



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

October 9, 2008

CALL TO ORDER:

Chair George C. Myers called the meeting to order at 1:06 P.M.

ROLL CALL:

Present:

Chair George C. Myers

Vice-Chair Stella Larson

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

Absent:

Commissioner John Jostes

STAFF PRESENT:

Danny Kato, Senior Planner

N. Scott Vincent, Assistant City Attorney

Allison De Busk, Project Planner

Chelsey Swanson, Associate Transportation Planner

Julie Rodriguez, Planning Commission Secretary

I. PRELIMINARY MATTERS:

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

None.

B. Announcements and appeals.

Mr. Kato made the following announcements:

1. The appeal of the Planning Commission's decision on 800 Santa Barbara Street was heard by City Council on Tuesday. No Planning Commissioner attended and communication improvements were discussed to avoid a similar situation in the future.



2. The Planning Commission meeting of October 2, 2008 was cancelled last week, but a Special Meeting of the City Council and Planning Commission was held yesterday to review the Planning workload and priorities.
3. Reviewed the items scheduled to be heard on October 16, 2008 and announced that 124 Los Aguajes will be continued indefinitely.
4. A Joint meeting of Planning Commission and Transportation and Circulation Committee (PC/TCC) will be held on October 16, 2008 at 6 P.M. in the David Gebhard Public Meeting Room. Commissioners Larson and Bartlett requested the Staff Attorney to look into any potential conflict and possible need to step down.
5. Reviewed the Planning Commissioner's calendar for the remainder of the year. Commissioner Jacobs announced that she will need to abstain from the 101 E. Victoria Street project to be heard on November 20th due to the applicant's attorney belonging to the same firm as her husband.

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

Chair Myers opened the public hearing at 1:15 P.M. and, with no one wishing to speak, closed the hearing.

II. CONCEPT REVIEW:

ACTUAL TIME: 1:15 P.M.

Ex Parte Communication:

Commissioners Jacobs and Myers communicated with the applicant shortly after the initial concept review was held where the project went from 22 units to a more residential model. Commissioner Jacobs previewed the project, only in concept, and not the drawings currently presented.

APPLICATION OF LISA PLOWMAN, AGENT FOR SOUTHERN CALIFORNIA-NEVADA CONFERENCE – UNITED CHURCH OF CHRIST, 230 LIGHTHOUSE ROAD, APN: 045-021-021, E-3/S-D-3 ONE FAMILY RESIDENCE/COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 5 UNITS PER ACRE (MST2006-00455)

The proposed project consists of a ten-lot residential subdivision. Three of the lots (Lots 8, 9 and 10) would be designated "affordable" lots, potentially developed by Habitat for Humanity. Two private driveways (one at the northern boundary and one at the southern boundary) are proposed to provide vehicular access to all of the lots. A common walkway would be provided down the center of the site to provide pedestrian access to each of the lots. Lot sizes would range from approximately 2,760 to 5,300 square feet for the affordable lots, and approximately 8,555 to 10,600 square feet for the remaining seven lots. Eight lot frontage modifications would be required for the project as a whole. The following modifications would be required for the three affordable lots: lot area, interior setbacks,



parking, and open yard area. The project does not include construction of the individual homes. The existing church and all existing site improvements are proposed to be demolished. 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.**

The discretionary applications required for this project are:

1. Tentative Subdivision Map (TSM) for a ten-lot subdivision (SBMC Chapters 27.07);
2. Three (3) Lot Area Modifications to allow three over-density units (bonus density) on a lot in the E-3/S-D-3 Zone (SBMC §28.92.110, A, 2);
3. Four (4) Interior Yard Setback Modifications to reduce the required six-foot interior setbacks on proposed Lot 8, Lot 9 (2) and Lot 10 to zero feet (SBMC §28.92110, A, 2);
4. Three (3) Parking Modifications to reduce the required parking for proposed Lots 8, 9 and 10 to one covered space (SBMC §28.92110, A, 1);
5. Three (3) Open Yard Area Modifications to reduce the size and dimensions of the required open yard areas for Lots 8, 9 and 10 to 15 feet x 15 feet (SBMC §28.92110, A, 2);
6. Eight (8) Street Frontage Modifications to allow eight of the lots to have less than 60 feet of frontage on a public street (SBMC §28.92110, A, 2);
7. Two (2) Public Street Frontage Waivers to allow more than two lots to be served by a private driveway (SBMC §22.60.300);
8. Coastal Development Permit to allow development in the non-appealable jurisdiction of the Coastal Zone (SBMC §28.44.060); and
9. Design Review Approval by the Single Family Design Board (SFDB) (SBMC, Chapter 22.69).

Case Planner: Allison De Busk, Project Planner

Email: adebusk@SantaBarbaraCA.gov

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

Staff answered Planning Commission questions about the logistics for providing affordable land versus affordable units by stating that Habitat for Humanity would take responsibility for the affordable land and has submitted a letter of interest in the project. Mr. Vincent added clarification on the Inclusionary Housing Ordinance's conditions and the covenant that would likely be established. While Habitat for Humanity has expressed interest, the



covenant would restrict selling the lots at more than an affordable rate and would apply to anyone buying the lots.

Staff answered additional Planning Commission questions by stating that an inclusionary housing plan would be submitted by the applicant as part of their project and it would contain details on whether the market-rate lots would be built while the affordable lots remained vacant; clarified the minimum parcel size for the zone district as 7,500 square feet net; confirmed that the Planning Commission could require units built as part of the subdivision map; and elaborated on granny units. Mr. Vincent added that the inclusionary housing ordinance applies to single family homes and condominium units of real property that can be transferred separate and apart from other units; granny units are secondary units and would not fall into the ordinance.

Lisa Plowman, Peikert Group Architects gave the applicant presentation and introduced Gary Roberts, United Church of Christ.

Ms. Plowman and Mr. Peikert addressed the Planning Commission's questions about logistics about the building and sale of the units by stating that the sale would involve the sale of lots and not the units and therefore they wouldn't have control over the timing of unit construction. She noted that the walk-street would be approximately a 16-foot wide easement that would run up the center of the lots and would be for communal use. She responded to Washington School's concern about parking and the space available to each lot by illustrating the guest spaces that would be available. Affordable units would have a single garage and ownership would be restricted to households with only one car via an annual review and subject to fines for non-compliance. Ms. Plowman also spoke to the varied lot configurations studied and stated that the configurations presented required fewer modifications, and the majority of modifications are related to the affordable units. She noted that attached units are cheaper to build. If the four-unit configuration were pursued with a loft unit over the garage, there are ways to mitigate the close proximity of the second story to the school, such as conditions on windows and landscaping. The applicant would continue to work with the school for mitigation.

Staff clarified that if the affordable units were developed as condominiums, they would go to the Architectural Board of Review, whereas if developed as attached single-family homes on individual lots, they would go to the Single Family Design Board.

Chair Myers opened the public hearing at 2:01 P.M.

The following people spoke in support of the project:

1. Ed Gamble would be supportive of the plan if it were to be built, but feels that this concept is just establishing a sales price for the property.
2. Joyce McCullough, Executive Director, Habitat for Humanity, looks favorably to working with the applicant in providing affordable housing; commented on the challenge in finding affordable property in the city. Habitat for Humanity is very



interested but does not have a formal agreement in place; they're waiting to hear the direction given by the Planning Commission.

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

1. Dr. Walter Dukes, neighboring development owner, feels that Lighthouse Road is a very narrow road and remains concerned with how parking will be provided for all residents when street parking is very restricted. Would like to see story poles used to show impact to neighbors and potential blockage of ocean views.
2. Nica Guinn, adjacent neighbor, was concerned with the proposed height and impact on privacy.

With no one else wishing to speak, the public hearing was closed at 2:09 P.M.

Staff answered additional Planning Commission questions about drainage in the area by stating that a draining report was submitted for the project and it was consistent with the City's adopted Storm Water Management Practices.

The Commissioners made the following comments:

1. One Commissioner liked the pedestrian orientation. Did not think splitting the driveway was the most efficient layout for maximizing land use, but appreciated the buffer it provided for the school. Not convinced that small lots are the best way to proceed, especially with zero lot lines; it would effectively create an R-3 zone that may not be appropriate for the neighborhood. A homeowners association (HOA) with mixed uses and income levels could produce problems for future owners of the single family units.
2. Some Commissioners were concerned with fire access to the rear of the units and adequate turnaround for the trucks. Concerned with the distance to rear units from closest fire hydrant. Staff confirmed that the Fire Department had reviewed the project and felt the access was adequate. They did not intend to use the driveways for access and could access the units through alternative ways.
3. Commissioners were concerned with the limited parking that appears to have potential neighborhood impacts, including traffic impacts. Poor traffic ingress and egress. Difficult to enforce parking limitations on low income units; leaves enforcement to the HOA and could result in enforcement issues. Commissioners would like to see parking addressed for the affordable units.
4. No guarantee that the project won't be changed in the future since the objective of the proposal is to sell the lots. Two Commissioners were in favor of conditioning the Map to lock in conditions. One Commissioner would like to see the project committed to the concept presented, not seeing something different come forward for approval.
5. Some Commissioners were concerned with the change in plans from what was included in the Commission's packet and what was shown in the applicant's Powerpoint presentation, and feel that a continuance may be in order. Would like to see more adequate drawings submitted. Concerned that there may not be as much open space as is depicted in the renderings.



6. Public benefit of affordable housing should not be at the expense of the neighborhood. Lots of modifications asked for this project. Affordable housing should be similar to market rate units, not separately distinguished. Some Commissioners were concerned with the lack of integration of affordable units to the project and neighborhood compatibility issues.
7. One Commissioner felt that there could be a configuration designed with market rate homes and some housing rental units, such as granny units.
8. Some Commissioners loved the concept of the walkable area, but have reservation that the width of 16' is too narrow and this may not be the best place for it. Some Commissioners noted that the scale of the houses seems too big for the layout. This would not really look like a bungalow development. Two Commissioners would like to see the project "breathe".
9. The neighbor in unit number 5 would lose privacy with the zero lot line.
10. Cannot buy off on having all the affordable units up front with limited parking that would end up impacting the street.
11. One Commissioner could see reducing the area of the three oversized market rate lots by 8' in width, allowing for more room for the affordable units and less setback modifications needed. Would also provide additional width allowing for one more parking stall for each affordable unit and would eliminate the need for 3 parking modifications.
12. Concerned with implementation of association dues and CC&Rs that work for the affordable units and market rate units.
13. Would like to see well-defined building envelopes that would guarantee the walk-street and people plaza areas and show how the buildings will be placed and relate to each other.
14. Some of the 7 market rate houses could have a granny unit on their own lot. Suggested widening the affordable lots. Could support the public street waiver.
15. One Commissioner could not support granny unit approach. One Commissioner favored the four unit approach if it could be done with reasonableness in association with the school and meeting the parking needs. One Commissioner could see rezoning the lot to bring affordability to the area.

Regarding whether granny units could be built on the lot, Mr. Vincent clarified that in single family zones, granny units were possible but there are limitations. For this project, you might not get the maximum number of lots using the minimum zoning requirement and still get granny units, but could perhaps have less lots and satisfy the granny unit requirements. Mr. Kato added clarification of the requirements for secondary granny units and stated that it would be possible, but not for 8 lots.

Mr. Peikert responded to the Commission's comments by stating that the alternative was a 7-8 unit subdivision with a large cul-de-sac that would not be a superior design for this project. Assured the Commission and the public that this is a concept review and not a request for a final approval. When the project returns, building envelopes, open space, easements, etc. will be defined. With regard to parking, was agreeable to working on the addition of more guest spaces. Asked for more clarification on the affordable units and



support for the walk-street design concept. Asked for the Commission's preferred option of the two presented.

Commission asked for continued neighborhood cooperation. Recalled past situations where rear units were made to have sprinklers to address Fire safety issues. One Commissioner did not want to have to choose between the two options presented at the concept level and risk hampering the applicant's creativity.

Mr. Peikert asked for Commission's clarification on desire to have affordable units. One Commissioner stated that due to the constraints of the neighborhood, this lot may not be the place to put in affordable units.

Some Commissioners noted that this project is trying to be many things to many people: single-family, multi-family, combined single- and multi-family development all in an E-3 zone; a single family zone. Would prefer to see what is more compatible to the existing single-family neighborhood. A few granny units could address the question of affordability by presenting rental units and be managed by the lot owners, whereas rental units would have different management.

Many Commissioners felt that having affordable units was an attempt to force-feed the affordable units into the project. Looks like trying to build a multi-family building in a single-family neighborhood but calling it single-family homes. Project could result in having two homeowners associations and their associated challenges caused by force-feeding this concept. Neither of the concepts presented are the best approach given the constraints of the site. With regard to affordable units, one Commissioner suggested an alternative of going to two units instead of three. Two Commissioners suggested 8-9 single-family market rate units, keeping the walk-street concept and forgoing the affordable units. Otherwise, if affordable units are kept, two Commissioners suggested spreading them out and eliminating the setback requirements. One commissioner remained concerned with granny units. Most Commissioners felt that the three unit approach was better than the four unit approach.

Mr. Kato asked the Commission to consider the possibility of the affordable units being split up and mixed with the other units, instead of the triplex presented. One Commissioner made an observation about Granny units being added and concerns with the setbacks, parking and access, and wondered if the units could just be developed with guest quarters that could be used as a rental option. We are not in a position to advocate granny units or not.

Ms. Plowman reminded the commission that 8 Granny units would bring more parking issues than having three affordable housing units.



III. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

1. Commissioner Thompson reported on the Transportation and Circulation Committee and recapped the discussion on traffic ballot measures. Reminded the Commission about the upcoming Joint Planning Commission and Transportation and Circulation Committee meeting on October 16, 2008.
2. Commissioner Myers reported on missing recent Downtown Parking Committee meetings and the Committee's concern for PlanSB. The Downtown Parking Association will be submitting its thoughts and focus on PlanSB.

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

Commissioner White reported on the Staff Hearing Officer meeting held on October 8, 2008 where three modifications were granted and 2 time extensions.

C. Action on the review and consideration of the following Draft Minutes and Resolutions:

- a. Draft Minutes of September 4, 2008
- b. Resolution 034-06
1420 Alameda Padre Serra

MOTION: Thompson/Larson Approve the minutes and resolutions of September 4, 2008 as edited.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 1 (Jacobs) Absent: 1 (Jostes)

VII. ADJOURNMENT

Chair Myers adjourned the meeting at 3:14 P.M.

Submitted by,



Julie Rodriguez, Planning Commission Secretary

