



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

March 15, 2007

CALL TO ORDER:

Chair Charmaine Jacobs called the meeting to order at 1:02 P.M.

ROLL CALL:

Present:

Chair Charmaine Jacobs

Vice-Chair George C. Myers

Commissioners Bruce Bartlett (left @ 1:42 p.m., returned @ 3:12 p.m.), John Jostes (left @ 1:42 p.m., returned @ 3:12 p.m.), Stella Larson, George C. Myers, Addison S. Thompson and Harwood A. White, Jr.

STAFF PRESENT:

Jan Hubbell, Senior Planner

N. Scott Vincent, Assistant City Attorney

Michael Berman, Environmental Analyst

Allison De Busk, Project Planner

Kathleen Kennedy, Associate Planner

Peter Lawson, Associate Planner

Kelly Brodison, Assistant Planner

Kathleen Goo, Alternate Commission Secretary

I. PRELIMINARY MATTERS:

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

No requests made.

- B. Announcements and appeals.

Ms. Hubbell made the following announcements:

1. 1443 San Miguel Avenue has been appealed and will be heard by the City Council on April 10, 2007. Commissioner Myers will represent the Planning Commission.
2. 1533 W. Valerio Street has a pending appeal before the City Council and the date of that appeal will be announced at the next meeting.
3. Commissioner Bartlett will step down from Agenda Item IV.

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

Chair Jacobs opened the public hearing at 1:03 P.M., and as no one wished to speak, closed the hearing at 1:04 P.M.

MOTION: White/Myers

To hear Item II, B. 3250 Braemar Drive out of agenda order, and to waive the Staff Report.

This motion carried by the following vote:

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

II. CONSENT ITEMS:

ACTUAL TIME: 1:12 P.M.

THE FOLLOWING AGENDA ITEM WAS HEARD OUT OF ORDER

A. APPLICATION OF JERRY BOHANNAN, AGENT FOR VULCAN MATERIALS, 25 S. CALLE CESAR CHAVEZ, 017-113-026 & 027, M-1 ZONE DISTRICT & SD-3 COASTAL OVERLAY, GENERAL PLAN DESIGNATION: MANUFACTURING (MST2006-00341)

The project consists of demolishing a portion of the Vulcan Materials Co. ready-mix concrete plant, and downsizing the area utilized for operation to match the new agreed lease area between Vulcan and the landowner. The demolition will include removal of all the existing steel hoppers, the divider walls, the storage walls holding the material, removal of overhead bins, consolidation and relocation of the two offices, removal of scales and a conveyor tunnel. Demolition will be completed using various construction equipment including a crane, concrete breakers and loaders over an estimated four week period.

The discretionary applications required for this project are:

1. Coastal Development Permit to allow demolition of structures in the non-appealable jurisdiction of the 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 15301 (Existing Facilities).

Case Planner: Peter Lawson, Associate Planner
Email: plawson@santabarbaraca.gov

Peter Lawson, Associate Planner gave the staff presentation, and mentioned one public comment correspondence received from adjacent westerly neighbor, Mr. Bryan Uhrig at Channel Investment Company, who expressed concern regarding demolition noise, dust mitigation during operation, and effective street sweeping.

Mr. Ed Luce, Vulcan Materials Manager, gave the applicant's presentation.

Commissioner's comments and questions:

1. Asked if a new lot line adjustment is proposed.
2. The Commission asked if a lot line adjustment is proposed, about dust mitigation, for clarification on what will be left on the remainder of the property following demolition, about upgrading the drainage, classification of post-construction storm water management measures, and the future use of the remainder property.

Staff responded that a lot line adjustment is not proposed and the concrete pad will remain. Further, the future use of the remainder property is unknown. Adding plantings in the concrete pad area is unnecessary since the future use is unknown and the perimeter is well screened. Given the likely future industrial use, the Architectural Board of Review's comment that the concrete pad be removed seemed unnecessary. Staff also explained that the drainage and storm water management requirements.

Chair Jacobs opened the public hearing at 1:34 P.M. and, with no one wishing to speak, the public hearing was closed at 1:35 P.M.

MOTION: White/Barlett

Assigned Resolution No. 012-07

Approve the Coastal Development Permit, making the findings outlined in Section VII of the Staff Report, and subject to the Conditions of Approval in Exhibit A, with amended conditions as follows: 1) Amend Conditions F.5, F.7, and F.14 - all references to "grading" are changed to "demolition." 2) Add Condition B4, Concrete Slab - Given the uncertainty regarding future use of the property to the south of the proposed project, the concrete slab is allowed to remain and no additional landscaping shall be required on the portion of the concrete slab that the tenant no longer occupies.

This motion carried by the following vote:

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

Chair Jacobs announced the ten calendar day appeal period.

THE FOLLOWING AGENDA ITEM WAS HEARD OUT OF ORDER

ACTUAL TIME: 1:06 P.M.

B. APPLICATION OF DAVID AND KRISTIN YOUNG, OWNERS, 3250 BRAEMAR DRIVE, 047-030-049, A-1/SD-3 SINGLE -FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 1 UNIT PER ACRE (MST2004-00490)

The project consists of a proposal to demolish an existing 1,942 square foot single-family residence and 1.394 square foot detached garage and to construct a new two-story 4,390 square foot single family residence with an attached 750 square foot three-car garage, 959 square feet of covered porches and a 100 square foot second floor deck on a 43,775 square foot lot located in the Hillside Design District.

The discretionary applications required for this project are:

1. A Coastal Development Permit to allow the proposed development in the Non-Appealable Jurisdiction of the 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 15303, for new construction of a small structure.

Case Planner: Kelly Brodison, Assistant Planner
Email: kbrodison@santabarbaraca.gov

The Planning Commission granted Ms. Hubbell's request to waive the Staff Report.

Chair Jacobs opened the public hearing at 1:05 P.M.

Mr. James E. Brodhead only had some questions pertaining to the proposed plans and neither supported nor opposed the proposed project.

The public hearing closed at 1:06 P.M.

MOTION: Thompson/Myers

Assigned Resolution No. 011-07

Approve the Coastal Development Permit, making the findings outlined in Section VII of the Staff Report, and subject to the Conditions of Approval in Exhibit A.

This motion carried by the following vote:

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

Chair Jacobs announced the ten calendar day appeal period.

III. **NEW ITEMS:**

COMMISSIONER BARTLETT STEPPED DOWN FROM THE FOLLOWING ITEM:

ACTUAL TIME: 1:42 P.M.

A. **APPLICATION OF JAN HOCHHAUSER, ARCHITECT FOR CASITAS DE MILPAS, LLC, 817 N. MILPAS STREET, APN: 031-042-022, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE (MST2005-00667)**

The project consists of a proposal for a two- and three-story mixed-use project consisting of five new residential condominium units for a total of 8,846 square feet (net), one new 778 square foot (net) commercial space and 13 parking spaces on a 13,471 square foot lot. The residential units consist of 2 two-bedroom units and 3 three-bedroom units. The existing structures onsite would be demolished.

The discretionary application required for this project is a Tentative Subdivision Map for a one-lot subdivision to create five (5) residential condominium units and 786 square feet of commercial space (SBMC§27.07 & 27.13).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 (new construction of small structures).

Case Planner: Kathleen Kennedy, Assistant Planner
Email: kkennedy@SantaBarbaraCA.gov

Kathleen Kennedy, Associate Planner, gave the Staff presentation.

Mr. Jan Hochhauser, Architect, gave the applicant presentation.

Staff and Mr. Hochhauser answered Planning Commission questions regarding Unit E garage orientation, access off the alley encroachments and backing into alleyway, pedestrian experience on sidewalks, interface between pedestrians and vehicles in the central mews with delineated walkways to segregate between pedestrians and vehicular traffic, ADA accessibility requirements, pavement edge treatments, proposed plate heights, parking ratios for commercial square footage and allowed parking spaces, proposed streetscape on Milpas Street and the alleyway safety visibility as clarified by Transportation staff, including secondary parking spaces for the residential units and those for commercial use only.

Mr. Hochhauser explained that access off the alley was considered and it was determined difficult and inefficient to have only one unit with its own private access and would cause safety concerns with vehicles backing out into the alley. Using the alley would preclude reasonable access of pedestrians through the alley causing a repositioning of the motor court access and garage, adversely affecting the efficiency achieved by the double-loaded design scheme.

Mr. Hochhauser stated ADA accessibility requirements require a distinct and clear demarcated path of travel, which is achieved with a mews-like plaza and clear curved and paved pathway.

Ms. Hubbell stated that the City has already started enforcement of illegal encroachments into alley. She further clarified that backing out into the alley would probably require a vehicle to back up quite a distance all the way to Nopal Street.

Mr. Hochhauser clarified that the floor-to-floor and parapet heights for Milpas building frontages.

Chair Jacobs opened the public hearing at 2:24 P.M., and the following person spoke in support of the project:

Jarrett Gorin of Centerpoint Development Partners, LLC, representing the proposed development directly adjacent to the proposed project was in support of the proposed pedestrian space and driveway, and read a letter he had written.

With no one else wishing to speak, the public hearing was closed at 2:28 P.M.

Commissioners' comments and questions:

1. Expressed regret that the parking structure is not more pedestrian friendly, and that the frontage is not tiered or stepped back from the street. Appreciated that the structure is not three-story and that there are no modifications.
2. A majority of the Commission supported the art deco design style, and the larger multiple bedroom units. The Commission stated the tiled area on the street face on the south side of the façade should be livened up with landscaping, grillwork, benches or fountains, and that south side balconies should be opened to the sky or remove the Spanish tile roofs and replace with retractable awning for court yard covering in true art deco style.
3. One Commissioner requested the Unit B southeast balcony be reversed to open onto the interior using glass block as a sound barrier which will be eventually closed up by the adjacent building.
4. Some Commissioners expressed concern about not taking advantage of the alley.
5. One Commissioner expressed general support for the proposed project as a general improvement by bringing the development down to sidewalk level.
6. Commented on residential permit parking in the area and suggested restricting parking for the units to the residential district to comply with parking density issues, would like the applicant to present to ABR and Transportation staff an alternative which has Unit B exiting onto the alleyway, preferred more softening landscaping elements on the edge treatment of the auto-court where pavement rests against the building and suggested more grass or landscaping elements be integrated into the pavement.

Mr. Hochhauser clarified that the three parking spaces are for commercial use only, and stated the suggested fountain enhancement was not feasible for the proposed project.

Ms. Hubbell reminded the Commission that, even though the proposed walling in of the court yard is a legitimate concern, there are other interesting and equally wonderful enclosed spaces around the City that are completely walled in and open to the sky, shaded most of the day, and have trellis work and retractable awnings.

Commissioner White and Larson expressed concerned that the token commercial spaces are not given the opportunity for expansion.

MOTION: Thompson/Myers

Assigned Resolution No. 013-07

Approve the project, making the findings in Section VII of the Staff Report, and with the Conditions of Approval in Exhibit A, amended as follows: 1) Amend Section C introduction to reference the Architectural Board of Review and include the following language: "ABR shall not grant preliminary approval until the following conditions are satisfied." 2) Require the applicant to present to the Architectural Board of Review and Transportation staff an alternative which has Unit E exiting onto the alley to Nopal Street. 3) Require shifting the easterly south facing balcony of Unit B to the north side of the unit, thus mirroring the Unit A balcony. 4) Revise the southerly building on the front elevation to make it more pedestrian friendly. 5) Study additional landscaping in the courtyard/motorcourt. 6) Future residential owners and tenants are prohibited from receiving Residential Parking Permits if the program is applied to the area around or near this project.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Bartlett/Jostes)

Chair Jacobs announced the ten calendar day appeal period.

Chair Jacobs announced a break at 3:05 P.M. The meeting reconvened at 3:12 P.M.

ACTUAL TIME: 3:12 P.M.

B. APPLICATION OF BRENT DANIELS, AGENT FOR JORGENSEN RANCH, LLC, 561 W. MOUNTAIN DRIVE, APN: 021-110-018, A-1 ONE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL – 1 UNIT PER ACRE (MST2004-00206)

The project consists of a 4-lot subdivision of an 8.8 acre parcel. New lots would range in size from 1.68 to 2.32 net acres. The project includes the construction of new homes on three of the lots, each requesting a garage size modification, and maintenance of the existing adobe house on Lot 2. Each lot requires a lot frontage modification and a public street waiver. Neighborhood Preservation Ordinance findings are required for grading in excess of 500 cubic yards outside of the building footprints. Infrastructure improvements related to the subdivision are proposed, including a new private road, utilities and fire hydrants.

The discretionary applications required for this project are:

1. Modifications (four) to allow each of the newly created lots to have less than the required 100 feet of frontage on a public street (SBMC §28.15.080);
2. Modifications (three) to allow the garages on Lots 1, 3 and 4 to exceed 750 square feet (SBMC §28.87.160.4);
3. A Public Street Frontage Waiver to create three new lots that do not front on a public street (SBMC, §22.60.300);
4. A Tentative Subdivision Map to allow the division of one parcel(s) into four lots (SBMC 27.07); and
5. Neighborhood Preservation Ordinance Findings to allow grading in excess of 500 cubic yards on a project site located within the Hillside Design District (SBMC §22.68.070).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Sections 15315 [Minor Land Divisions] and 15303 [New Construction].

Case Planner: Allison De Busk, Associate Planner
Email: adebusk@SantaBarbaraCA.gov

Allison De Busk gave the Staff presentation, and requested that Section B 5 a, be deleted from the Conditions of Approval.

Brent Daniels, Agent; Greg Parker with Investec, Inc.; Susan Van Atta, Landscape Architect; and Charlie Eckberg with Investec gave the applicant presentation.

Mr. Daniels and staff answered Planning Commission questions on why a public road was not proposed, resolution of the matter regarding the easement for the water tunnel under the residence on Lot 1, the reasoning behind the development envelope on Lot 2, regarding the main access to the property off Mountain Drive, limitations

to the proposed building envelopes of the homes being reviewed fire hazard, and whether the homes would be constructed by the applicant.

Mr. Daniels explained that they were requested to propose the homes to the Commission as part of the concept review, and cannot guarantee they will be the ones to build the homes, but if they were chosen to build the homes then these would be the homes they would build. There is the possibility that some lots may be sold before the houses are built, but the homes would have the existing approval of the ABR, and buyers would have to return for approval of any modifications proposed on the homes.

Ms. Hubbell stated that the City cannot force a public road because of the intervening private easement, and the affected landowners do not agree to dedicate the private easement as a public road.

Chair Jacobs opened the public hearing at 4:04 P.M.

The following people spoke in support of the project:

1. Mr. Bill Mahan, with a suggestion to condition the garages.
2. Mr. Bill Jorgensen

The following people spoke in opposition of the project or with concerns regarding ingress and egress due to High Fire Hazard Area:

1. Mr. Craig Christenson (also spoke for Mr. Duffy Smith and Ms. Dorothy Warnock)
2. Mrs. Susan Christenson (also spoke for Mr. Cody Campbell, and submitted signed petition)
3. Ms. Muriel Ridland (The Riviera Association-also spoke for Mr. Art Kvaas)
4. John & Dorothy Warnok
5. Ms. Lisa Sands
6. Mr. Carl & Leslie Gutierrez-Jones
7. Mr. Steven Hammer
8. Ms. Mary Lou La Barge (also submitted photos)
9. Mr. Joshua Odell
10. Mr. Randall Wade

With no one else wishing to speak, the public hearing was closed at 4:52 P.M.

Commissioners' comments and questions:

1. Consensus of the Commission felt that the fire safety issue has been resolved by the project changes.
2. One Commissioner confirmed from staff that the modifications would still be required whether the project is a two or four lot configuration.
3. One Commissioner stated support for a three-lot configuration.
4. Stated that fire safety issue is important but seemed conflicted as the Planning Commission gave direction which was not followed.
5. Confirmed that the previous Planning Commission review was a Concept Review and only an overview of the proposed project.

6. One Commissioner commented that neighbor concerns cannot be ignored and recognizing that fire management tools are needed for the area, and had no objections to lowering the height of the building pad on Lot 1, but would prefer to see the density of the project reduced to a three-lot configuration.
7. Two Commissioners preferred the two-lot configuration due to fire safety, parking density, and accessibility concerns for the area.
8. At least one Commissioner commented that as the Commission directed the applicant to seek public access, it was rather disingenuous of the public not to grant the public access, and then to use it as the reason to suggest denying the application.
9. At least two Commissioners expressed concern that the Lot 2 configuration seems to imply a building envelope with an accessory structure.
10. At least two Commissioners concurred that the proposed project might actually improve emergency fire safety accessibility to the neighborhood, that public comments on parking density issues seem to be suggested by those who park within the 50-foot easement, the proposed driveway configuration is an improvement over the current, concur that Lot 2 should have a smaller building envelope, proposed houses on Lots 1 and 3 should be lowered, find three-lot configuration is acceptable but prefer the four-lot configuration as justification for Home Owners Association purposes, and believed it unfair to view the proposed project as a "preserve" in the midst of the all the surrounding smaller lots in the area.
11. Regarding Lot 2, suggested obtaining designation as a Structure of Merit, suggested making the building envelope smaller.
12. The intent of the public road condition has been more than met by the applicant with the provided Covenants, Conditions & Restrictions (CC&R's).
13. Commented that the building envelope below the Pittman Adobe seems excessively large.
14. Clarified that the proposed public road access is viewed by Fire Department staff as an improvement over the current configuration because of the proposed additional fire hydrants, superior access, and management of the wildland fire plans.

Ms. Hubbell and Mr. Vincent clarified that the project's CC&Rs are very thorough and restrictive, and serve as a model of public street waivers for the community since it gives the City the right to keep a road maintenance schedule and to ticket and tow illegally parked cars in the area and to assess property owners for the cost.

MOTION: Bartlett/Myers

Assigned Resolution No. 014-07

Approve the project, making the findings outlined in Section VIII of the Staff Report, and the Conditions of Approval, Exhibit A, with the following amended conditions: 1) The Lot 2 building development envelope around the Pittman Adobe shall be reduced to follow the 705 foot contour, especially on southerly side with allowable drainage but no detached accessory structures. 2) Building heights or pad elevations on Lots on 1 and 3 shall be reduced. 3) Section A.5-Development Rights Restrictions shall be amended as, "The Owners shall not conduct any development

within the restricted portion of the Real Property.” 4) Section B.5.i - shall be deleted. 5) Section A.6 reference the architectural plans approved at this meeting. 6) Section C.7, shall amended “Prior to the Certificate of Occupancy,” to the beginning of the second sentence.

This motion carried by the following public vote count:

Ayes: 4 Noes: 3 (Jostes, Larson, White) Abstain: 0 Absent: 0

Chair Jacobs announced the ten calendar day appeal period

III. DRAFT MITIGATED NEGATIVE DECLARATION PUBLIC COMMENTS HEARING:

ACTUAL TIME: 5:34 P.M.

APPLICATION OF HAL HILL, AGENT FOR THE CITY OF SANTA BARBARA PUBLIC WORKS DEPARTMENT, OO E. CABRILLO BOULEVARD, APNs 033-120-0RW, -015, AND 033-111-011, PR/S-D-3 AND HRC-2/S-D-3 ZONES, GENERAL PLAN DESIGNATIONS: RECREATION AND OPEN SPACE, (MST2004-00878/CDP2007-00001)

The project would replace the existing structurally deficient Cabrillo Boulevard Bridge over Mission Creek and improve the hydraulic conveyance of Mission Creek from State Street to the Pacific Ocean. The banks of Mission Creek from Cabrillo Boulevard to State Street would be rebuilt in compliance with the approved Lower Mission Creek Flood Control Project.

The project requires approval of a Coastal Development Permit (CDP), recommendations to the California Coastal Commission for approval of a CDP in their permanent jurisdiction, Historic Landmarks Commission approval for bridge design, landscaping, and bank replacement, a US Army Corps of Engineers 404 permit, a California Department of Fish and Game Streambed Alteration Permit, and a Regional Water Quality Control Board - 401 certification.

Comments on the adequacy of the proposed Draft Mitigated Negative Declaration (MND) are invited from public agencies, community interest groups, and individual members of the public. We request the views of public agencies as to the scope and content of environmental information germane to agency statutory responsibilities for the project. Some agencies may need to use the MND prepared by our agency when considering approvals for the project. Please provide the name of an agency contact persons, if applicable. The public comment period ends on Wednesday, March 28, 2007.

An Initial Study, describing potentially significant project impacts and required mitigation measures and less than significant impacts in other issue areas, is available for review at the City Planning Division located at 630 Garden Street, or online at www.SantaBarbaraCA.gov.

Case Planner: Michael Berman, Project Planner
Email: mberman@SantaBarbaraCA.gov

Michael Berman, Project Planner, gave the Staff presentation.

Pat Kelly, Assistant Public Works Director/City Engineer, and Hal Hill, Project Manager II, gave the applicant presentation.

Chair Jacobs opened the public hearing at 5:49 P.M., and as no one wished to speak, the public hearing was closed at 5:50 P.M.

Commissioners' comments and questions:

1. Commented that Airport has overdone amenities concerning environmental protection and resultant costs and support staff being extremely mindful of the costs of mitigation, protect arts and crafts show businesses, and staff should study traffic rerouting in the area during construction.
2. Commented that straight-line easterly alignment might be considered as an improvement.
3. Commented that non-essentials should be kept to a minimum, and consider recycling the temporary pedestrian/bike bridge to another park.
4. Commented that the staging area location is a concern and should remain as close to the project as possible to minimize traffic impacts in the area.
5. Commented that the environmental document is very complete.
6. The signage should include an education panel that discusses the ecological cycle of the lagoon and another sign on how the environment will be protected to inform interested public on details of the project.
7. Commented that a web cam and blog (web dialog site) during construction would be interesting to the public and useful for traffic purposes.
8. Consider every option for the Rusty's Pizza property, including use as a visitor's center.

Mr. Kelly clarified that Mr. Castagnola owns the channel and Rusty's Pizza and right of way efforts may need to be resolved before project can progress.

Mr. Vincent and Ms. Hubbell clarified that the angle of alignment should be kept more to the east to protect Stearns Wharf from the effects of flooding.

DUE TO TIME CONSTRAINTS, THE ADMINISTRATIVE AGENDA WAS CONTINUED TO THE APRIL 5TH MEETING

IV. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

None at this time.

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

None at this time.

VII. ADJOURNMENT

MOTION: Larson/White Adjourn the meeting of March 15, 2007.

This motion carried by the following vote:

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

Chair Jacobs adjourned the meeting at 6:04 P.M.

Submitted by,



Kathleen Goo, Alternate Commission Secretary

