



Chair Stella Larson - *Absent*
Commissioner Bruce Bartlett
Commissioner John Jostes
Commissioner Harwood A. White, Jr.

Vice Chair Addison S. Thompson
Commissioner Charmaine Jacobs
Commissioner Sheila Lodge

**PLANNING COMMISSION
FINISHED AGENDA**

**CITY COUNCIL CHAMBERS
CITY HALL – 735 ANACAPA STREET
THURSDAY, NOVEMBER 5, 2009
1:00 P.M.**

NOTICES:

- A. TUESDAY, NOVEMBER 3, 2009 **7:45 A.M.**
SITE VISIT 630 GARDEN STREET
Community Development Parking Lot
2 W. Mission Street

The Planning Commission will visit the project sites scheduled for review at the Thursday Planning Commission meeting. No public testimony will be taken, but the public is invited to attend. Call 564-5470 for additional information.

**** Site visit held. ****

- B. THURSDAY, NOVEMBER 5, 2009 **12:00 NOON**
LUNCH DE LA GUERRA PLAZA
City Hall, Room 15, Upstairs

The Planning Commission will meet informally with City Staff to discuss the following:

1. 535 E. Montecito Street – Substantial Conformance Determination
Case Planner: Kathleen Kennedy, Associate Planner
Email: KKennedy@SantaBarbaraCA.gov

**** Discussion held. ****

1. An update on status of long-range projects, new legislation, zoning enforcement items, status reports on previously-approved projects, and future agenda items.

**** Update given. ****

2. Review and consideration of the following Planning Commission Draft Minutes and Resolutions:
 - a. Draft Minutes of September 17, 2009
 - b. Resolution 037-09
617 Bradbury Avenue
 - c. Draft Minutes of October 1, 2009
 - d. Draft Minutes of October 8, 2009
 - e. Resolution 038-09
520 E. Yanonali Street
 - f. Resolution 039-09
705 Norman Firestone Road
 - g. Resolution 040-09
1712 Anacapa Street

**** Reviewed and considered. ****

- C. This regular meeting of the Planning Commission can be viewed live on City TV-18, or on your computer via www.SantaBarbaraCA.gov/Government/Video/ and then clicking City TV-18 Live Broadcast. Meeting rebroadcast schedule can be found at <http://www.citytv18.com/schedule.htm> An archived video copy of this meeting will be viewable, on computers with high speed internet access, the following Tuesday at www.santabarbaraca.gov and then clicking *Online Meetings*.
- B. AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at (805) 564-5305. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.
- C. The Planning Commission agenda schedule is subject to change. It is recommended that applicants and interested persons plan to arrive at 1:00 P.M. However, for longer agendas, all parties are encouraged to monitor Channel 18 and, when the item prior to the application of interest begins, come to the Commission hearing.

- D. The scope of a project may be modified under further review. If you have any questions, wish to review the plans, or wish to be placed on a mailing list for future agendas for an item, please contact City Planning staff at (805) 564-5470 between the hours of 8:00 a.m. to 4:30 p.m., Monday through Thursday, and every other Friday. Please check our website under City Calendar to verify closure dates.

- E. AGENDAS, MINUTES and REPORTS: Copies of all documents relating to agenda items are available for review at 630 Garden St. and agendas and reports are posted online at www.SantaBarbaraCA.gov/pc. Please note that online Staff Reports may not include some exhibits. Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Community Development Department located at 630 Garden St., during normal business hours.

I. ROLL CALL

**** Roll Call taken.
Commissioner Larson was absent. ****

II. PRELIMINARY MATTERS:

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

**** No Requests were made. ****

- B. Announcements and appeals.

**** Announcements were made. ****

- C. Comments from members of the public pertaining to items not on this agenda. [Due to time constraints, each person is limited to two (2) minutes.]

**** No one wished to speak. ****

III. NEW ITEM:

ACTUAL TIME: 1:08 P.M.

APPLICATION OF GARRY ABBOTT, AGENT FOR MAG AVIATION FUEL, 1600 CECIL COOK PLACE, 073-450-003 A-F, SP-6, S-D-3, AVIATION FACILITIES, AIRPORT INDUSTRIAL AREA SPECIFIC PLAN AND COASTAL ZONE OVERLAY ZONES, GENERAL PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTIONAL (MST009-00323)

The proposed project involves the installation of a 12,000 gallon aviation fuel storage tank and associated self-service fueling apparatus on an 11,250 square foot leased area of an open, paved section of the northwest service ramp on Santa Barbara Airport Property. The proposed project would provide general aviation aircraft owners with an alternative to purchasing fuel from a full-service operator. The discretionary application required for this project is a Coastal Development Permit to construct an above ground fuel tank in the 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 Act Guidelines §15303(c).

Case Planner: Andrew Bermond, Associate Planner
Email: ABermond@SantaBarbaraCA.gov

**** Approved Coastal Development Permit.**

White/Jacobs Vote: 6/0

Abstain: 0

Absent: 1 (Larson)

Resolution No. 041-09. **

IV. STAFF HEARING OFFICER SUSPENSION:

ACTUAL TIME: 1:16 P.M.

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Jacobs recused herself due to her husband working at the same law firm as the applicant's representative and left the dais at 1:17 P.M..

EX PARTE COMMUNICATION:

Commissioners Jostes, Bartlett, Thompson and Lodge disclosed an ex parte communication with Mr. Amerikaner and/or the operator of the Mission Community School at 7 E. Mission Street during the site visit.

**MEDICAL CANNABIS DISPENSARY PERMIT REVOCATION HEARING
CONCERNING SANTA BARBARA GREENCARE COLLECTIVE, 2 WEST
MISSION STREET, 025-311-013, C-2 ZONE, GENERAL PLAN DESIGNATION:
GENERAL COMMERCE AND OFFICE (MST2009-00314)**

On September 9, 2009, the Staff Hearing Officer approved the subject medical cannabis dispensary permit. On September 15, 2009, the City was informed that a school may exist within 500 feet of the dispensary and that the school was operating in that location at the time the subject medical cannabis dispensary permit was approved. The purpose of this revocation hearing is to determine whether the Mission Community School, located at 7 E. Mission Street, meets the definition of a school under the City's Medical Cannabis Dispensary Ordinance (MCDO). If the Mission Community School is determined to be a school pursuant to SBMC Section 28.80.020.K, the approved dispensary permit shall be revoked for violating the location requirement found in SBMC Section 28.80.060.C.

(The mailed notice and legal ad's reference to a suspension hearing pursuant to SBMC Section 28.05.020.C. was incorrect. The proceeding is a revocation hearing pursuant to SBMC Section 28.80.110.)

Case Planner: Danny Kato, Senior Planner
Email: DKato@SantaBarbaraCA.gov

**** School met definition.**

Medical Cannabis Dispensary Ordinance permit revoked.

Lodge/White Vote: 3/2 (Bartlett, Jostes)

Abstain: 0

Absent: 2 (Jacobs, Larson)

Resolution No. 042-09. **

V. CONTINUED ITEM:

ACTUAL TIME: 3:21 P.M.

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Bartlett recused himself due to his architectural firm working on the project and left the dais at 3:22 P.M.

**APPLICATION OF JARRETT GORIN AGENT FOR 803 N MILPAS STREET
LLC, 803 N MILPAS STREET, 031-042-028 COMMERCIAL (C-2) ZONE
DISTRICTY, GENERAL PLAN DESIGNATION: GENERAL COMMERCE
(MST2006-00510)**

The proposed project consists of a mixed use development containing five mixed use residential/commercial condominiums, one live/work unit, two residential units and one commercial condominium. The development would be split among three buildings totaling 19,886 net square feet. The overall height of the proposed development would

be between 37 feet and 38 feet, 6 inches. Parking would be located within eight two-car garages and on the interior of the lot for a total of 26 parking spaces. Access to the garages and parking lot would be via a driveway from De la Guerra Street, located between two of the buildings. Pedestrian access to the site would also be provided from Milpas Street. A landscaped area would be provided in the northwest corner of the site, behind the open parking. An area along the northern property line has been reserved for the location of secured remediation equipment, if required.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a one-lot subdivision with nine condominium units (eight residential, one commercial) per SBMC Chapters 27.07 and 27.13;
2. A Modification to allow less than the required number of parking spaces (SBMC §28.92.110.A.1);
3. A Development Plan to allow the construction of 2,851 net square feet of nonresidential development on APN 031-042-028 (SBMC §28.87.300); and
4. Design Review by the Architectural Board of Review (ABR).

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

Case Planner: Peter Lawson, Associate Planner

Email: PLawson@SantaBarbaraCA.gov

**** Approved with revised conditions.**

Jacobs/Lodge Vote: 5/0

Abstain: 0

Absent: 2 (Bartlett, Larson)

Resolution No. 043-09. **

VI. ADMINISTRATIVE AGENDA:

ACTUAL TIME: 3:56 P.M.

A. Committee and Liaison Reports.

1. Staff Hearing Officer Liaison Report

**** Report given ****

2. Other Committee and Liaison Reports

**** Reports given ****

- B. Action on the review and consideration of the following Draft Minutes and Resolutions listed in B.3. of this Agenda.

**** Continue the Minutes of September 17, 2009 to November 19, 2009.**

White/Jostes Vote: 5/0

Abstain: 0

Absent: 2 (Bartlett, Larson)

Approved the Minutes and Resolutions of October 1 and October 8, 2009.

White/Jacobs Vote: 5/0

Abstain: 1 (Jostes abstained from October 1, 2009)

Absent: 2 (Bartlett, Larson)**

VII. ADJOURNMENT:

**** Meeting adjourned at 4:08 P.M. ****