, with amended conditions:

1. Add Condition B.5: The Property Owners, Architectural Board of Review and Fire Department shall increase the landscaping to break up the mass of the buildings when viewed from below; including the use of canopy trees, while remaining consistent with the high-fire guidelines.
2. Add Condition B.6: Provide differentiated pavement or other clear pedestrian access from the three upper houses to La Vista del Oceano Drive.
3. Add Condition B.7: The Property Owners shall, to the extent feasible, as determined by Community Development and Public Works directors, consider solutions for differentiated pedestrian paving along La Vista del Oceano Drive and potential pedestrian refuges and appropriate locations while minimizing retaining walls, although a low retaining wall and some pedestrian access could be considered, including decomposed granite or similar materials on the pedestrian shoulders.
4. Add Condition F.7.p: The Building and Safety Division shall have discretion to require additional erosion control and water quality measures when substantial rainfall is forecast.
5. Add Condition F.7.q: Pre- and post-storm monitoring shall be carried out to determine that silt conveyance is minimal. If, after monitoring, in the opinion of the Building Official, the soil is, or will become, saturated, monitoring will be increased.

This motion carried by the following vote:

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

**Comments to the Motion:**

Commissioner White stated that the three upper residences are larger than what he would normally approve, but that he is honoring the discretion of Architectural Board of Review.

Ms. Hubbell noted that all the conditions for 1568, 1570 and 1576 La Vista del Oceano Drive would also apply to 1575 La Vista del Oceano Drive with the addition of relocation of the guest parking to the driveway if that project is also approved.

**MOTION: Jacobs/White** Continued 1575 La Vista del Oceano Drive indefinitely with the following comments to the Architectural Board of Review: 1) guest parking shall be relocated to the driveway for the garage; 2) minimize the amount and overall height of the retaining walls; 3) reduce the overall height, mass, bulk and scale of the building; 4) restudy the vehicular and pedestrian access surrounding the property; 5) consider a lower floor area ratio given the steeper slope of this lot compared to the others; and 6) the Commission will consider modifications along the lower part of La Vista del Oceano rather than modifications along the upper part of the site, as it brings the house down the hill and is less obvious on the hillside.

This motion carried by the following vote:

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

Comments to the Motion:

Commissioner Myers commented that he disagrees with the rest of the Commission. He felt that the north elevation is satisfactory and the house is in the best location with the exception of the pedestrian access to the lower part of property.

**MOTION: Jacobs/Mahan**

Add Condition B.8 to the approval of 1568, 1570 and 1570 La Vista del Oceano Drive and the related roadway improvements: All retaining walls visible to the public shall be faced with sandstone or similar appearance as acceptable to the Architectural Board of Review.

This motion carried by the following vote:

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

Chair Maguire announced the ten calendar day appeal period.

**V. ADMINISTRATIVE AGENDA**

A. Committee and Liaison Reports.

Commissioner Jacobs reported that she attended the Enhanced Transit Sub-Committee meeting, which is looking for funding options to increase transit corridors for MTD in Santa Barbara on State Street on #6 and #11 lines. Mr. Myers and Mr. Maguire also attended that meeting.

Airport Terminal Design Sub-Committee: Commissioner Jacobs reported that the sub-committee, chaired by Commissioner Mahan, is finalizing the program criteria

document for the new terminal. The document is almost ready for Commission review. When approved, an architect and design team will be chosen. Commissioner Mahan provided additional information on the Sub-Committee's work.

Commissioner Larson reported that the City Street Light Sub-Committee has received draft guidelines from Mr. Ewasiuk. Concrete poles in Malaga green are an economical and attractive solution for most light poles. The guidelines will return to the Planning Commission soon.

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

Commissioner Myers stated that he is hopeful the Agenda for the Modification Hearing Officer would be more definitive in the future so that the Commission will be able to review the actions.

Chair Maguire asked the status of the Staff Hearing Officer. In order to get it started, they need to do a review of the standard Conditions of Approval. He also requested that Site Plans be included in the packets. Ms. Hubbell responded that Renee Brooke, who normally does this, has changed to another division. This work is being transferred to Irma Unzueta, to finish it up. Ms. Hubbell would like to take it through the Planning Commission sub-committee, which includes Mr. Myers and Mr. Jostes, before bringing it the Commission in December or January.

## **VI. ADJOURNMENT**

Chair Maguire adjourned the meeting at 5:10 p.m.

Submitted by,

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Deana Rae Mcmillion, Admin/Clerical Supervisor for Sherrell Bortman, Planning Commission Secretary