



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

December 1, 2005

CALL TO ORDER:

Chair Jonathan Maguire called the meeting to order at 1:09 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:

Bettie Weiss, City Planner

Jan Hubbell, Senior Planner

Victoria Greene, Project Planner

Renee Brooke, Redevelopment Specialist

Barbara Shelton, Environmental Analyst

Rob Dayton, Transportation Planning Supervisor

Stacey Wilson, Assistant Transportation Planner

Jim Austin, Fire Inspector

Nancy Rapp, Parks and Recreation Director

N. Scott Vincent, Assistant City Attorney

Debbie Bush, Acting Planning Commission Secretary

I. PRELIMINARY MATTERS:

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

Senior Planner Jan Hubbell announced that 617 Garden Street has been continued one week at applicant's request.

MOTION: Mahan/White

Continue 617 Garden Street to December 8, 2005 Planning Commission Meeting.

This motion carried by the following vote:

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

Commissioner White arrived at 1:10 P.M.

B. Announcements and appeals.

Ms. Hubbell announced that the scheduled December 15, 2005, Planning Commission meeting has been cancelled.

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

Jim Kahan commented on the timeliness of the public's access to staff reports and plans.

With no one else wishing to speak, the public comment was closed at 1:14 P.M.

II. CONSENT ITEMS:

ACTUAL TIME: 1:14 P.M.

APPLICATION OF PAT YOCHUM, AGENT FOR THE WRIGHT FAMILY TRUST, PROPERTY OWNER, 222 AND 236 YANONALI STREET, APN 17-021-033 and 17-021-20, HRC II, HOTEL AND RELATED COMMERCE ZONES, GENERAL PLAN DESIGNATION: HOTEL AND RELATED COMMERCE, SD-3, COASTAL OVERLAY (MST2003-00485)

The project consists of a one-year time extension to an approved Coastal Development Permit for a lot line adjustment. The lot line adjustment is between two lots of 20,968 square feet and 98,719 square feet, resulting in two lots of 23,727 square feet and 95,965 square feet, respectively. The discretionary application required for this project is a Time Extension to an approved Coastal Development Permit that allows a lot line adjustment on property located in the Appeals Jurisdiction of the City's Coastal Zone (SBMC §28.45.009).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Victoria Greene, Project Planner

Email: vgreene@santabarbaraca.gov

MOTION: Mahan/White

Motion to waive the Staff Report.

This motion carried by the following vote:

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

Commissioner Jostes stepped down.

The public comment was opened at 1:15 P.M. and with no one wishing to speak was closed at 1:15 P.M.

MOTION: Mahan/White

Assigned Resolution No. 078-05

Approve the time extension to an approved Coastal Development Permit that allows a lot line adjustment.

This motion carried by the following vote:

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

Commissioner Jostes returned at 1:16 P.M.

CONTINUED TO DECEMBER 8, 2005

APPLICATION OF JONATHAN DOHM, AGENT, FOR THE SANTA BARBARA MENTAL HEALTH ASSOCIATION AND REDEVELOPMENT AGENCY, 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 (MST2005-00575)

The project consists of a three-unit, one-lot subdivision for an approved mixed-use project with 13,075 square feet of commercial space, 51 residential units, and 110 parking spaces. The condominium units would be comprised as follows: Unit 1 – 51 residential apartments and common space (37,782 square feet); Unit 2 – commercial space on the first and second floors (13,852 square feet) for the Mental Health Association; and Unit 3 – commercial space on the third floor (3,688 square feet) for a non-profit owner. The parking would be held in common as previously approved.

The Planning Commission previously approved a mixed-use development on the site on January 27, 2005. Currently on the site there is an existing 1,160 square foot office building, four apartment units, 5,212 square foot athletic club and City employee parking lot, which have been approved for demolition.

The discretionary application required for this project is a Tentative Subdivision Map for a one-lot subdivision to create three (3) condominium units (SBMC Chapters 27.07 and 27.13).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Sections 15315.

Case Planner: Marisela G. Salinas, Associate Planner
Email: msalinas@santabarbaraca.gov

III. DISCUSSION ITEM:

ACTUAL TIME: 1:16 P.M.

A. AIRLINE TERMINAL IMPROVEMENT PROJECT

Review and recommendations to City Council on the Airline Terminal Project Program Criteria Document.

Case Planner: Laurie Owens, Project Planner
Email: lowens@SantaBarbaraCa.gov

Laurie Owens, Project Planner, gave a brief presentation of the project.

Nabil Jamal, URS, gave a brief presentation of the project.

Public comment was opened at 1:53 P.M, and with no one wishing to speak, closed at 1:53 P.M.

Commissioner's comments and questions:

1. Thanked Staff, Planning Commission members and others for their hard work. Suggested that it would be useful to overlay the existing Terminal building over the proposed project..
2. Stated that both the rental car parking lot and the long term parking lots look barren. Asked if these lots meet City landscape standards. Would like to see more shade wherever possible.
3. Stated that Phase I is scheduled to be completed just as capacity is reached; concerned with when planning would occur for Phase II.
4. Asked about the Historic Landmarks Commission (HLC) drawing deletions that were recommended.
5. Asked what is the average time a departing passenger spends in a terminal.
6. Asked about the size of the proposed short term parking in comparison to the existing short term parking lot.
7. Concerned with the passenger transit from the short term parking to the terminal and passenger safety when crossing the access road.
8. Asked about the public transit stops and movement of passengers.
9. Concerned with the upstairs Observation Deck facing the west side. Asked if it is possible to direct the passenger's view towards the view of the mountains instead of rental parking lot.
10. Would like to see airport terminal include activities to pass the time while waiting for flights to leave. Some Airports have children's activities, such as a Children's Museum. Suggested it might be an idea well worth pursuing for Santa Barbara.
11. Very clear and concise power point presentation given by Staff and Applicant. Helps the Commission to understand the bigger picture of the proposal. The project responds to the design criteria of Santa Barbara. Would like to help move the project forward.

12. Asked if the Green Building and Sustainability program is incorporated into the budget. Asked if there are ways to supplement revenue to make the building sustainable.
13. Asked about the small parking area to the south.
14. Asked why HLC is concerned with e-ticketing in the existing terminal building.
15. Understand HLC input about e-ticketing, but does not want to compromise the airport providing modern facilities and services.
16. Tarmac area can sometimes be very confusing; suggests electronic signs providing directions next to planes on the ground. An Airport should have "State of the Art" services.
17. Concerned with the sidewalks and their present ending point along William Moffet Place. Would like to see sidewalks extended to the length of the construction area.
18. Concerned with design of sidewalk. Attention needs to be paid to pedestrian access to and from parking lots; safety must be kept in mind, pointed out rental car area. Suggest finding ways to create pedestrian walkways that are more pedestrian friendly.
19. Recalled trying to have location of the bus stop within the interior of the road and asked for status.
20. Asked if the parking garage is part of Phase I.
21. Suggested that the sidewalk at least continue to the edge of the Mercury leasehold. Also suggested that information about transportation services be made available to passengers within the Airport.
22. Consensus of commissioners expressed appreciation and acknowledgment of excellent Staff work and for a very well developed conceptual plan. Noted that there will be changes as the plans become more detailed.

Laurie Owens answered questions from the Commissioners by stating that the long-term lot will not have changes. She also stated that the landscape design for the short term lot is not final. The Zoning Ordinance designates the rental car area as a storage area and does not require landscaping.

Ms. Owens talked about the airline market fluctuation as it relates to planning for Phase II.; discussed passenger growth and available budget. Cost escalation is included. Budgeting decisions have been made with priority on major functions such as baggage handling, and security areas. Mr. Jamal added that the baggage area is sized for efficiency.

Mr. Jamal responded that most passengers are required to be at the airport 90 minutes to 2 hours ahead of their flight. He also stated that the short term parking is projected to be 170 spaces compared to the present amount of 270 spaces.

Ms. Owens explained the sources of the project funding and the process of making projections for budget management. Sustainable project design was incorporated into the project cost estimates made during development of the PCD. Ms. Owens explained that HLC was involved in input to the E-ticketing because the kiosks would be placed inside the lobby of the historic structure.

Mr. Jamal explained the parking lot area is an entry for service vehicles and also used to shuttle rental cars from off-site storage. Ms. Owens added that this area will be used as a maintenance area in the future.

Ms. Owens reported meeting with MTD and their preference for maintaining their stop at William Moffet Place. Peak hour for terminal is much earlier than peak usage for MTD, so passengers and employees have difficulty making use of MTD. The commercial service road has been designed to allow for future MTD use. Also, by shifting the building southward, the distance for pedestrians will move closer to stops than today. Ms. Owens noted that the area along the long term lot is not a part of the project; and explained challenges in adding parkways.

Ms. Owens stated that the parking garage is a part of Phase II.

MOTION: Mahan/Jostes

Assigned Resolution No. 079-05

Recommend to the City Council that the Airline Terminal Project Criteria Document be approved with amendments to include:

- 1) Showing an outline of the existing terminal layout on the presentation materials.
- 2) Increasing landscaping in the rental parking lot and the remainder of the parking lots.
- 3) Continue to work on hiding the rental parking lot as seen from the observation deck.
- 4) Providing an area for children's activities, such as a Children's Museum.
- 5) Extending the length of the sidewalks to the limit of the construction area.
- 6) Providing a parkway between the sidewalk and the roadway wherever feasible.

This motion carried by the following vote:

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

The Commission recessed from 2:40p.m. until 3:03p.m.

Vice-Chair Jostes left the meeting at 3:03p.m.

CONTINUED ITEM:

ACTUAL TIME: 3:03 P.M.

A. APPLICATION OF PEAK LAS POSITAS PARTNERS, 900-1100 BLOCK OF LAS POSITAS ROAD (VERONICA MEADOWS SPECIFIC PLAN), APNs 047-010-016, 047-010-053 (A PORTION), 047-010-011, AND 47-061-026; CURRENT COUNTY ZONING: 8-R-1 SINGLE-FAMILY RESIDENTIAL (8,000 SQ. FT. MIN. LOT SIZE), AND RR-20 RURAL RESIDENTIAL (20-ACRE MIN. LOT SIZE); CURRENT COUNTY COMPREHENSIVE PLAN DESIGNATION: RESIDENTIAL, 4.6 UNITS PER ACRE AND RESIDENTIAL RANCHETTE, ONE UNIT PER 20 ACRES (MST99-00608).

The proposed project involves the annexation of approximately 50 acres to the City of Santa Barbara, located between Campanil Hill and Las Positas Road, and a 29-lot subdivision. Upon annexation, the subject lots would have various General Plan Land Use and Zoning Designations, described in further detail below.

Approximately 35.7 acres would be dedicated open space and 14.8 acres would be developed for residential uses, a public road, and public passive recreation and open space. Twenty-three (23)

residential lots would be created, ranging in size from approximately 5,520 to 11,373 square feet. The remaining six lots would be comprised of common open space areas and public roads. The project would include seven house plans, all of which would be two-stories in height, and range in size from 1,800 to 4,500 square feet of living area. Site access to all but two lots would be provided via a proposed concrete bridge over Arroyo Burro Creek that would intersect with Las Positas Road. A public loop road on the west side of the creek would serve 17 of the homes; a private drive would provide access to four home sites from the public loop road. The remaining two homes would be accessed from the end of Alan Road. A public pedestrian path is proposed along the western edge of the creek to provide access from the end of Alan Road to Las Positas Road.

The project includes a creek stabilization and restoration plan on both banks of Arroyo Burro Creek, for a length of approximately 1,800 feet, and would provide a 100-foot buffer between the proposed residences and the top of bank of Arroyo Burro Creek. A portion of the proposed public road and private driveways would be located within the 100-foot creek setback.

Cast-in-ground concrete caissons are proposed on-site to stabilize the hillside to the west. Geologic stabilization of the hill would result in approximately 61,500 cubic yards (cy) of cut and 61,500 cy of fill. Total estimated grading for the project improvements (building pads, roads, etc.) would be about 13,165 cy of cut and 26,102 cy of fill (including soil recompaction); grading for the creek stabilization/restoration work would involve approximately 14,000 cy of cut.

The Discretionary Applications Required for this Project Are:

1. A Coastal Development Permit for the subdivision and development (residences, roads, creek restoration, landscaping, grading, etc.) of the portion of the project within the Appealable and Non-Appealable jurisdictions of the Coastal Zone (SBMC §28.45.009);
2. A Lot Line Adjustment to remove a 4.49-acre portion from APN 047-010-053 and attach it to APN 047-010-016 (Gov. Code §66412);
3. A Waiver of the requirement that newly created lots front upon a public street, to allow proposed Lots 3, 4, 5, and 6 to be served by a private driveway (SBMC §22.60.300);
4. Neighborhood Preservation Ordinance Compliance because the project requires an EIR and to allow grading in excess of 500 cubic yards outside of a main building footprint within the Hillside Design District (SBMC §22.68.070); and
5. A Tentative Subdivision Map to divide one parcel into 29 lots, including a finding of consistency with proposed Specific Plan #9. Twenty-three lots would be developed with single-family homes, four would be common open space lots, and two would be dedicated as public road areas (SBMC Chapter 27.07).

Actions Requiring a Recommendation to the City Council by the Planning Commission:

6. Annexation of the subject parcels to the City of Santa Barbara;
7. Adoption of Specific Plan 9 – Veronica Meadows;
8. General Plan Amendment, upon annexation, to add the subject parcels to the City's General Plan Map. APNs 047-010-016, 047-061-026, and the 4.49-acre portion of 047-010-053 would have a General Plan Land Use Designation of Residential, Two Dwelling Units per Acre; APN

047-010-011 would be designated Major Hillside, Open Space, Buffer/Stream, and Pedestrian/Equestrian Trail;

9. Zoning Map Amendment, upon annexation, to designate APNs 047-010-011, 047-010-016, 047-061-026 and the 4.49-acre portion of 047-010-053 as SP-9, Veronica Meadows Specific Plan. Any portion of the involved properties located within the Coastal Zone would also be designated as SD-3, Coastal Overlay Zone;
10. Hillside Design District Map Amendment, upon annexation, to add the subject parcels to the Hillside Design District (SBMC §22.68.110); and
11. Local Coastal Plan Amendment to add the portion of APN 047-010-016 located within the Coastal Zone boundary to the City's Local Coastal Plan, with the same designations as for the General Plan.

Final EIR Certification. A Final Environmental Impact Report (EIR, ENV #99-00608) has been prepared and, prior to an action on the project, the Planning Commission will consider certification of the EIR, and must make findings pursuant to the California Environmental Quality Act Guidelines Section 15091.

Renee Brooke, Redevelopment Specialist, gave a brief presentation of the project.

Nancy Rapp, Parks and Recreation Director gave a brief overview of the project.

The applicant presentation was made by Mark Lee, Mitchell Swanson, Dan Meade and Jeff Gorrell.

The public comment was opened at 4:06 P.M.

Those who spoke in support of the project:

Ridge Baccash, Braemar Ranch Homeowner's Association
Robert Rice
Jack Trigueira
Bob Uphoff
Glen Adams
Jeff Ruppert
Christy Milorich
Alice Post, Livable Streets Coalition
Walter Knapp
Betty Shumaker
Donovan Chalfah
Mike Jordan, Creeks Advisory Committee
David Schott
Dr. John Calvert
Gary Gray
Josiah "Si" Jenkins
Sharon Trigueira

Paul Dubuc
John W. Calvert, PhD.
William and Gail Kennedy, submitted a letter

Those who spoke with concerns and opposition of the project:

Naomi Kovacs, Citizens Planning Association
David Pritchett, City Creeks Advisory Committee (CAC)
Eddie Harris, Santa Barbara Urban Creeks Council
Sharyn Main, South Coast Watershed Alliance

Chip Wullbrandt, attorney for Mark Lee, responded to public comments, specifically regarding the EIR. Pointed out that the property is privately owned and not destined to be park land; willing to meet with public speakers to discuss creek restoration. Mr. Wulbrandt summarized the benefits of project.

With no one else wishing to speak, the public comment was closed at 5:04 P.M.

Barbara Shelton, Environmental Analyst, provided clarification to comments made by the public regarding the EIR and Charter Section 1507.

Mr. Vincent stated that the EIR identifies the impacts to traffic at various intersections and specifies feasible mitigation, assigning dollar amounts based on impacts for each of the four intersections. It is through the applicant's agreement to assign the disbursed mitigation fee to one intersection that the City is gaining a better use of funds. The \$88,000 is being allocated to this one intersection.

Ms. Brooke clarified the creek restoration requirements.

The Commission recessed from 5:20 P.M. until 5:24 P.M.

Commissioner's questions and concerns:

1. Referenced City Charter Section 1507 and a concern, not with the annexation, but with the density that the annexation will bring in zoning proposed for the property.
2. Wanted to know more about the Creeks Advisory Committee's project review and its process.
3. Asked for clarification in looking at the Environmentally Superior Alternative vs. No Project Alternative and benefits lost if the project is not approved.
4. Asked if prior hearing's motion was incorporated into the new draft of conditions of approval.
5. Recalls original project did not include rezone of the five-acre parcel; cannot support intensification of land that is effectively open space.

6. Proposed creek restoration is gaining quality over time, but still concerned with hazards outside the restoration area that includes upstream and the downstream flooding potential to Alan Road properties.
7. Asked about relationship of the creek to Mr. Lee's 35-acre parcel. Asked if creek is on his parcel or adjacent to it. Wondered if you would be on private property if one tried to work in the creek channel.
8. Asked if the reason that removal cannot be done is because it is on private property. Asked if the reason that restoration is not feasible on the 35-acre parcel is due to liability issues.
9. Asked about Mr. Wulbrandt's proposal that included finding a grant from a State agency to provide financial support for creek restoration. Asked if Mr. Lee supports that proposal.
10. Sees county as agricultural area and zoned for low density, yet it seems reasonable that as cities grow and annex property, that density would increase. This project is not densely developed and leaves 88% of the proposed project as open space. Understands the importance of recognizing opportunities and sees this project as an incredible opportunity for the City to establish a new plateau in creek restoration.
11. Stated that this piece of land has limited zoning potential, as reflected in the General Plan and Zoning. The proposal conflicts with the General Plan and, although it offers some land as open space, it is land that is undevelopable. The proposed portion to be developed is not consistent with the Neighborhood Preservation Ordinance that is currently being developed.
12. The creation of creek stewardship with this project is significant in setting an example for other property owners up- and down-stream to do the same.
13. The 100 foot setback that may be encroached upon by this project is insignificant to the alternative and impact that Las Positas Road has on the creek itself. There are traffic concerns in the area that need to be addressed, but this project has minimal impact on current traffic conditions. The applicant cannot be held responsible for fixing these existing problems.
14. Suggest that at some time there could be a traffic fee mitigation program. This should also include a sustainability fee mitigation program applied to these homes.
15. Would like to see the oak tree at the proposed bridge location saved.
16. Stated that the public feels that it owns the creek, regardless of the fact that it is on private property. This attitude prevails when looking at projects like this one. It cannot be expected that conditions made on this one project will solve the problems up or down the creek; it is only a sliver in a larger picture.
17. Density still a concern, as well as the associated traffic. Appreciates daylighting the seasonal tributary that comes down from Campanil Hill.
18. Expressed disappointment that the Commission cannot approve what appears to be a benefit to the community. Asked the applicant if he would like a continuance or a denial of the project.
19. Some commissioners agreed that the applicant should have Council review the project.
20. Concerned that issues still remain after fellow Commissioners gave applicant direction and the applicant responded. Disappointed in lack of vision from peers and encourages applicant to consider appealing the Commission's decision to City Council.

21. One Commissioner recalled being distinct about seeing a reduction of units. The development of the project is not consistent with the City Charter Section 1507; therefore, cannot make findings to support project. Suggest if Commission is at a deadlock, then it is best to send to City Council.
22. The highest and best use of parkland is parks, not streets.
23. The density of Las Positas Canyon should be minimized
24. The no-bridge low density option is preferable.
25. This project constitutes an in appropriate use of scarce traffic capacity at Las Positas and U.S. Highway 101.

Mr. Vincent addressed the Commission in stating that the Creeks Advisory Committee was not established as a design review committee; it does have expertise in creek issues. This project was brought to the Creeks Advisory Committee for a courtesy review, but it should be understood that they are not a part of the design review process at this time.

Ms. Hubbell clarified the Environmentally Superior vs. No Project Alternatives and added that, although benefits are lost in not approving the project, a No Project Alternative would not bring significant unavoidable impacts.

John Gray, URS, EIR preparer, clarified the relationship of the 35-acre parcel and the creek. Most of the arrundo and the creek channel are not on Mr. Lee's property.

Mr. Lee stated that the majority of the creek is not abutting or attached to his property; other property owners own most of it. Because most of arrundo is upsteam, it will always be there. The restoration plan that is proposed discourages arrundo; however, there will be residual arrundo that will return. Mr. Lee would encounter liability issues if he were to alter the arrundo landscape on the 35-acre parcel, as it could cause slippage or other acts of God. There will be no liability as long as the land is left alone. Mr. Lee stated it would be unreasonable to ask him to assume that liability.

Mr. Lee said he would not be asking for a continuance. His reliance on the process and its integrity have been very disappointing. He has continued with this project for seven years working in good faith, and finds it shameful.

Mr. Wullbrandt added to Mr. Lee's comments saying that this proposal has fewer units on it than what is allowed by the County. This project has a lower density than what is allowed by County non-urban zoning and presents an opportunity for the City to do urban zoning and urban planning. Sees a need to have City Council review this proposal.

MOTION: Mahan/Jacobs

Certify the EIR as the findings are outlined.

This motion carried by the following vote:

Ayes: 5 Noes: 1 (White) Abstain: 0 Absent: 0

MOTION: Mahan/White

Assigned Resolution No. 080-05

Refer the project to City Council because the six member panel is deadlocked. Three Commissioners find it acceptable and three do not.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 0

Commissioner Mahan stated that it is a fine example of an applicant working with Staff and salutes the process.

Bettie Weiss, City Planner, commented on City Charter Section 1507. She also stated that there have been many concept reviews for various scenarios for this property. The process has its ups and downs, yet over time the varying positions of all individuals involved merit respect.

Ms. Weiss also thanked everyone for their efforts.

IV. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

Commissioner Jacobs attended the Airport Terminal Design Workshop and the project encourages all to use it. Ms. Jacobs has viewed the Granada Garage Parking lot and it will be quite successful. Congratulations to the construction crew and City Staff..

Commissioner Myers commented that he was not at the last Enhanced Transit Subcommittee meeting and changes were made that he was not aware of. Chair Maguire reviewed what some of the changes were.

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

None.

VII. ADJOURNMENT

Chair Maguire adjourned the meeting at 6:33 P.M.

Submitted by,

Deana Rae McMillion, Clerical/Admin Supervisor for Debbie Bush, Acting Planning Commission Secretary