



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

December 3, 2009

CALL TO ORDER:

Chair Larson called the meeting to order at 1:03 P.M.

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

Kelly Brodison, Assistant Planner

Julie Rodriguez, Planning Commission Secretary

I. ROLL CALL

II. PRELIMINARY MATTERS:

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

None.

B. Announcements and appeals.

None.

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

Chair Larson opened the public hearing at 1:04 P.M. and, with no one wishing to speak, closed the hearing.

III. CONSENT ITEM:

ACTUAL TIME: 1:04 P.M.

APPLICATION OF CHRIS DENTZEL, ARCHITECT FOR MICHAEL MONTEABARO & LILIAN KUROSAKA, PROPERTY OWNERS AT 1927 EL CAMINO DE LA LUZ, APN 045-100-025, E-3/SD-3 (SINGLE FAMILY RESIDENTIAL AND COASTAL OVERLAY) ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2009-00145).

The project consists of a proposal to remove a 264 square foot unpermitted family room and construct a new one-story 306 square foot master bedroom in the same location. The existing 1,577 square foot one-story single-family residence and 346 square foot attached two-car garage are located on a 22,972 square foot lot in the appealable jurisdiction of the Coastal Zone and the Hillside Design District. The proposal also includes the installation of roof mounted solar panels and the construction of a new masonry wall, between 36" and 72" tall, along the driveway off of El Camino de la Luz.

The discretionary application required for this project is a Coastal Development Permit (CDP2009-00015) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 [small additions to existing structures].

Case Planner: Kelly Brodison, Assistant Planner
Email: KBrodison@SantaBarbaraCA.gov

Commissioner Jostes requested that the Planning Commission waive the Staff Report.

MOTION: Jostes/Thompson

Waive the Staff Report

This motion carried by the following vote:

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

Chris Dentzel, Applicant, made himself available to answer any questions

Chair Larson opened the public hearing at 1:05 P.M., and with no one wishing to speak, closed the hearing. Chair Larson acknowledged public comment letters received from Thomas Felkay and Lesley Wiscomb in support of the project.

MOTION: Lodge/Thompson

Assigned Resolution No. 044-09

Approved the project, making the findings for the Coastal Development Permit outlined in the Staff Report, subject to the Conditions of Approval in Exhibit A of the Staff Report.

Discussion was held regarding the inclusion of the as-built foundation be included in the approval; and the Commission requested that consideration be given for the neighbors' side of the rock wall.

This motion carried by the following vote:

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

Chair Larson announced the ten calendar day appeal period.

IV. NEW ITEM:

ACTUAL TIME: 1:09 P.M.

APPLICATION OF KEITH RIVERA, ARCHITECT FOR POPP LLC PROPERTY, 825 DE LA VINA STREET, APN, 037-041-0024, C-2 (COMMERCIAL) ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL – 12 UNITS PER ACRE AND COMMERCIAL GENERAL COMMERCE (MST2007-00400).

The project consists of a one-lot subdivision to create a mixed use development with two (2) three-story buildings consisting of three commercial office spaces and seven residential condominium units on a 14,750 square foot lot in the C-2 zone. The residential portion of the project would be comprised of four (4) one-bedroom and three (3) two-bedroom units between 800 and 1,800 square feet in size. Each two-bedroom unit will have a small commercial office space for a total of 686 square feet of commercial square feet. The proposal will result in 8,507 square feet of residential area and 686 square feet of commercial area for a total of 9,193 square feet. Parking is proposed within seven vertically tandem parking garages that each accommodate two vehicles. There would also be two (2) uncovered guest spaces and three (3) uncovered commercial spaces. Approximately 200 cubic feet of grading is required.

The discretionary applications required for this project are:

1. A Modification for rear yard setback encroachment in the C-2 zone, (SBMC §28.66.060); and
2. A Tentative Subdivision Map for a one-lot subdivision to create seven (7) residential condominiums units with three (3) attached commercial office spaces (SBMC 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 which provides for in-fill development projects in urban areas.

Case Planner: Kelly Brodison, Assistant Planner

Email: KBrodison@SantaBarbaraCA.gov

Kelly Brodison, Assistant Planner, gave the Staff presentation.

Keith Rivera, Architect, gave the applicant presentation.

Paul Zink, Architectural Board of Review (ABR) Board Member, summarized the ABR's comments and responded to questions regarding wanting more detail to address the starkness of the project, a desire for more setback relief on the northwest elevation of the project, and consideration for more softness in the elevation. Also it was suggested to either have no red tile used or more red tile used on the roof. A request for more landscaping was desired to conceal the parking area at the front of the building. Clarification was provided regarding the ABR's review of different schemes that evolved throughout the process.

Chair Larson opened the public hearing at 1:48 P.M.

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

1. Jim Kahan, Friends of Outer State Street, was concerned about the project developing too much on too small a space. Expressed concern over parking being placed on the front of the lot and contrary to zoning code.
2. Steve Hausz, adjacent neighbor, also concerned with the massive size of the project for the lot size, tandem parking, and car lift parking.
3. Don Sharpe submitted and summarized written comments expressing concern for density on the site and inconsistency and incompatibility with the neighborhood.
4. Don Elconin submitted and summarized written comments expressing concern for the density on the site and neighborhood incompatibility.
5. Susan Basham, representing the Thompson and Lawrence neighbors, submitted written comments and requested denial of the setback modification.
6. Susan Thompson, neighbor, submitted pictures exemplifying the impact to her property if the modification were approved and requested denial of the setback modification.
7. Aaron Thompson, neighbor, was concerned that the development of the wall would block their views; also concerned with the project impacting the limited off-site parking on De la Vina Street.
8. Judy Lawrence was opposed to the rear setback encroachment.

With no one else wishing to speak, the public hearing was closed at 2:10 P.M. Chair Larson acknowledged receipt of correspondence from

Discussion was held about the impacts to the light wells when considering alternatives in widening the rear setback to eliminate the request for a modification; the parking lifts and resulting plate heights and whether parking lifts are allowed under the zoning ordinance; trash circulation and trash enclosures on the property; parking space requirements; and compliance with the Pedestrian Master Plan requirements. Also discussed were assurances

in the CC&R's that the commercial properties would remain commercial and not converted to another bedroom; and alternatives considered for preserving open space .

Scott Vincent, Assistant City Attorney, stated that the Staff report mistakenly described the interior setback requirement for parcels that are zoned C-2 and adjacent to a residential zone. Mr. Rivera's presentation explained the logic behind Staff's support of the modification; applying the R-3 interior setback requirements to the rear setback since the adjacent uses were both residential. Ms. Basham was correct in her letter stating that there is no distinction in the interior setback for the C-2 zone where the parcel is abutting a residentially zoned parcel. The treatment of commercial buildings and residential buildings for the purpose of defining the setbacks is not the same.

In response to a comment from Commissioner Bartlett, Mr. Vincent noted that Bill Mahan's study of three-story buildings was helpful, but outdated in that the zoning ordinance changes to C-2 setbacks have changed since Mr. Mahan's analysis was submitted.

The Commissioners made the following comments:

1. Commissioner Jacobs expressed concern with noticing to a neighbor who is a property owner of record and has asked to be noticed on this project.
2. Commissioners Jacobs, Thompson and White cannot make the finding for consistency with the zoning ordinance for the rear yard setback. Commissioners Jacobs and Jostes do not see this as a necessary modification for a lot that is currently empty. Cannot support the tentative subdivision map since it would necessitate the modification. Overall bulk and scale, parking, and plate heights would need reconsideration. Commissioners Jacobs and Thompson could not support parking in the front yard setback.
3. The majority of the Commission could not make the findings, but would support a continuation for the project to be redesigned and allow for the elimination of any modifications.
4. Commissioner Bartlett could support a modification.
5. Commissioner White remained concerned with the tandem parking and the resulting intensity of the project. Questioned the status of existing live/work projects and whether or not they have been successful in maintaining commercial space.
6. Commissioners Jostes and Lodge felt the applicant has done a good job on the project. Given the location, Commissioner Jostes supports a live/work project, too, but wants to see a balance with the neighborhood.
7. Commissioner Lodge suggested making the light well a larger forward light well by taking away some square footage. Likes the setbacks in the front and suggested one parking space in the front, using the rest for landscaping, and the other parking space in the back in the larger setback.
8. Commissioner Larson was concerned with what happens to the commercial offices with the transfer of properties. Suggested the Applicant continue working with neighbors.
9. Commissioner Jacobs and Lodge commented on the challenge of making decisions on live/work requests without knowing how our existing live/work projects are

working. We do not have sufficient data to know how this concept is working. Questioned if the zero commute is working. Would like Staff to report back to the Commission with an update on the status of live/work projects. Commissioner Lodge suggested looking at a live/work project on Gutierrez Street.

10. Commissioner Thompson commented that private CC&R's are effective as an enforcement tool only if you have an aggressive and active homeowners association. The city has nothing to do with any enforcement of CC&R's; if enforcement is desired then it must be stipulated in either the Conditions of Approval or a Conditional Use Permit.

11.

MOTION: Jostes/Thompson

Continue the project indefinitely pending review of a revised project by the Architectural Board of Review.

This motion carried by the following vote:

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

Chair Larson announced the ten calendar day appeal period.

V. **ADMINISTRATIVE AGENDA**

ACTUAL TIME: 3:16 P.M.

A. Committee and Liaison Reports.

1. Staff Hearing Officer Liaison Report

Commissioner Larson reported on the Staff Hearing Officer meeting held on December 2, 2009.

2. Other Committee and Liaison Reports

- a. Commissioner Lodge reported on the Downtown Parking Committee's recent review of alternative uses for the upper level of city parking garages.

- b. Commissioner Jacobs reported on the Mesa Town Hall meeting held on December 2, 2009.

- c. Commissioner White reminded the public that today is First Thursday where participating galleries and art-related venues host an evening of visual and performing arts in the Downtown area.

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

1. Review and consideration of the following Planning Commission Minutes:

a. Draft Minutes of September 24, 2009

MOTION: White/Bartlett

Continue the Minutes of September 24, 2009 to December 10, 2009

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

b. Draft Minutes of October 22, 2009

MOTION: White/Lodge

Approve the minutes of October 22, 2009 as corrected.

This motion carried by the following vote:

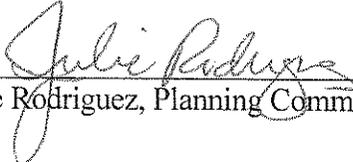
Ayes: 5 Noes: 0 Abstain: 2 (Jacobs, Jostes) Absent: 0

Before the meeting adjourned, Scott Vincent, Assistant City Attorney, reviewed the process of including interested parties and explained how staff makes every effort to include interested parties in notification. Suggested that the public make sure to sign up as an interested party with the city and make sure that one checks with the tax assessor's office to see what address is on record on the tax assessor's roll.

VII. ADJOURNMENT

Chair Larson adjourned the meeting at 3:27 P.M.

Submitted by,



Julie Rodríguez, Planning Commission Secretary

