



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

January 8, 2009

CALL TO ORDER:

Pro tempore Chair Larson called the meeting to order at 1:05 P.M.

I. ROLL CALL:

Present:

Chair Stella Larson

Vice-Chair Addison S. Thompson

Commissioners Bruce Bartlett, Charmaine Jacobs, John Jostes, Sheila Lodge, and Harwood A. White, Jr.

Staff Present:

Danny Kato, Senior Planner

N. Scott Vincent, Assistant City Attorney

Steve Foley, Supervising Transportation Planner

Melissa Hetrick, Project Planner

Dan Gullett, Associate Planner

Kathleen Kennedy, Associate Planner

Andrew Bermond, Assistant Planner

Gabriela Feliciano, Commission Secretary

Staff Absent:

Julie Rodríguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:

A. Nominations and election of Chair and Vice-Chair.

MOTION: Jostes/Jacobs

To nominate Stella Larson as Chair.

This motion carried by the following vote:

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

MOTION: White/Jostes

To nominate Addison Thompson as Vice-Chair.

This motion carried by the following vote:

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

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

None.

- C. Announcements and appeals.

None.

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

Chair Larson opened the public hearing at 1:09 P.M. and, with no one wishing to speak, closed the hearing.

III. CONSENT ITEMS:

ACTUAL TIME: 1:10 P.M.

- A. **APPLICATION OF SANTA BARBARA CERTIFIED FARMERS MARKET ASSOCIATION, 500 & 600 BLOCKS OF STATE STREET (NO APNS) AND 119 EAST COTA STREET (APN 031-151-018), ZONE: C-M (COMMERCIAL MANUFACTURING), GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2008-00480)**

The project consists of a Conditional Use Permit Amendment for a five year continuation of the Tuesday evening Santa Barbara Certified Farmer's Market on the 500 and 600 Blocks of State Street and the Saturday morning Santa Barbara Certified Farmer's Market at 119 E. Cota Street With the extension, the Conditional Use Permit would expire October 16, 2013.

The discretionary application required for this project is:

1. A Conditional Use Permit Amendment to allow the continuation of the Tuesday evening and Saturday Morning Farmers Markets for an additional five years (SBMC §28.94.030.O).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15304(e) [Minor Alterations to Land – Minor Temporary Use of Land].

Case Planner: Daniel Gullett, Associate Planner

Email: dgullett@santabarbaraca.gov

Mr. Kato requested that the Planning Commission waive the Staff Report.

MOTION: Jostes/White

Waive the Staff Report.

This motion carried by the following vote:

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

Sam Edelman, Santa Barbara Certified Farmer's Market Association General Manager, gave the applicant presentation.

Chair Larson opened the public hearing at 1:11 P.M. and, with no one else wishing to speak, it was closed.

Chair Larson acknowledged receipt of the following correspondence from the public:

1. Jay Smiley – expressed support for the project.
2. Brenda Jones – expressed support for the project.
3. Bob Cunningham, Arcadia Studio – stated he is in full support with the continuation of the CUP, but he expressed concern that his office staff has a problem accessing the office's parking lot.
4. Steve Johnson – expressed concern with the idling and line of cars waiting to get into the parking lot.

The Commission made the following comments:

- 1 The Farmers Market manager should approach the landlord and business owners in the Arcadia Studios building to discuss ways to mitigate the Market's impact on the property's parking.
- 2 One way to reduce the impact on the neighbors parking facility is to place cones in front of the parking spaces that should not be used by the Market's patrons.

MOTION: White/Thompson

Assigned Resolution No. 001-09

Approved the Conditional Use Permit, making the findings for a Conditional Use Permit as outlined in the Staff Report, subject to the Revised Conditions of Approval in Exhibit A of the Staff Report with the following revision to the Conditions of Approval: The manager of the Farmers Market shall return to the Planning Commission at a lunch meeting with a report on discussions with neighbors in the Arcadia Studios building as to how the improve the parking situation for that building.

This motion carried by the following vote:

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

Chair Larson announced the ten calendar day appeal period.

B. APPLICATION OF HAZEL JOHNS, AGENT FOR THE CITY OF SANTA BARBARA, 1600 CECIL COOK PLACE, 073-450-003 A-A-O, SP-6, S-D-3 AIRPORT APPROACH AND OPERATIONS, AIRPORT INDUSTRIAL AREA SPECIFIC PLAN ZONE, COASTAL ZONE OVERLAY, GENERAL PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTION (MST2008-00489)

The proposed application involves the rezoning of 9.04 acres of A-A-O, Airport Approach and Operations Zone to A-F, Aviation Facilities Zone in the Coastal Zone on Santa Barbara Airport property. The discretionary applications required for this project are:

1. Initiation of proceedings and a recommendation to City Council for a Zoning Ordinance Amendment to change the zoning from A-A-O, SP-6, S-D-3 (Airport Approach and Operations Zone, Airport Industrial Area Specific Plan Zone, Coastal Zone Overlay) to A-F, SP-6, S-D-3 (Aviation Facilities Zone, Airport Industrial Area Specific Plan Zone, Coastal Zone Overlay) (SBMC §28.92.020; §28.92.080B; and §29.11).
2. Recommendation to City Council to approve a Local Coastal Program Amendment to change the LCP zoning from A-A-O, S-P-6, S-D-3 (Airport Approach and Operations Zone, Airport Industrial Area Specific Plan Zone, Coastal Zone Overlay) to A-F, S-P-6, S-D-3 (Aviation Facilities Zone, Airport Industrial Area Specific Plan Zone, Coastal Zone Overlay) and to recommend certification of the Amendment to the California Coastal Commission (State Public Resources Code §30514).

The Case Planner has prepared an addendum to the Aviation Facilities Plan Environmental Impact Report to address, changes in circumstances and changes in the project description associated with the zoning map. The resulting impacts are not substantial and do not involve new significant impacts or a substantial increase in the severity of previously identified impacts.

Case Planner: Andrew Bermond, Associate Planner
Email: abermond@santabarbaraca.gov

Mr. Kato requested that the Planning Commission waive the Staff Report.

MOTION: Thompson/Jacobs

Waive the Staff Report.

This motion carried by the following vote:

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

Chair Larson opened the public hearing at 1:18 P.M. and, as no one wished to speak, the public hearing was closed.

Andrew Bermond, City Airport Associate Planner, answered the Planning Commission's questions about the A-A-P designation surrounded by the A-F designation on the zoning map. The A-A-P designation was done away with and it is now A-A-O. The proposal is to re-designate nine acres of the A-A-O zone in the area of the 1600 Cecil Cook to Aviation Facilities A-F zone, which was its designation prior to the most recent map. It will then be consistent with its surrounding zone.

MOTION: Thompson/Jostes

Assigned Resolution No. 002-09

To adopt the Addendum to the Aviation Facilities Plan Environmental Impact Statement/Report, initiate the proposed rezone, and make a recommendation to City Council to approve the proposed Zoning Ordinance Amendment and recommend the certification of a Local Coastal Program Amendment to the California Coastal Commission, making the findings outlined in Section VI of the Staff Report.

This motion carried by the following vote:

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

Chair Larson announced the ten calendar day appeal period.

ACTUAL TIME: 1:21 P.M.

IV. NEW ITEMS:

A. DRAFT INITIAL STUDY AND AVAILABILITY AND INTENT TO ADOPT DRAFT MITIGATED NEGATIVE DECLARATION FOR 1900 LASUEN ROAD; AND ENVIRONMENTAL HEARING TO TAKE PUBLIC COMMENTS (MST2007-00140)

The proposed project is a Revised Master Plan consisting of the following components: 1) a predominantly underground utility distribution facility and a surface valet parking lot with an operations facility below in the northwest corner; 2) Mission Village, consisting of 5 cottages with a valet parking garage below in the northeast corner; 3) Cottages 27 and 28 which were previously approved and eliminated; and 4) a swimming pool with a fitness center below. The proposal also includes revisions to the driveway entry on Alvarado Place and the service area adjacent to the Main Building.

The Draft Initial Study examines environmental impacts which may be associated with this project and includes proposed mitigation measures to mitigate potentially significant impacts to a less than significant level.

The public review period begins on **Wednesday, December 17, 2008**. Comments on the Draft Initial Study must be submitted by **Thursday, January 15, 2009, at 4:30 p.m.**

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

Kathleen Kennedy, Associate Planner, gave the Staff presentation.

Trish Allen, SEPPS, gave the applicant presentation and introduced Ian Boorer, Acoustic Engineer, Newson Brown Acoustics; James Jones and Minh Pham, Representing Ownership; Doug Fell, Legal Counsel, Fell Marking, Abkin, Montgomery, Granet & Raney LLP; Jim Lefever, Architect, Gensler; Alexandra Cole, Historical Consultant; and Katie O'Reilly-Rogers, Landscape Architect.

Ian Boorer, Acoustic Engineer, gave additional information with regard to the noise study.

Mr. Boorer answered the Planning Commission's questions stating that the noise was measured at the property line of 1978 Mission Ridge Road, which is the property closest to the utility distribution facility, and that the expected noise level at the residence was not calculated in the study since the City noise limit is defined at the property line and not at the residence itself. The property line is about 80 feet away from the utility distribution facility. The nearest residences are about 300 feet away and the noise level in dBs is reduced by six decibels for every doubling of distance from the source.

Chair Larson opened the public hearing at 1:40 P.M.

The following people spoke in favor of the project:

1. Greg Parker, neighbor to the north of the proposed Mission Village, commented that the proposal is an improvement; expressed concern that the Eucalyptus trees need to be trimmed or eliminated to eliminate fire fuel risk; the noise study is appropriate; and stated that delaying this project results in environmental impacts.
2. Steve Cushman, President of Santa Barbara Chamber of Commerce, commented that there is a desire for the project to move forward.

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

3. Dawna Boo, neighbor, spoke about neighborhood compatibility; that the zoning requires the least possible conflict with adjoining residential areas; that the valet parking structure and utility facility is not compatible and should be moved somewhere else on the property.
4. Marc Chytilo, Attorney at Law, stated that neighbors would like to have the hotel move forward with the project and there has been a change in the relationship from the previous landowners; the preparation of the Environmental Impact Report (EIR) should address the following concerns: complete project analysis of the cumulative affects of the changes proposed for the northwest corner and an evaluation of the visual impact on private views; and suggested the preparation of cultural resources study.
5. Joanna VonYurt, neighbor, commented that more research is needed and the preparation of an EIR is reasonable; the increase in usage is not compatible with the neighborhood; and cooperation from the landowner with the neighbors would allow for the project to move forward.

6. Farrokh Nazerian, neighbor, stated that the previous central plant proposal was determined to be exempt from an environmental study; expressed concern that the environmental study is only addressing the impact of the parking proposal, not the entire project as it is required to do.
7. Brigitte Forsell, member of the board of the Riviera Association, read a letter from Helena Hill, President of The Riviera Association, which stated that their previous concerns regarding noise and traffic have been addressed in the Initial Study; however, they request that the Planning Commission discussions include the fire and safety issues of the eucalyptus trees on Alvarado Place, north of the entrance, and that the development continue to consider neighborhood compatibility that respects the past historical nature of the Riviera.
8. Jean Holmes read a letter from Judy Arias, President of the Allied Neighborhood Association, which stated that the proposed location of the industrial facility plant does not reflect the qualities of the surrounding residential neighborhood; that there are more appropriate areas on the property for the industrial facility; that the requested ten foot modification of the 30 foot setback would result in the facility being closer to the neighbors and a reduction of landscape screening; that piecemealing is not in the best interest of any parties involved; and that the retention of the residential quality of the neighborhood is vital for the adjacent neighbors and the historic atmosphere that the El Encanto Hotel wishes to maintain.
9. Trevor Martinson, neighbor, stated that the main building is now much larger and higher in comparison to the 2004 pictures that were provided to the Planning Commission when the project was approved.
10. Elizabeth Leslie, neighbor, commented that at the time her property was purchased, the surroundings were residential and now a parking lot was placed across from her home and the utility facility is being proposed very close to her residence; and the new proposal is much larger than the original and encroaches on the neighborhood.

With no one else wishing to speak, the public hearing was closed at 2:06 P.M.

The Commission had the following questions:

1. Requested City Assistant Attorney's comments on the legal arguments given by Mr. Chytilo for an EIR request. Mr. Vincent responded that Mr. Chytilo accurately stated the standard for a preparation of an EIR, where there is evidence of a potentially substantial impact. As to Mr. Chytilo's specific assertions, they are not to be answered at this time. The City does not have thresholds established for every type of impact. The City does regularly use other jurisdiction's thresholds. CEQA does not require the City to create its own air quality impact thresholds. The City Attorney's office, along with City Staff, will be looking at the document as-is and the public comments will be taken into consideration.

2. Asked if the Eucalyptus trees are worth saving in this situation since they can be a detriment to the neighborhood. Staff responded that the Historic Landmarks Commission considered this matter at length. The Historic Structures/Sites Report (HSSR) recommended that the trees be designated as historic. The HLC concurred with that conclusion, but added the condition that the trees should not be removed unless an arborist report showed the trees posed a threat to public safety or health. If the trees were found to be a serious fire hazard, they could be removed. With that mitigation measure, the impact would be considered less than significant.
3. Asked if the Master Environmental Assessment (MEA) is being updated and if it will include a consolidated listing of threshold guidelines to provide standards to make judgments for EIR projects versus those that do not require preparation of an EIR. Staff responded that the City's MEA outlines for each section of the initial study what the guidelines should be for evaluation. It is getting outdated and different sections have been re-reviewed and new sections added since its adoption in the mid-1980s. There is no concrete plan to have a comprehensive update to the thresholds manual. With the Plan Santa Barbara (Update of City General Plan), updates to certain sections will be considered.
4. Asked how the issues raised in the public's written comments will be handled for a Mitigated Negative Declaration (MND) versus an EIR. Staff responded that the response to public comments is similar in both processes. Every comment will be responded to and, if needed, changes will be made in the Initial Study.
5. Asked how many historic, non-native Eucalyptus trees are being considered to be preserved. Staff responded that the updated landscape plans do not include the HLC condition of saving the trees. The applicant added that five Eucalyptus trees that run parallel along Alvarado Place have been determined to be historic. There are additional Eucalyptus trees that are not part of the historic character defining setting. The applicant is looking for direction in terms of safety and feasibility for those trees.
6. Asked how much the project has deviated from its inception. The applicant responded that an overview of the Master Plan was presented to the Commission in July 2008. Many of the changes were discussed during lunch meetings for substantial conformance and some were reviewed at Staff level.
7. Asked whether the original northwest parking lot had 12 spaces.
8. Asked who makes the decision if the Eucalyptus trees are deemed historic and, at the same time, a safety hazard. Staff responded that an arborist report has not been prepared yet concluding that there is a public safety issue; however, the conclusions of the report will determine whether the trees would be removed.

The Commission made the following comments:

1. The project presented piecemealed makes it difficult to decipher what has changed and whether it is significant.
2. The tools needed for the applicant to come up with a good project are available.
3. An MND would be most appropriate. Of concern is that a discussion of the valet parking lot is not found in the noise study or in the draft MND.

4. The adoption of an MND would be the last main opportunity for the applicant to make refinements in the project that are responsive to the concerns voiced by the neighbors relating to potentially significant impacts. The applicant should meet with neighbors to reduce controversy over environmental factors, whether or not thresholds are made available.
5. The applicant should provide better graphics and visual aids to understand the northwest corner that is of primary concern. This will allow the Commission to determine whether higher walls would provide more sound protection.
6. Staff should research whether there is another utility facility similar to what is being proposed where the Commission could conduct a site visit in the City.
7. There is concern that, if the Eucalyptus trees have been deemed historic, it would not be appropriate to have them topped and trimmed. With regard to fire safety, the Eucalyptus trees that are located along a major intersection of an evacuation route are of concern. The Eucalyptus trees framing the historic entrance are a higher priority than those trailing off further from the street.
8. One of the advantages of the project is that it has always been well-landscaped.

**** THE COMMISSION RECESSED FROM 2:33 P.M. TO 2:52 P.M. ****

ACTUAL TIME: 2:52 P.M.

RECUSALS:

To avoid any actual or perceived conflict of interest, Commissioner Jacobs recused herself from hearing this item due to her husband's law firm having represented the applicant in the past.

B. APPLICATION OF BERKUS DESIGN STUDIO, ARCHITECT FOR CLEO M. PURDY AND MICHAEL G. SCHMIDTCHEN, CO-TRUSTEES, 3885 AND 3887 STATE STREET, APN 051-022-012 AND 051-022-033, C-2/SD-2: COMMERCIAL AND UPPER STATE STREET AREA OVERLAY ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2008-00180)

The project consists of the demolition of an existing 4,990 square foot motel and a 22,250 square foot office building, and the construction of a new, three-story mixed-use development on a 61,802 square feet (net) lot. The commercial component consists of one 2,567 square foot unit. The residential component consists of thirty residential units (26 market rate and 4 affordable units). The market rate component consists of 23 two-bedroom and 3 three-bedroom units. The affordable component consists of 3 two-bedroom units and 1 three-bedroom unit. In conformance with variable density, 26 units are allowed on the site. The four affordable units are required per the Inclusionary Housing Ordinance. A total of 78 parking spaces are proposed (62 covered and 16 uncovered). Onsite amenities include a 3,863 sq. ft. recreation facility (exercise room, sun room, spa/hot tub, dining room, staging kitchen, wine lockers, concierge service) and a 545 square foot crafts room. The proposal also includes the voluntary merger of two parcels.

The discretionary applications required for this project is a Tentative Subdivision Map for a one-lot subdivision to create thirty (30) residential condominium units and one (1) commercial condominium unit (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 Act Guidelines Section 15332 (Proposed Infill Development Project).

Case Planner: Kathleen Kennedy, Associate Planner

Email: kkennedy@SantaBarbaraCA.gov

Kathleen Kennedy, Associate Planner, gave the Staff presentation.

John Rosenfeld and Barry Berkus, Architect, gave the applicant presentation.

Paul Zink, representing the Architectural Board of Review (ABR), presented the ABR's comments and concerns.

Chair Larson acknowledged receipt of the following letters from the public:

1. Joyce Luna;
2. Paul Hernadi, Citizens Planning Association; and
3. Joe Rution, Allied Neighborhoods Association, expressing concerns about the project.

Chair Larson opened the public hearing at 3:25 P.M.

The following people spoke in favor of the project:

1. Earl Ensberg, member of the board of the Grace Lutheran Church, located to the east, expressed support of the project by the church board, commenting that it is an advantage to the neighborhood.
2. Steve Cushman, Santa Barbara Chamber of Commerce, expressed support for the project.

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

3. Mickey Flacks, local resident, commented that the Plan Santa Barbara (City General Plan Update) goals include community benefits for residential land uses as affordable housing; mixed-use housing should have an emphasis on affordability; and truly sustainable development to achieve the goals of *PlanSB* would reject this proposal as presented.
4. Jean Holmes, Allied Neighborhood Association representative and resident of Upper State Street neighborhood, commented that the density is too great; the installed story poles are alarmingly high; the project is out of character to the neighborhood, in particular the building adjacent to the church on State Street.

5. Paul Hernadi, South Coast Land Use Committee of the Citizens Planning Association, expressed concern with the density, community benefit and the environment, specifically public housing; the long alley was included in the density calculations although it has long served as a public right-of-way and should not be included in the project's buildable net square footage; the reduction of the bulk and scale is partly achieved by the radical reduction of the original number of inclusionary units from 17 to the minimal required of four; the claimed reduction of traffic impact and parking demand affected by a significant decrease in commercial space may not be fully realized because two-thirds of the promised decrease would be utilized for amenities rather than housing, such as crafts room and special events, attracting others not residing in the condominiums; regarding the environment and public health, two partial updates to the 2005 environmental noise study are based on outdated traffic figures and a new environmental noise study should be commissioned; and design changes should be made rather than mitigated measures.
6. Joyce Luna, member of neighboring church, expressed concern with the Pine tree that may not survive if an underground parking lot is approved; story poles indicate that the project would be much larger than the small church next door; and construction hours are acceptable, but requested a provision for construction noise to be mitigated.

With no one else wishing to speak, the public hearing was closed at 3:39 P.M.

The Commission had the following questions:

1. Asked about the easement that has been functioning as a public lane since the late 1960s and whether it should be included in the variable density calculation. Scott Vincent, Assistant City Attorney, responded that the City has approached the calculation of net lot area by looking at public easements as being excluded from the net calculation of lot area. Private easements have not been looked at as being excluded. Staff calculated the lot area as shown in the Staff report since there is no private easement or street right-of-way on the lot.
2. Asked what would be the affect in the traffic flow in that area by limiting the use of the alleyway. Steve Foley, City Supervising Transportation Planner, responded that if it was closed, so that the public had no access to it, there would be no significant impact on traffic flow in the area. Mr. Vincent added that the easement benefits the property behind and the one at the corner (the Galleria) as well; therefore, the alley could not be blocked.
3. Asked if the amenities that make the proposal appear to be for a retirement community, such as separate dining area, craft rooms, and on-site attendants, actually have that intent. The applicant responded that the project is not large enough to meet the State-requirements for an age-restricted project. Long-time members of the community as pre-retirement buyers would not be the only ones living on the site as shown by the proposed three and two-bedroom units. The project would be in keeping with a high level of resort-like living, which is not common in Santa Barbara. The dining room area is not intended to be open to the public, but rather to have a place for people who live there to gather.

4. Asked if the actual parking demand has been calculated since it appears the traffic analysis shows substantial reductions in the amount of traffic prior to the predevelopment stage of the project. Scott Schell, Associated Transportation Engineers, responded that it has not been calculated. He also stated that in the previous proposal a parking demand analysis was conducted because a parking modification was being requested. For that proposal, the demand numbers were lower than the zoning requirement, resulting in support of the requested modification. An analysis for the current project would more than likely find a lower demand than the code requires as well. Mr. Shell agreed to provide with more information on this subject.
5. Asked if there will be a condition of approval requiring that the buyer should live or work in the Santa Barbara/Goleta vicinity since the applicant's letter describes the project as housing for those already living in the City. The applicant responded that the plan is to continue working with Steve Faulstich, City Housing Programs Supervisor, to try to focus on local transitional buyers (those becoming seniors and working towards simplifying/down-sizing their lives).
6. Asked whether openable surfaces on the third floor would mitigate exterior noise levels to below the thresholds. Staff responded that changes were requested to be made to the design of the balcony outdoor areas, requiring installation of inoperable high walls between five and six feet high that could be made of glass. The private outdoor living areas would need to be open above the walls. The design has been reviewed in the noise study and would mitigate the impact to less than significant.
7. Asked if it is a condition of approval that the various amenities are to be restricted to residents only. Staff responded that it is not a condition. The applicant added that such restriction could be included in the facility's governing documents to differentiate between resident and visitor use as opposed to leasing to third parties.
8. Asked if there are ways to assure the survival of the pine tree at Grace Lutheran Church during construction. The applicant responded that an arborist would be on site to assist and that they would be in contact with the Church during construction.
9. Requested a description of the walkway proposed to connect from State Street to the back of the property.
10. Asked if there is a way to give preference to those already living in Santa Barbara without making it impossible for out-of-town people to buy. Mr. Vincent responded that the applicant plans to work with the City's Housing/Redevelopment Division to emphasize a marketing plan towards local residents. Restricting residents from purchasing because they are not currently living in the area produces problems, including difficulty in justifying a restraint on alienation. A situation may also arise where someone will move to the community, rent for a period of time, and then go through a gamesmanship until they qualify to purchase a unit.

The Commission made the following comments:

1. The density of the proposed project is appropriate and is compatible with the surrounding area. The project has good intentions and the following assurances are requested: add a condition in regard to LEED certification, platinum level; noise study is adequate but should eliminate last sentence of condition H.6; add a condition requiring traffic monitoring after the project is fully occupied ; add a condition that a conversion to timeshares would not be allowed.
2. Suggested that the applicant look at a better integration of the proposed decorative tiles with the building façade.
3. Suggested that the project incorporate more affordable housing.
4. During construction, the applicant is to work with the neighbors so that construction does not interfere with the church's special events.
5. Measures should be taken so that units are not sold as second homes, but rather that they be limited for local residents that live in the community.
6. The project accomplishes the jobs/housing imbalance in conformity with what Plan Santa Barbara (City General Plan Update) is envisioning.
7. At least one Commissioner expressed concern about the seven oversized units at over 2,000 square feet. At the same time, twenty market-rate units are in the 1,400 square foot range.
8. The modest use of the community space replacing much of the commercial square footage is beneficial and not likely to be an excessive traffic generator.
9. Confirmed that the plate heights are ten feet, but the building height will remain a maximum of 40 feet.
10. Although the private street being included in the density calculation is of concern, the amount of smaller units makes the project supportable.
11. The applicant has done an excellent job conforming to current ordinance codes and has responded very well to the community's concerns.
12. The provision of true landscaping is appreciated.
13. This version is much more open and of less density than previous proposals.
14. The amount of the common area for the private dining would be almost twice the size of the current commercial area, but there is nothing in the land use rules that would preclude this.
15. The concept of ride-sharing would be an advantage.
16. Those living in the affordable units should have the same access without being surcharged out of their affordability for any services rendered.
17. The buildings should be 40 feet and not 43 feet as shown by some of the story-poles during the Commission's site visit.
18. Any private outdoor living space should be at least a ten by ten space, especially in smaller living spaces.

Doug Singletary, B3 Architects, answered the Planning Commission's questions about the applicant's strive to achieve LEED certification at the platinum level.

MOTION: Jostes/Bartlett

Assigned Resolution No. 003-09

Approved the Tentative Subdivision Map, making the findings as outlined in Section VII of the Staff Report, subject to the Conditions of Approval in Exhibit A of the Staff Report with the following inclusions to the Conditions of Approval: 1) Include a subsection indicating that the wall mitigation for noise shall be included in the design review section; 2) traffic monitoring of trips in and out of the project shall be required for a period of three years after a certificate of occupancy is issued, with annual reports to be made to Staff for transmittal to the Planning Commission as appropriate; 3) the project shall not be allowed to become time-share units; 4) after LEED certification, provide a report to the Community Development Director indicating the level of LEED compliance achieved and the reasoning behind whether or not the applicant was able to achieve the platinum level; 5) the common amenities shall be restricted to residents and guests; and 6) An arborist shall monitor the construction in order to protect the pine tree located on the adjacent church property to the east.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 0 (Jacobs stepped down.)

Chair Larson announced the ten calendar day appeal period.

ACTUAL TIME: 4:43 P.M.

V. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

None were given.

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

None were reviewed.

C. Planning Commission Liaison Appointments.

Airport Commission

Addison Thompson

Charmaine Jacobs – Alternate

Airline Terminal Design Subcommittee

Bruce Bartlett

Addison Thompson

Charmaine Jacobs- Alternate

Architectural Board of Review

Bruce Bartlett

Stella Larson – Alternate

Creeks Restoration & Water Quality Improvement

Program Citizen Advisory Committee (appointment continued)

John Jostes

Harwood A. White, Jr. – Alternate

Downtown Parking Committee

Sheila Lodge

John Jostes- Alternate

Harbor Commission

Harwood A. White, Jr.

Sheila Lodge – Alternate

Highway 101 Improvements Design Subcommittee

Bruce Bartlett

Charmaine Jacobs

Sheila Lodge - Alternate

Historic Landmarks Commission

Stella Larson

Sheila Lodge – Alternate

Housing Policy Steering Committee

Bruce Bartlett

Charmaine Jacobs

John Jostes – Alternate

Mission Creek Design Subcommittee

Harwood A. White, Jr.

John Jostes

Sheila Lodge – Alternate

Park and Recreation Commission

Charmaine Jacobs

Stella Larson - Alternate

Plan Santa Barbara Subcommittee

John Jostes

Sheila Lodge

Addison Thompson

Single Family Design Board

Stella Larson

Bruce Bartlett – Alternate

Solid Waste Management Advisory Committee

Stella Larson

John Jostes – Alternate

Staff Hearing Officer/ Modification Liaison

Stella Larson

Harwood A. White, Jr. - Alternate

Transportation and Circulation Committee

Addison Thompson

Bruce Bartlett – Alternate

Water Commission

Harwood A. White, Jr.

Addison Thompson – Alternate

VI. ADJOURNMENT

Chair Larson adjourned the meeting at 4:45 P.M.

Submitted by,



Gabriela Feliciano, Commission Secretary