



# City of Santa Barbara Planning Division

## PLANNING COMMISSION MINUTES

March 6, 2008

### CALL TO ORDER:

Chair George C. Myers called the meeting to order at 1:04 P.M.

### ROLL CALL:

#### **Present:**

Chair George C. Myers

Vice-Chair Stella Larson

Commissioners Bruce Bartlett, Charmaine Jacobs, John Jostes, Addison S. Thompson and Harwood A. White, Jr.

### STAFF PRESENT:

Bettie Weiss, City Planner

Jan Hubbell, Senior Planner

N. Scott Vincent, Assistant City Attorney

Rob Dayton, Principal Transportation Planner

Steve Foley, Supervising Transportation Planner

Barbara Shelton, Environmental Analyst

Michael Berman, Environmental Analyst

Debra Andaloro, Project Planner

Irma Unzueta, Project Planner

Susan Reardon, Project Planner

Allison De Busk, Project Planner

Kathleen Kennedy, Associate Planner

Peter Lawson, Associate Planner

Stacey Wilson, Associate Transportation Planner

Chelsey Swanson, Assistant Transportation Planner

Julie Rodriguez, Planning Commission Secretary

**I. PRELIMINARY MATTERS:**

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

Senior Planner Jan Hubbell announced that Agenda Items III, 565 Yankee Farm Road, and IV, 210 Miegs, 216 Miegs and 290 Lighthouse Road, would be heard out of order.

2. Announcements and appeals.

- a. Ms. Hubbell made the following announcements:

- i. The 517 Chapala Street appeal was upheld by City Council granting preliminary approval, with some recommendations back to the Historic Landmarks Commission.

- ii. 3470 State Street Planning Commission denial has been appealed by the applicant to City Council with a date pending.

- iii. The 1236 San Andres Street appeal will be heard by City Council next week. Commissioner Jacobs will represent the Commission.

- b. Chair Myers acknowledged that UCSB Students from the Environmental Studies Program were in attendance.

- c. Commissioner Jacobs announced that she will be recusing herself from hearing 1298 Coast Village Road project on March 13, 2008 due to her husband's law firm representing the applicant.

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

Chair Myers opened the public hearing at 1:07 P.M. and, with no one wishing to speak, closed the hearing.

**II. CONTINUED ITEM:**

**ACTUAL TIME: 1:45 P.M.**

The following item was continued from December 6, 2007 and was heard after Item IV.

**APPLICATION OF JESSICA GRANT & NILS HAMMERBECK AGENTS FOR ANDREAS VON BLOTNITZ, 565 YANKEE FARM ROAD, 047-030-005 A-1/SD-3 ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL (MST2005-00759)**

The proposed project involves demolition of an existing single family residence, with attached carport, and constructing a new residence with an attached garage. The proposed two-story residence would be approximately 6,960 square feet with an attached 730 square foot garage and an attached 402 square foot workshop. Additionally, a swimming pool with a 450 square foot cabana would be constructed approximately twenty-five feet south of the residence. Approximately 2,945 cubic yards of cut and 2,600 cubic yards of fill would be

required for the project. The excess 345 cubic yards would remain on site. Access to the site would be provided by the existing driveway, which will be repaved and widened to sixteen feet, once utilities are installed. A fire hydrant would be installed at the end of a hammer head turnaround and is part of fire access and safety plan consistent with Fire Department requirements.

The discretionary applications required for this project are:

1. Coastal Development Permit (SBMC § 28.44.060 Permit Required).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303, New Construction or Conversion of Small Structures.

Case Planner: Peter Lawson, Associate Planner

Email: plawson@santabarbaraca.gov

Ms. Hubbell requested that the Planning Commission waive the Staff Report.

Peter Lawson, Associate Planner, gave the Staff presentation and clarified the project ownership.

Staff answered Planning Commission's questions about the difference in elevation between the project site and the neighborhood below the project site; whether the property is in the Campanil neighborhood or the Braemar Ranch neighborhood; and the definition and calculations of net floor area.

Nils Hammerbeck, Architect, gave the applicant presentation.

Mr. Hammerbeck answered the Planning Commission's questions about bringing the Floor Area Ratio (FAR) down to less than 100%; shielding the solar panels from view of neighbors; clarification of the FAR calculations; clarification of the glass material used in the skylight; if the lighting in the driveway will be visible from the mountainside; clarification of 'zero net' as a goal and how it will be measured; and accuracy of the tower slope.

Chair Myers opened the public hearing at 2:40 P.M.

The following people spoke in opposition to the project or with concerns:

1. Ronald Green, Braemar Ranch Homeowners Association, spoke on behalf of 50 members who signed a petition against the project. The project is incompatible with the Braemar Ranch Neighborhood; wants the character of the neighborhood preserved. Wants the Commission to closely adhere to the Single Family Design Guidelines.
2. Lori Rafferty spoke for 3 neighbors, on upper Yankee Farm Road, expressing concern about the size, bulk, scale, and incompatibility of the

- proposed project. Concerned with how the project is defined with Neighborhood Preservation Ordinance (NPO) Guidelines; soil displacement; and historical ground water. Would like to see the project reduced in size.
3. Patricia Foley, President, Braemar Ranch Home Owners Association, reminded the Commission that the neighborhood association was in support of the NPO Guidelines. Concerned with the size, bulk and scale of the project; average house size in this neighborhood is 3,500 square feet. There is concern for the 32' height of project; the glass roof and impact on viewing night sky; and the visibility from other areas of the neighborhood. Would like to see the project reduced in size and stepped up the hill.

With no one else wishing to speak, the public hearing was closed at 2:50 P.M.

Ms. Hubbell clarified the Campanil Neighborhood as defined by the General Plan.

Commissioner's comments:

1. Two Commissioners commended the applicant for all the efforts made. The project's size, bulk, scale is not compatible with the neighborhood as outlined in the Single Family Design Guidelines. The Commission directed the project to be reduced in size, but it is now larger.
2. One Commissioner stated that the project does fall within the Guidelines and spoke to the improvements being made by the applicant, including drainage improvements, and restoring the scarring on the hillside. Will support project for playing by the rules.
3. One Commissioner expressed concern about the grading being taken to the limit of the 30% slopes.
4. One Commissioner could not find that the project was in compliance with the City's Design Guidelines and therefore could not support the project and cannot make findings for Coastal Development Permit.
5. The height, per the Single Family Design Guidelines, is still too tall and needs to be addressed. The skylight functions as a beacon and does not comply with the City's regulations on skylights, per the Single Family Design Guidelines, especially hillside development.
6. Acknowledged that the project was not requesting modifications; is using green building techniques and energy efficient design; provides balanced grading onsite; drainage improvements; and fire hazard improvements. One Commissioner was concerned with the Floor Area Ratio (FAR) issue and wants to see the applicant take a voluntary approach to downsizing the project. Would like to condition that the solar panels and equipment not be visible to the neighborhood.
7. One Commissioner appreciated the Green design, and the connection to the sewer, but felt that the project was still too large. Could support the project if it was reduced to 100% of the FAR Guidelines.

8. One Commissioner was concerned with the sustainability issues with building a project of that size but felt that the applicant's presentation mitigated the concerns. The location of the home and its elevation puts it in the Campanil neighborhood. Appreciates the compromise that has been made with the large homes above and the smaller homes below. Would like to see a condition that the project returns to design review boards and that the square footage be reduced to no more than 100% of FAR.

Staff answered an additional Planning Commission question about clarification of the FAR calculations; accessory structures are added into FAR.

**MOTION: Thompson/Bartlett**

**Assigned Resolution No. 011-08**

Approve the Coastal Development Permit, making the findings in the Staff Report, and subject to the Conditions of Approval included in Staff Report Exhibit A, with the following added conditions: 1) Design review shall be done by the Architectural Board of Review, not the Single Family Design Board; 2). The applicant shall reduce the square footage to be no more than 100% of Floor Area Guidelines; 3). Solar equipment shall be shielded from view of the neighbors; 4). Review the driveway lighting and skylight design to be consistent with the Lighting Ordinance.

This motion carried by the following vote:

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

Chair Myers announced the ten calendar day appeal period.

Chair Myers called for a recess at 3:30 P.M. and resumed the hearing at 3:45 P.M.

**III. NEW ITEM:**

**ACTUAL TIME: 1:08 P.M.** The following item was heard before Item III.

**APPLICATION OF AUDREY DUNLOP, TYNAN GROUP, AGENT FOR MICHAEL STEVENS AND SANTA BARBARA SCHOOL DISTRICT, PROPERTY OWNERS, 210 MEIGS, 216 MEIGS AND 290 LIGHTHOUSE ROAD; APN 045-110-011, 045-110-013 AND 045-110-009; E-3/S-D-3 ONE FAMILY RESIDENTIAL / COASTAL OVERLAY ZONE AND PR/S-D-3 PARK AND RECREATION / COASTAL OVERLAY ZONE; GENERAL PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTIONAL (MST2006-00476)**

The applicant is requesting that the city initiate a Change in Zone for 216 Meigs Road from PR/S-D-3 (Parks and Recreation/Coastal Overlay Zone) to E-3/S-D-3 (One Family Residential/Coastal Overlay Zone), and a General Plan/Coastal Plan Map Amendment from Major Public and Institutional to Residential – 5 units per acre on 216 Meigs Road and portions of 210 Meigs and 290 Lighthouse Road. At this time, the discretionary

applications required for this project are an Initiation of a Zone Change (SBMC §28.92.015) and a General Plan/Local Coastal Plan Map amendments (SBMC §28.07 and 28.44.250).

**The Planning Commission may provide comments on the conceptual development project related to the request for a Change in Zone and General Plan/Local Coastal Plan Map Amendment. However, no action on any project will be taken at this time, nor will any determination be made regarding environmental review of a proposed project.**

Case Planner: Allison De Busk, Associate Planner

Email: [adebusk@SantaBarbaraCA.gov](mailto:adebusk@SantaBarbaraCA.gov)

Allison De Busk, Project Planner, gave the Staff presentation.

Staff answered Planning Commission's questions stating that four units is the current density allowed; reviewed the 10 unit project previously approved and pending appeal action from City Council, and explained that the area obtained by the school as part of the land swap would be for school purposes only with no residential development.

Dave O'Dell and Pete Ehlen, Tynan Group, representing Michael Stevens, Stevens Trust, gave the Applicant presentation.

Chair Myers opened the public hearing at 1:21 P.M.

Natasha Heifetz Campbell spoke in support of the project and recommended that a condition be added to reflect that future development of the parcels be compatible with the school use. Submitted letter offering suggestions and conditions for the subdivision to ensure compatibility.

With no one else wishing to speak, the public hearing was closed at 1:25 P.M.

Commissioner's comments:

1. The Commission acknowledged the exemplary coordination and cooperation of the applicant with the neighborhood and the school in the development process.
2. Some Commissioners noted the positive impacts resulting from the project, such as an improved school parking lot; access off of Miags Road means no impact to Lighthouse Road; and the neighborhood collaboration.
3. One Commissioner noted that the siting of homes will be important to protect the school.
4. One Commissioner wanted further explanation of how the proposal would help parking for the school.
5. One Commissioner asked for explanation on why R-2 zoning was not being requested with a larger number of small units.

David Hetynk, Facilities Superintendent, Santa Barbara School Districts, answered Planning Commissioners questions about how the project's parking would not impact traffic. The new parking would offer more spaces and an additional drop-off zone.

Mr. Ehlen responded to the Commission in explaining the negotiation between parties that evolved to the single family density to be consistent with Washington School and Shoreline Drive.

**MOTION: Jacobs/White**

**Assigned Resolution No. 010-08**

Initiate the Zone Change and General Plan and Local Coastal Plan Amendments.

This motion carried by the following vote:

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

Chair Myers announced the ten calendar day appeal period.

**IV. CONCEPT REVIEW:**

Commissioners Jacobs and Jostes did not return to the dais when the hearing resumed.

**ACTUAL TIME: 3:45 P.M.**

**RECUSALS:** To avoid any actual or perceived conflict of interest, the following Commissioners recused themselves from hearing this item:

1. Commissioner Jacobs has recused herself due to the applicant's law firm also being her husband's employer.
2. Commissioner Jostes recused himself due to real estate interest in close proximity to the project.

**EX PARTE COMMUNICATION:** Commissioner Bartlett disclosed an ex parte communication with the applicant.

**APPLICATION OF LISA PLOWMAN, AGENT FOR METROPOLITAN THEATRES CORPORATION, 1330 CHAPALA STREET, 039-131-001 AND 039-131-007, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: OFFICES AND RESIDENTIAL (MST2007-00371)**

The proposed project involves the construction of a mixed-use development consisting of 15,000 square feet of commercial space and 29 residential units, including five affordable units, and an underground parking garage containing 85 parking spaces. The project site is directly adjacent to the Arlington Theater and is currently used as a commercial parking lot.

The discretionary applications required for this project are:

2. Development Plan Approval to allow the non-residential development that exceeds 3,000 square feet (SBMC § 28.87.300);

3. Transfer of Existing Development Rights (TEDR), with sending site to be determined (SBMC Chapter 28.95);
4. Tentative Subdivision Map for a one-lot subdivision to create 29 residential condominium units (SBMC Chapters 27.07 and 27.13); and
5. Design Review Approval by the Historic Landmarks Commission (SBMC § 22.68).

Other possible discretionary applications include, but are not limited to, the following:

6. Modifications may be required if yard and/or distance between building requirements are not met (SBMC § 28.21.060 and § 28.21.070).

The purpose of the concept review is to allow the Planning Commission and the public an opportunity to review the proposed project design at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the proposed land use and design. The opinions of the Planning Commission may change or there may be ordinance or policy changes that could affect the project that would result in requests for project design changes. **No formal action on the development proposal will be taken at the concept review, nor will any determination be made regarding environmental review of the proposed project.**

Case Planner: Irma Unzueta, Project Planner

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

(Other Staff present for this item were Steve Foley and Chelsey Swanson from transportation).

Irma Unzueta, Project Planner, gave the Staff presentation.

Staff answered the Planning Commission's questions about the parking lot inclusion as a trip facilitator, not trip generator; the incorporation of 55 spaces in the Arlington Theater parking plan, potential designation as an arts related use by City Council and any possibility for a title restriction upon sale; measurement method of the natural grade of the project; trip generation and credits as compared to Granada Theater project (customer parking versus employee parking); effect on Vons' parking; and the impact by loss of 100 parking spaces that are leased to companies and other downtown businesses that has been considered interim use.

Bruce Corwin, Chairman of the Board, Metropolitan Theaters Corporation, gave the Applicant presentation joined by Detlev Peikert, Lisa Plowman, and Scott Schell; Peikert Architects.

Staff answered the Planning Commission's questions with a comparison of the proposed Arlington Village parking on this project with the Granada Garage.

Staff answered the Planning Commission's questions about the transfer of existing development rights looking solely at square footage

Chair Myers opened the public hearing at 5:05 P.M.

1. Don Sharpe, Historic Landmarks Commission (HLC), remained available to answer any Planning Commission questions. HLC is aware of past concerns, but has not yet reviewed the current project proposal.
2. Paul Selwyn spoke in support of the project.
3. Connie Hannah, Santa Barbara League of Women Voters, shared concerns about the size, bulk, and scale of the project, as well as the integration with the historic structure of the Arlington Theater. Asked that simulated visuals and story poles be required. Asked for a conceptual review by the HLC and for the Historic Structures Report to be made available prior to an HLC review. Suggested an EIR be required to consider public views, historic resources, traffic, parking, and cumulative impacts. Submitted written materials.
4. Cathy McCammon, League of Women Voters, voiced concerns over the reduction of parking for current use; would like to see the project go through HLC review. Does not feel that trip credits are justified. Submitted written materials.
5. Kellam de Forest believes that the revised project should go back to HLC; asked that a full EIR be required under CEQA guidelines.
6. Rod Lathim left before speaking but expressed support for the project.
7. Adele Rosen spoke in support of the Arlington Village.

Steve Amerikaner, counsel for the Corwin Family, stated that this project provides a rare opportunity for the applicant and the City to share a vision on shaping the use and look of a an important part of downtown.

With no one else wishing to speak, Chair Myers close the public comment at 5:27 P.M.

Commissioner's comments:

1. One Commissioner stated that the Arlington is the third leg of our architectural heritage; presently the Arlington and adjoining Vons, as they exist now, are in a sad state.
2. One Commissioner commented that to have underground parking would require three stories and can be done under 40'. Another Commissioner also supported underground parking. Scale needs to be brought down.
3. This is not the place to put affordable housing; need to protect the scale, maximize the views, and protect the historic resource.
4. Feels that the City should become a more active participant in helping turn this project around. Worries that the City has invested the majority of its resources in the Granada and that this resource should be protected.
5. Most Commissioners expressed concern over the size, bulk, and scale of the project, and would like to see further reduction.
6. Would like to see one space open assigned to residential and have one space open.

7. Likens this to the El Paseo development and would like to see this as a comparable project.
8. One Commissioner looks at the two Commercial space buildings being about the same footprint as the Arlington. Recommends that the scale should be closer to buildings that currently exist on State Street.
9. Some Commissioners felt that the formal green space would be much more useful to the community if it were brought to the foreground, with one Commissioner suggesting that the public green area be turned to open at Sola.
10. Approves of the concert area but wonders how this is factored into the parking plan.
11. Not in support of the traffic credits.
12. Appreciative of the Corwin family's interest in creating an Arts Community anchor and their vision for the future.
13. The unit sizes are reasonable. While the 2,700 square foot units may be needed, suggested scaling them down to help address the size, bulk, and scale issues.
14. One Commissioner believes we should not be developing for the automobile and referenced the number of surrounding area lots that contribute to overparking. Suggests we develop what we want to see. Wants to move away from giving each unit its own private parking space; suggests one space per unit and the rest shared as common parking space.
15. Suggests that this discussion be a part of Plan Santa Barbara.
16. Commissioners expressed appreciation for various facets of the project that included the outside , the formal green, the underground parking, variable setbacks and variable rooflines,
17. The variable setbacks presented are good. Any modifications being contemplated would need to be justified.
18. Mixed use idea is good. Clustering all the commercial into one building is not the best way to go; vital street scene might be best achieved spreading the commercial along the street frontage.
19. Does not universally accept concept of eliminating parking spaces to eliminate trip generation; concept dependent on there being transportation alternatives, which does not exist for everyone.
20. Some Commissioners could not support the transfer of Traffic Trip Credits with TEDR and felt that this should be further explored in Plan Santa Barbara discussions and include discussion on traffic.
21. One Commissioner expressed appreciation for the breakup of fenestration and the difference in vision between the initial project and the current proposal.
22. Would like to see more opportunities for medium income affordable housing in this project. Would like the vision of the arts firmly rooted in the design.
23. Would like to see this project go to HLC for design review.
24. One Commissioner expressed a concern about the Arlington access parking space being a potential concern for residents and asked that it be restudied.

Another Commissioner suggested some of that space be considered for stacked parking use.

Ms. Hubbell asked the Commission to consider Staff's concerns about access and circulation in relation to the potential conflict between the productions at the theaters, the residents, and commercial users on the site.

Mr. Foley asked for clarification on the one parking space per unit comment.

Mr. Amerikaner expressed appreciation for the Commission's time and comments.

**V. ADMINISTRATIVE AGENDA**

1. Committee and Liaison Reports.
  1. Commissioner Thompson reported on the Transportation and Circulation Committee and the discussion on Measure D renewal. The measure will be on the ballot in November as Measure A. Also discussed was the Transportation and Circulation's involvement in Plan Santa Barbara.
  2. Commissioner Larson reminded that Stephanos Polyzoides is coming to speak on March 15, 2008 at the Victoria Theater.
  3. Commissioner Bartlett reported on attending the City Council hearing as a Planning Commission representative, along with two other Commissioners, to the 517 Chapala Street appeal and the appeal being upheld.

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

The February 27, 2008 Staff Hearing Officer heard 3 items with modification approvals.

3. Action on the review and consideration of the Draft Minutes and Resolutions of December 13, 2007 and December 20, 2007.
  - i. Draft Minutes of December 13, 2007
  - ii. Resolution 047-07  
Recommendation to City Council on Neighborhood Preservation Ordinance Amendments
  - iii. Draft Minutes of December 20, 2007
  - iv. Resolution 048-07  
132 and 134 Harbor Way
  - v. Resolution 049-07  
1015, 1021 and 1025 Santa Barbara Street

**MOTION: Thompson/Bartlett**

Approve the Draft Minutes and Resolutions of December 13, 2007 and December 20, 2007 as edited.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: As noted. Absent: 0

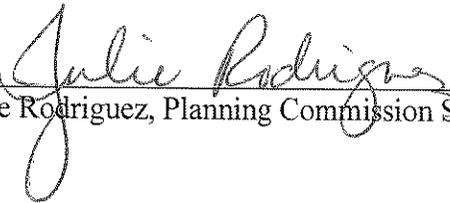
Commissioner Jostes abstained from December 13, 2008.

Commissioner White asked for a review of the vote on page 7 of the December 20<sup>th</sup> minutes. Would like to see comment added to explain the 4/3 vote. Ms. Hubbell reviewed the comments in the minutes to the satisfaction of the Commission.

**VII. ADJOURNMENT**

Chair Myers adjourned the meeting at 6:03 P.M.

Submitted by,

  
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Julie Rodriguez, Planning Commission Secretary