



# City of Santa Barbara Planning Division

## PLANNING COMMISSION MINUTES

May 14, 2009

### **CALL TO ORDER:**

Chair Thompson called the meeting to order at 1:02 P.M.

### **ROLL CALL:**

#### **Present:**

Vice-Chair Addison S. Thompson  
Commissioners Bruce Bartlett, Charmaine Jacobs, Sheila Lodge, and Harwood A. White, Jr.

#### **Absent:**

Commissioners Stella Larson and John Jostes

### **STAFF PRESENT:**

Paul Casey, Community Development Director  
Betty Weiss, City Planner  
Danny Kato, Senior Planner  
N. Scott Vincent, Assistant City Attorney  
Michele De Cant, Administrative Services Manager  
Steve Foley, Supervising Transportation Planner  
Allison De Busk, Project Planner  
Dan Gullett, Associate Planner  
Kelly Brodison, Assistant Planner  
Julie Rodriguez, Planning Commission Secretary

## **I. ROLL CALL**

Roll call was taken at 1:02 P.M.

**II. PRELIMINARY MATTERS:**

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

Senior Planner Danny Kato announced that item IV.A, the Staff Hearing Office Appeal of 1415 Mission Ridge Road, has been withdrawn from the agenda by the appellant.

- B. Announcements and appeals.

None.

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

Chair Thompson opened the public hearing at 1:03 P.M.

Tony Fisher, representing the Friends of Outer State Street, addressed the Planning Commission regarding the Staff Hearing Officer process and submitted a copy of the letter withdrawing the appeal for 1425 Mission Ridge Road.

With no one else wishing to speak, the hearing was closed at 1:06 P.M.

**III. ENVIRONMENTAL HEARING**

**ACTUAL TIME: 1:06 P.M.**

**APPLICATION OF BRENT DANIELS, L&P CONSULTANTS; AGENT FOR KELLOGG ASSOCIATES; 3714-3744 STATE STREET (APN: 053-300-023 AND -031), 3730 STATE STREET (APN: 053-300-032), AND 3715 SAN REMO DRIVE (APN 053-222-010); C-P/S-D-2, C-P/R-3/R-4/S-D-3, R-4/S-D-2 AND R-2/S-D-2 ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCE, OFFICE, RESIDENTIAL – 12 UNITS PER ACRE, AND BUFFER (MST2007-00591)**

The proposed project involves demolition of the existing 113 room Sandman Inn Hotel, adjacent restaurant and all site improvements, and construction of a new 106 room hotel and 73 residential condominium units. The proposed project includes a total of 291 parking spaces (111 parking spaces for the hotel component, 163 parking spaces for the residential component and 17 common/shared spaces). The hotel and residential development would be on separate parcels. The hotel building would be 62,298 square feet above a 46,701 square foot underground parking garage, with a maximum height of 45 feet. The residential development would have a maximum height of 31 feet above an underground parking garage. Of the 73 residential condominium units proposed, 11 would be provided at sales prices targeted to middle-income households earning from 120-160% of area median income, pursuant to the City of Santa Barbara's Affordable Housing requirements. Ingress to and egress from the proposed hotel and residential development would be provided via separate driveways located off of State Street. Access to the Town and Country Apartments (3730 State Street), located immediately behind the main subject parcels, is currently provided through the hotel site, and would be permanently closed as part of the project.

Access to the Town and Country Apartments would be provided via a driveway connection off of San Remo Drive, necessitating demolition of one residential unit located at 3715 San Remo Drive.

Additionally, an “applicant’s alternative” project, which essentially replaces the proposed hotel with a 14, 254 square foot two-story office development has been provided by the applicant for review. The applicant’s alternative includes 73 residential units, of which 11 would be provided at sales prices targeted to middle-income households earning from 120-160% of area median income. A total of 237 parking spaces would be provided (61 at-grade office spaces, 5 underground office spaces, 162 underground residential spaces and 9 shared at-grade spaces). All access would be as described for the proposed project.

Draft Environmental Impact Report hearing and concept review. The purpose of the concept review is to allow the Planning Commission and the public an opportunity to review the proposed project design and applicant’s alternative 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 this hearing.**

The discretionary applications required for this project are:

1. Lot Line Adjustment.
2. Transfer of Existing Development Rights (TEDR) to transfer 806 square feet of non-residential square footage from 8 E. Figueroa (APN 039-282-001) to APN 053-300-031(SBMC Section 28.95.030). *HOTEL PROJECT ONLY*
3. Development Plan approval for a net increase of 9,969 square feet of non-residential development (SBMC Section 28.87.300). *HOTEL PROJECT ONLY*
4. Development Plan approval for a building of 10,000 square feet or more of total floor area within the C-P Zone (SBMC Section 28.54.120).
5. Modification of the lot area requirements to allow one (1) over-density unit (bonus density) on a lot in the CP/ S-D-2 and R-3/S-D-2 zone districts (SBMC Section 28.21.080).
6. Tentative Subdivision Map (TSM) for a one lot subdivision to create 73 residential condominium units (SBMC Chapters 27.07 and 27.13).

Case Planner: Allison De Busk, Project Planner  
Email: ADebusk@SantaBarbaraCA.gov

Danny Kato, Senior Planner, and Chair Thompson gave the format of the hearing as beginning with the Draft Environmental Impact Report hearing, to be followed by the Concept Review.

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

Environmental consultant Joe Gibson, Impact Sciences, gave the environmental presentation joined by Rob Olson, Iteris, Senior Traffic Engineer; and Doug Brown, Staff Planner.

Brent Daniels, L&P Consultants, gave the applicant presentation, joined by Susan Van Atta, Landscape Architect.

Ms Van Atta explained that the use of the Styrofoam blocks in the rooftop garden to lift the planting where there are berms is not necessary to support trees in the rooftop garden; noted that it is a common misperception that larger planters are needed to support trees.

Greg Parker, Investec, explained the Hitchcock Way easement held by the Sandman Inn to use 4 parking spaces on the adjoining property to the west during the day and all parking spaces after bank closure hours.

Chair Thompson asked Staff to follow up on options for access on the Hitchcock Way easement beyond the four parking spaces. Scott Vincent responded that he will review the right of way further north of the intersection. The City's options lie solely within the City's right-of-way.

Commissioner Lodge recalled a City Map that once showed Hitchcock Way extending through the property.

Mr. Olson responded to the Commission's question regarding the number of trips being reduced on State Street due to the Town and Country residents using San Remo – it would result in 15 fewer peak trips.

Chair Thompson opened the public hearing at 1:45 P.M.

The following people provided public comment on the Environmental Impact Report (EIR):

1. Paul Hernadi, Citizens Planning Commission (CPA), read his submitted letter into the record noting some flaws with the project, supports the applicant's alternative project over the original project for greater environmental sustainability.
2. Mary Louise Days, CPA, highlighted five aspects of environmental superiority that the draft EIR attributes to the applicant's alternative: 1) Significant reduction of height and bulk of original project; 2) Reduction of trip generation potential; 3) Significant reduction in water and sewer usage; 4) Five residential units are moved further away from State Street; and 5) Avoids construction of a 3-story hotel and underground parking of 111 cars.
3. Naomi Kovacs, Executive Director, Citizens Planning Commission, completed the presentation of the written CPA letter covering circulation, recreation, tree protection and density.

4. Jean Holmes, Grove Lane Neighborhood Association, expressed concerns over size, density, mass, and visual impact of both proposals. Does not want to see Upper State Street transformed into dense and congested area. Asks for retention of front setback trees.

With no one else wishing to speak on the EIR, the public hearing was closed at 1:56 P.M.

The Commissioners made the following comments on the EIR:

1. Commissioner White expressed concern over the buffer-zone concept. Suggested the EIR deal with the buffer zone more than it has already.
2. Commissioner Jacobs would have liked to have seen a reproduction copy of the Upper State Street map; referenced two maps that were created during the Upper State Street Study with one officially adopted as a guideline for the area. Suggested the map be included in the EIR; would show recreation and open space, as well as access to nearby creeks, and parking circulation. Parking and circulation is a concern with the project, especially connectivity of uses. Would like to see other transportation alternatives such as pedestrian, bus, and bicycle circulation; noted Foothill scenic bikeway is close by. Would like to see better use of the Hitchcock intersection. Suggested future connectivity is kept in mind with the adjoining bank property at the time when the bank is redeveloped.
3. Commissioner Bartlett thinks the two drivers in this project are circulation issues, which are in conflict with the Upper State Street Study, and the lack of a buffer. Referenced the vision held in the Master Plan of 1924 that showed the east-west buffer that would have been a continuation of Via Lucero and believes that it should be put back in place in the General Plan; would address circulation issues. Believes that direct access from Hitchcock onto the subject property could be achieved.
4. Commissioner Lodge talked about the density being considered on 4.5 acres. The SD-2 overlay zone never considered parking going underground. Concerned with the job-housing balance and would like to know how many jobs are currently provided on site, and how many would be created with the proposed project or applicant's alternative project.

The Environmental Hearing was concluded at 2:09 P.M. Ms. Debusk reminded the public of the public comment deadline of May 22, 2009.

The Concept Review began at 2:10 P.M.

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

Greg Parker, Investec, gave the Applicant presentation, joined by Ken Radkey, Blackbird Architects, Susan Van Atta, and Brent Daniels. Susan Van Atta noted that they are now proposing to maintain some additional trees, and replant all palm on site.

Staff responded to the Planning Commission's question regarding the open space in the alternative project by stating that it appears to meet and exceed the City's minimum requirement for open space. Staff clarified tandem parking as it related to the proposed project.

Mr. Radkey responded to the Commission's question regarding the provision of open space on State Street to buffer the noise factor for the front units.

Chair Thompson opened the public hearing at 2:56 P.M

1. Judy Orias, President, Allied Neighborhood Association, is pleased with the Applicant's direction for the applicant's alternative project but remains concerned with issues that could make it a better project. Concerned with the residential impact on the neighborhood related to the jobs and housing imbalance brought on by the market rate condominium units. The single driveway alternative insures greater distance between the State and Hitchcock intersection. Further reduction of the scale of the project would make the project even better. Reminded the Commission that this project is in the Arroyo Burro Creek watershed and cautioned against increased runoff. Concerned with the project's need for recreational facilities for families purchasing the residential units.
2. Connie Hannah, Santa Barbara League of Women Voters, asked that the Commission consider the Applicant's Alternative proposal over the original project. Remained concerned with the daily trips that will be increased by the 73 condominium units and that there is insufficient outdoor recreational space provided onsite for children to play. Would like trees retained on property. Supports retention of setback trees.

With no one else wishing to speak the public comment was closed at 3:02 P.M.

The Commissioners made the following comments:

Left Turn Lane:

1. Commissioner Lodge does not want to see the existing median and landscaping gone.
2. Commissioner Jacobs stated that the Upper State Street Study preference for medians is more important than providing a left-turn lane for the project. Does not support a left-turn lane in.

Access Driveways:

1. Commissioner Bartlett suggested exploring the crosswalk configuration on State Street running parallel with the property line to gain an access drive onto the applicant's property.

2. Commissioner Lodge clarified the applicant's preference toward a two-driveway alternative.
3. Commissioner Jacobs was neutral, but supported the Commission's preference for a single driveway and suggested the applicant study it further.
4. Commissioner White preferred a single driveway but understands if there needs to be two.
5. Commissioner Thompson stated that he needs more information on circulation, i.e. number of driveways; Hitchcock access potential.

#### Scenic Views versus Mature Trees

1. Commissioner Bartlett does not think keeping the existing trees where they are helps anything as they block views. Convinced that podium landscaping would provide significant landscaping allowing the trees to be placed where they should be and providing designated view corridors for better views.
2. Commissioner Lodge would like to see both the scenic views and the mature trees kept.
3. Commissioner Jacobs likes the trees in the foreground, mountains in the back. The view is not static, and the foreground trees don't necessarily block the view. Favors retaining as many of the existing trees as possible.
4. Commissioner White would like to see the applicant present some alternatives to the views and trees; okay with removing existing trees and starting fresh.
5. Commissioner Thompson felt that the alternative landscape proposal that relocates trees on site is not in conflict with City guidelines.

#### Open Space Areas

1. Commissioner Bartlett suggested a mirror image of the applicant's alternative project, with the open space at the corner intersection so that the views are enjoyed at the intersection, not mid-block. Would like to see more open space for play areas. Commissioners Jacobs and White concurred. Commissioner Jacobs suggested some flexibility when the project returns to the Architectural Board of Review (ABR).
2. Commissioner Jacobs thought the open space area along State Street should be reconsidered due to the noise level and would perhaps be better positioned more interior to the property where it would be quieter.
3. Commissioner Lodge felt strongly against seeing the building moved to the Hitchcock corner and wanted the open space preserved.
4. Commissioner Thompson felt that the space closer to the street would be more usable by the public, suggests a little bit of both options could be considered.
5. Commissioner Bartlett suggested that the ABR be aware of the Upper State Street Study so that their goals are not in conflict. The view at the intersection is more important than a mid-block view.

#### Buffer Designation

1. Commissioner Bartlett does not want to see underground parking in the buffer zone.
2. Commissioner Lodge always considered the buffer as a separation of land uses, but not necessarily a swath of open space.
3. Commissioner White feels that the buffer concept needs to be honored/responded to somehow. It was there for a reason.
4. Commissioner Thompson questioned the intent of the buffer designation (physical space or a concept?) and noted that he's leaning toward the idea that it is a "concept".

#### Tandem Parking and garage circulation

1. Commissioner Bartlett thinks there are other ways to configure the garage, but is supportive of the tandem parking.
2. Commissioner Lodge would hope that residents of the project would not have two cars; has no issue with the tandem parking.
3. Commissioner Jacobs suggested adding communal elevators from the parking lot to the residential units. Suggested the applicant review the plans and find more ways for elevators to connect the underground parking to the plaza level.

#### Additional Comments.

1. Commissioner Bartlett liked the DNA of residential portion of the project with parking underground and outdoor living area on the surface. The applicant's alternative provides more open space on the street which allows more view corridors of the mountains. Does not see a density issue.
2. Regarding the jobs/housing imbalance, Commissioner Bartlett felt that this project could help eliminate commuters and is in a location where people could live by their work. Supported the office alternative over a hotel. Commissioner White believes there is no issue because existing jobs will be lost with the redevelopment, particularly the applicant's alternative.
3. Commissioner Lodge also preferred the applicant's alternative.
4. Commissioner Jacobs would like to see the project go back to the Transportation planners to look at best alternatives for the intersection and connectivity, considering pedestrians, bicyclists, buses and cars. The proposed bus stop is basic; prefers that the higher level of urban design guidelines be followed given the size of the project. Any green elements, such as photo-voltaics, would be appreciated.
5. Commissioner White appreciated that the size of the project was not aggressive. He likes the unit sizes and open space concepts. Would favor the project including rental housing.
6. The consensus of the Commission favored the applicant's alternative option. Commissioner Thompson added that the hotel option presents the inherency of tourists who are unsure of their navigation of the city and would add an increase to traffic counts, whereas office workers are more confident in the knowledge of their destinations.



Commissioner Thompson summarized the preference of the Commission for the applicant's alternative, and thinks that circulation needs to be studied along with the number of driveways before the project returns to the Commission.

Scott Vincent responded to the Commission's concern over the buffer by stating that without a definition in the text of the General Plan, the Commission would have the discretion to decide on the intent of the buffer (i.e., delineation by zoning, a physical area). Suggest looking at the project and its consistency with the General Plan.

Mr. Parker will look at a left turn into the front of the site at Hitchcock. Referenced the differences of opinion with the Architectural Board of Review and the Planning Commission over the open space on the corner and committed to finding a balance that would be a triple win.

Commissioner Thompson called a recess at 3:47 P.M. and reconvened the meeting at 4:04 P.M.

**IV. STAFF HEARING OFFICER APPEALS:**

**THE FOLLOWING ITEM WAS WITHDRAWN BY THE APPELANT:**

**A. APPEAL OF JAMES KAHAN ON BEHALF OF THE FRIENDS OF OUTER STATE STREET ON THE APPLICATION OF DUDEK & ASSOCIATES FOR RICHARD GODFREY, 1415 MISSION RIDGE ROAD, APN 019-103-004, A-2 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2009-00051)**

The 13,766 square foot project site is currently developed with a single family residence and 2-car garage. The proposed application is a request for the "as-built" enclosure of a 192 square foot second-story patio. The discretionary application required for this project is a Modification to permit alterations/additions within the required ten-foot interior setback (SBMC §28.15.060). On March 11, 2009, the Staff Hearing Officer made the required findings and approved the request. This is an appeal of that action.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 & 15305.

Case Planner: Roxanne Milazzo, Associate Planner  
Email: RMilazzo@SantaBarbaraCA.gov

**ACTUAL TIME: 4:04 P.M.**

**RECUSALS:** To avoid any actual or perceived conflict of interest, Commissioner White recused himself from hearing this item since he worked on the project at one time.

B. **APPEAL OF JAMES KAHAN ON THE STAFF HEARING OFFICER'S APPROVAL OF THE APPLICATION OF ALEX PUJO, ARCHITECT FOR LARRY AND SUSAN JEAN AGOSTINO, PROPERTY OWNERS, 436 CORONA DEL MAR, APN 017-321-007, R-4/SD-3 ZONES, GENERAL PLAN DESIGNATION: COMMERCIAL – HOTEL & RESIDENTIAL (MST2008-00420)**

The project consists of a proposal to demolish the existing 1,326 square foot residence and 224 square foot non-conforming garage and construct a 3,094 square foot, three-story duplex and a 548 square foot two-car garage on a 6,594 square foot lot in the non-appealable jurisdiction of the Coastal Zone. Also proposed are 582 square feet of covered patios, 166 square foot open deck and a 400 square foot lap pool. Unit #1 would be a 2,159 square foot, three-story, two-bedroom unit and Unit #2 would be a 934 square foot, one-story, one-bedroom unit with two uncovered parking spaces. One modification is requested to allow the proposed two-car garage to encroach 3' into the interior setback.

The discretionary applications required for this project are:

A Coastal Development Permit to allow the proposed development in the non-appealable jurisdiction of the City's Coastal Zone (SBMC §28.45.009); and

A Modification to allow the new garage to encroach into the interior yard setback (SBMC §28.21.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(l)(1) Existing Facilities and 15303 (b) New Construction.

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

Kelly Brodison, Assistant Planner, gave the Staff presentation.

Tony Fisher, Friends of Outer State Street, gave the Appellant presentation.

Alex Pujo, Architect, gave the applicant presentation.

Staff clarified for the Planning Commission the recent amendment to the zoning ordinance, section 28.21.060, and how the provision did not apply to this project. Staff also explained the partial demolition of the existing garage structure which was conducted without a permit.

Chair Thompson opened the public hearing at 4:33 P.M., and with no one wishing to speak, closed the hearing.

The Commissioners made the following comments:

1. Commissioner Lodge had an issue with the designer not following the setback requirements and cannot make the finding to grant the modification.
2. Commissioner Bartlett expressed frustration that the applicant has been blindsided by this appeal as the appellant had not attended any of the ABR or SHO meetings and added that the appellant has no room to voice an issue when the appellant's residence has the same setback encroachment. This project encroaches 57 sq. ft. less than the existing condition. The location of the garage improves the existing situation and complies with what the ABR requested, by enabling cars to maneuver on site and not back out onto the street. Cannot support the appeal.
3. Commissioner Jacobs wonders about the interest held by the Friends of Outer State Street when the project is not in that area. The real encroachment is about 3' wide and 10 feet long. The project is in keeping with the neighborhood and compatible and there is a three-story apartment complex next door. Supports the project and feels it is elegant and attractive and will be an improvement to the neighborhood.
4. Commissioner Thompson stated that discussions about modifications will continue to take place, but the modification process exists because the City is mostly built-out, and lots are smaller than what may be desired. Feels that the lot size and the ABR's direction for the architectural design forces consideration for the modification, because of the turn radius that is required to allow cars to exit the site facing forward, . Otherwise cars would park on the street which would exacerbate the street parking situation. Another option would be to move the garage over into the open space but that would encroach into the required open yard area. Supported the modification and denial of the appeal.

**MOTION: Jacobs/Bartlett**

**Assigned Resolution No. 015-09**

Deny the appeal and uphold the decision of the Staff Hearing Officer for approval of the modification and the Coastal Development Permit.

This motion carried by the following vote:

Ayes: 3 Noes: 1 (Lodge) Abstain: 0 Absent: 3 (Larson, Jostes, White)

Chair Thompson announced the ten calendar day appeal period.

**V. NEW ITEM:**

**ACTUAL TIME: 4:42 P.M.**

**RECUSALS:** To avoid any actual or perceived conflict of interest, Commissioner Jacobs recused herself from hearing this item due to the applicant's attorney working at the same firm as her husband.

**This hearing was for Planning Commission consideration of project denial prior to initiation of environmental review. The project could not be approved at this hearing, only denied or continued.**

**APPLICATION OF PETER EHLEN, ARCHITECT FOR CAROLYN & JOSEPH MCGUIRE PROPERTY OWNERS, 1642 & 1654 CALLE CAÑON / 2418 CALLE MONTILLA, APNs 041-140-006, 008, 009, A-2 & E-1 ZONES, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST99-00606)**

The project consists of a subdivision of two lots of 225,285 sf and 99,333 sf into six lots. The project location is within the Alta Mesa General Plan neighborhood and in an area designated as High Fire and Major Hillside. Due to slope density requirements, each of the six proposed lots is required to provide more than the minimum lot area for the zone. The larger existing lot is zoned A-2 and currently developed with two residences accessed from a common driveway on Calle Cañon. The smaller existing lot is split-zoned A-2 and E-1 and currently developed with a single-family residence fronting Calle Montilla. The three existing single-family residences are proposed to remain. Multiple retaining walls up to approximately 20 ft in height would be necessary to construct the proposed driveways. New curb, gutter, sidewalk, and parkway are proposed along the Calle Cañon frontage.

The discretionary applications required for this project are:

1. Lot Area Modification to allow the creation of a 10,188 square foot lot (Lot 6) where a 22,500 square foot lot is required with slope density in the E-1 Zone (SBMC §28.15.080 and §28.92.110.A);
2. Street Frontage Modification to allow Lot 2 less than the required A-1 Zone 100 feet of street frontage (SBMC §28.15.080 and 28.92.110.A);
3. Street Frontage Modification to allow Lot 3 less than the required A-1 Zone 100 feet of street frontage (SBMC §28.15.080 and 28.92.110.A);
4. Street Frontage Modification to allow Lot 4 less than the required A-1 Zone 100 feet of street frontage (SBMC §28.15.080 and 28.92.110.A);
5. Wall Height Modification to allow retaining walls to exceed 3.5 feet in height within ten feet of the front lot line on Calle Cañon and on either side of the driveway for Lots 1-4 within 20 feet of the front lot line (SBMC §28.87.170.B and 28.92.110.A);
6. Tentative Subdivision Map to allow the division of two lots into six lots (SBMC 27.07);
7. Public Street Waiver to allow the creation of Lot 2 without frontage on a public street (SBMC §22.60.300);
8. Public Street Waiver to allow the creation of Lot 3 without frontage on a public street (SBMC §22.60.300); and
9. Public Street Waiver to allow the creation of Lot 4 without frontage on a public street (SBMC §22.60.300).

The Environmental Analyst determined that the project was exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15270 (Projects which are disapproved).

Case Planner: Daniel Gullett, Associate Planner  
Email: DGullett@SantaBarbaraCA.gov

Daniel Gullett, Associate Planner, gave the Staff presentation.

Staff assured the Planning Commission that the driveway design had been reviewed by the Fire Department.

Pete Ehlen, Architect, gave the applicant presentation, joined by Justin Van Mullen.

Chair Thompson opened the public hearing at 5:17 P.M.

The following people supported denial of the project:

1. Laura Brooks supported denial of the project citing the existing density of the area and the impact of any further development. Major concern is safety.
2. Tina Ryder supported denial and asked that the rural character be maintained if any other proposed development is reviewed.
3. Jim Garland supports denial and is concerned about public safety and increase in traffic.
4. Pamela Juliet Garland expressed concern that the proposed driveway would be directly in front of her home and elaborated in a submitted letter.

Stephen Zoldos expressed support for the applicant's efforts and asked the Commission not to deny the project.

With no one else wishing to speak, the public hearing was closed at 5:34 P.M.

The Commissioners made the following comments:

1. Commissioner White feels that any intensification that is to occur should be developed in a cluster and that this configuration is overdeveloped.
2. Commissioner Lodge cannot support Staff continuing to work on this proposal; would consider a project where the other houses are clustered down below where there is less of a steep slope, or a one story house on the existing lot 5 and returning lot 6 to its original configuration.
3. Commissioner Bartlett empathized with the applicant and thinks that one-story homes nestled into the two upper lots might buffer the skyline view. Agrees with Commissioner White on seeing more clustering. Turnaround wall and driveway would be the most obvious visual on street. Concerned with access road and would want it to look more natural.
4. Commissioner Thompson sees the potential benefits but sees the proposed development as too aggressive for the site. Clustering may have some potential.

Mr. Van Mullen asked for clarification of 'clustering' and was directed to work with Staff.

Staff responded to the Commissions question about the potential for a Planned Unit Development (PUD) and explained a Planned Residential Development (PRD) and the clustering differences in each.

Mr. Ehlen commented that clustering options had been studied but did not fit with the rural character of the site.

**MOTION: Lodge/White**

**Assigned Resolution No. 016-09**

Deny the application due to inconsistency with the General Plan making the findings as outlined in the Staff Report

This motion carried by the following vote:

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

Chair Thompson announced the ten calendar day appeal period.

**VI. DISCUSSION ITEM:**

**ACTUAL TIME: 5:55 P.M.**

**PROPOSED FINANCIAL PLAN AND OPERATING BUDGET FOR FISCAL YEAR 2010.**

City Staff Presenter: Bettie Weiss, City Planner  
Email: BWeiss@SantaBarbaraCA.gov

Bettie Weiss, City Planner, gave the Staff presentation.

Staff answered additional Planning Commission questions about Public Works using Planning Division Staff for work that would have been contracted out; the proposed work furlough; defining building height definition if the Save El Pueblo Viejo initiative passes; and the potential source of revenue from TOT (short term rental of individual properties in residential zones). Ms. Weiss also explained the 30-50% cost recovery of services.

The Commissioners made the following comments:

1. Commissioner Bartlett asked if Staff could address doing something to discourage appeals. The increase in the number of appeals is taking a toll on the Planning Commission.
2. Commissioner Bartlett asked Staff to consider using consultants to balance the work load. Commissioner Thompson added that contracting out is more beneficial and

cost-effective than using internal Staff, since many benefits would not have to be paid.

3. The consensus of the Commissioners felt that while the stipends are small, they are symbolic. Unlike other Boards and Commissions, the Planning Commission has attends site visits during daytime hours, attends meetings during daytime hours, and attends more meetings as a whole. There was more concern with scheduling than with the stipend.
4. Not all Commissioners support elimination of the stipend and would only support a temporary suspension.

**VII. ADMINISTRATIVE AGENDA**

**ACTUAL TIME: 6:36 P.M.**

A. Committee and Liaison Reports.

Commissioner Lodge reported on attending the Downtown Parking Committee meeting and the report given on their budget. Parking and revenues are down.

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 April 22, 2009.

**VII. ADJOURNMENT**

Chair Thompson adjourned the meeting at 6:40 P.M.

Submitted by,

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Julie Rodriguez, Planning Commission Secretary



# City of Santa Barbara California

**DRAFT**

## CITY OF SANTA BARBARA PLANNING COMMISSION

**RESOLUTION NO. 015-09**

**436 CORONA DEL MAR**

**COASTAL DEVELOPMENT PERMIT, MODIFICATION**

**MAY 14, 2009**

**APPEAL OF JAMES KAHAN ON THE STAFF HEARING OFFICER'S APPROVAL OF THE APPLICATION OF ALEX PUJO, ARCHITECT FOR LARRY AND SUSAN JEAN AGOSTINO, PROPERTY OWNERS, 436 CORONA DEL MAR, APN 017-321-007, R-4/SD-3 ZONES, GENERAL PLAN DESIGNATION: COMMERCIAL – HOTEL & RESIDENTIAL (MST2008-00420)**

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The discretionary applications required for this project are:

A Coastal Development Permit to allow the proposed development in the non-appealable jurisdiction of the City's Coastal Zone (SBMC §28.45.009); and

A Modification to allow the new garage to encroach into the interior yard setback (SBMC §28.21.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(1)(1) Existing Facilities and 15303 (b) New Construction.

**WHEREAS**, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, no one appeared to speak in favor of the appeal, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, May 7 2009
2. Site Plans
3. Correspondence received in support of the project:
  - a. Patrick Smyth, via email
  - b. Pamela Haldeman, via email



4. Correspondence received in opposition to the project:

- a. Paula Westbury, Santa Barbara, CA

**NOW, THEREFORE BE IT RESOLVED** that the City Planning Commission:

Denied the appeal and upheld the decision of the Staff Hearing Officer.

This motion was passed and adopted on the 14th day of May, 2009 by the Planning Commission of the city of Santa Barbara, by the following vote:

AYES: 3 NOES: 1 (Lodge) ABSTAIN: 0 ABSENT: 3 (Larson, Jostes, White)

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

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Julie Rodriguez, Planning Commission Secretary

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Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.



# City of Santa Barbara California

**DRAFT**

## CITY OF SANTA BARBARA PLANNING COMMISSION

### RESOLUTION NO. 016-09

1642 AND 1654 CALLE CAÑON / 2418 CALLE MONTILLA  
MODIFICATIONS, TENTATIVE SUBDIVISION MAP, PUBLIC STREET WAIVERS  
MAY 14, 2009

**APPLICATION OF PETER EHLEN, ARCHITECT FOR CAROLYN & JOSEPH MCGUIRE  
PROPERTY OWNERS, 1642 & 1654 CALLE CAÑON / 2418 CALLE MONTILLA, APNs 041-  
140-006, 008, 009, A-2 & E-1 ZONES, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE  
(MST99-00606)**

The project consists of a subdivision of two lots of 225,285 sf and 99,333 sf into six lots. The project location is within the Alta Mesa General Plan neighborhood and in an area designated as High Fire and Major Hillside. Due to slope density requirements, each of the six proposed lots is required to provide more than the minimum lot area for the zone. The larger existing lot is zoned A-2 and currently developed with two residences accessed from a common driveway on Calle Cañon. The smaller existing lot is split-zoned A-2 and E-1 and currently developed with a single-family residence fronting Calle Montilla. The three existing single-family residences are proposed to remain. Multiple retaining walls up to approximately 20 ft in height would be necessary to construct the proposed driveways. New curb, gutter, sidewalk, and parkway are proposed along the Calle Cañon frontage.

The discretionary applications required for this project are:

1. Lot Area Modification to allow the creation of a 10,188 square foot lot (Lot 6) where a 22,500 square foot lot is required with slope density in the E-1 Zone (SBMC §28.15.080 and §28.92.110.A);
2. Street Frontage Modification to allow Lot 2 less than the required A-1 Zone 100 feet of street frontage (SBMC §28.15.080 and 28.92.110.A);
3. Street Frontage Modification to allow Lot 3 less than the required A-1 Zone 100 feet of street frontage (SBMC §28.15.080 and 28.92.110.A);
4. Street Frontage Modification to allow Lot 4 less than the required A-1 Zone 100 feet of street frontage (SBMC §28.15.080 and 28.92.110.A);
5. Wall Height Modification to allow retaining walls to exceed 3.5 feet in height within ten feet of the front lot line on Calle Cañon and on either side of the driveway for Lots 1-4 within 20 feet of the front lot line (SBMC§28.87.170.B and 28.92.110.A);
6. Tentative Subdivision Map to allow the division of two lots into six lots (SBMC 27.07);
7. Public Street Waiver to allow the creation of Lot 2 without frontage on a public street (SBMC §22.60.300);
8. Public Street Waiver to allow the creation of Lot 3 without frontage on a public street (SBMC §22.60.300); and

9. Public Street Waiver to allow the creation of Lot 4 without frontage on a public street (SBMC §22.60.300).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15270 (Projects which are disapproved).

**WHEREAS**, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, 1 person appeared to speak in favor of the application, and 4 people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, May 7 2009
2. Site Plans
3. Correspondence received in support of the denial:
  - a. Paula Westbury, Santa Barbara

**NOW, THEREFORE BE IT RESOLVED** that the City Planning Commission:

- I. Denied the subject application making the following findings and determinations:

**The Tentative Map (SBMC §27.07.100)**

B. Consistency with General and Specific Plans. Approval shall be denied to any map which is not consistent with the General Plan or a specific plan adopted thereunder or which depicts a land division or land use which is not compatible with the objectives, policies, general land uses and programs specified in the General Plan.

*As discussed in Section V.B of the staff report, the project is not consistent with General Plan guidance, goals, policies, and implementation strategies related to hillside development, and visual and biological resources. Therefore, map approval is denied.*

C. Denial on Specific Findings; Exceptions.

1. Approval or recommendation thereof shall be denied to any map by the Advisory Agency and, in the event of an appeal, by the Appeal Board, if said body finds:

- a. The proposed map is not consistent with applicable General and specific plans.

*As discussed in Section V.B of the staff report, the map is not consistent with General Plan guidance, goals, policies, and implementation strategies related to hillside development, and visual and biological resources. Therefore, approval is denied.*

- b. The design or improvement of the proposed development is not consistent with applicable general and specific plans.

*As discussed in Section V.B of the staff report, the construction of the proposed driveways and buildout of the lots would not be consistent with General Plan*

*guidance, goals, policies, and implementation strategies related to hillside development, and visual and biological resources. Therefore, approval is denied.*

c. The site is not physically suitable for the type of development.

*As discussed in the Staff Report, the project site is not physically suitable for the type of development due to steep unstable slopes. Therefore, approval is denied.*

This motion was passed and adopted on the 14th day of May, 2009 by the Planning Commission of the city of Santa Barbara, by the following vote:

AYES: 4 NOES: 0 ABSTAIN: 0 ABSENT: 3 (Larson, Jostes, Jacobs)

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

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Julie Rodriguez, Planning Commission Secretary

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Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.