



City of Santa Barbara

Planning Division

PLANNING COMMISSION MINUTES

May 13, 2010

CALL TO ORDER:

Chair Bartlett called the meeting to order at 1:07 P.M.

PLANNING COMMISSIONERS PRESENT:

Chair Bruce Bartlett

Commissioners Charmaine Jacobs, Mike Jordan, Stella Larson, Sheila Lodge, and Deborah L. Schwartz.

Absent:

Vice-Chair John Jostes

STAFF PRESENT:

Danny Kato, Senior Planner

Debra Andaloro, Senior Planner

Steven Wiley, City Attorney

N. Scott Vincent, Assistant City Attorney

Steve Foley, Supervising Transportation Planner

Michael Berman, Project Planner/Environmental Analyst

Kathleen Kennedy, Associate Planner

Julie Rodriguez, Planning Commission Secretary

I. ROLL CALL

Roll call was taken at 2:07 P.M. Commissioner Jostes was absent.

II. PRELIMINARY MATTERS:

A. Action on the review of the following Draft Minutes and Resolutions listed in II.A of this Agenda:

1. Draft Minutes of April 22, 2010
2. Resolution 003-10
1150 San Roque Road
3. Draft Minutes of April 28-29 and May 6, 2010 (Special Meeting)

MOTION: Larson/Schwartz

Continued the Draft Minutes of April 28 -29-and May 6, 2010

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: As noted. Absent: 1 (Jostes)

MOTION: Jacobs/Lodge

Approved the Minutes and Resolution 003-10 of April 22, 2010 as corrected.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: As noted. Absent: 1 (Jostes)

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

None.

- C. Announcements and appeals.

Mr. Kato announced that the appeal of the Planning Commission's approval of the 825 De la Vina project was heard by the City Council on May 10, 2010. The Planning Commission's decision was upheld by a 4-2 vote. Commissioner Jostes represented the Commission.

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

Chair Bartlett opened the public hearing at 1:19 P.M.

John Campanella commented on the General Plan Update and submitted written comments.

With no one else wishing to speak, the hearing was closed at 1:22 P.M.

III. ENVIRONMENTAL HEARING:

ACTUAL TIME: 1:23 P.M.

APPLICATION OF DUDEK, AGENT FOR THE CANCER CENTER OF SANTA BARBARA, 540 W. PUEBLO STREET, 025-090-005, -008, -022, -023, -024, -031, -039, -040, -046, -047, C-O, MEDICAL OFFICE ZONE, GENERAL PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTIONAL (MST2007-00092)

The project would result in the construction of a new comprehensive outpatient cancer treatment facility and rental housing for the Cancer Center on a site that includes existing development. The proposed facility on the project site would be for outpatients only.

The existing development on the project site consists of a 17,444 square foot main medical building, five additional medical office buildings totaling 9,248 square feet, a residential duplex, a residential tri-plex and an uninhabitable single-family dwelling.

The proposed project includes the demolition of the main medical building that is located less than 25 feet from the top of Mission Creek bank and two other medical office buildings (for a total of 21,767 square feet of medical office space), the residential duplex, the residential tri-plex and the uninhabitable single-family dwelling. The proposed project also includes the merger of the ten existing lots into one 3.38-acre lot.

The proposal includes the construction of a new 53,407 square foot, three-story medical facility, located approximately 130 feet from the top of Mission Creek bank. The new facility would have a maximum height of 45 feet except for an architectural feature that would extend to 50 feet. Two of the buildings to be retained would continue to be used as medical offices. One of the buildings to be retained would be converted to a residential duplex and two new residential duplexes would be constructed.

The proposed project would result in a total of 57,239 square feet of medical office space and six residential units, an increase of 30,547 square feet of medical space and one residential unit, over what currently exists onsite.

The proposal includes a new three-story (four tier), 66,170 square foot parking structure with 169 parking spaces. The parking structure would have a maximum height of 39 feet. Seven residential parking spaces would be located in the parking structure. Three additional uncovered parking spaces would be located onsite, for a total of 172 proposed parking spaces. Vehicular access to the site would be provided by one driveway on West Pueblo Street and one driveway on West Junipero Street.

The proposed project would involve grading in the amount of 2,700 cubic yards of cut and 5,500 cubic yards of fill. There would be 2,800 cubic yards of fill imported to the project site. The proposed project includes restoration/revegetation of the area within 25 feet from the top of Mission Creek bank and the creek bank/channel area. Seven coast live oak trees would be removed and twenty-two replacement coast live oak trees would be planted.

The Draft Initial Study/ Mitigated Negative Declaration 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 purpose of this hearing was to receive comments on the Draft Mitigated Negative Declaration prepared for the project. Written comments should be sent at the earliest possible date, but **received no later than Monday, May 17, 2010 at 4:30 p.m.** Please send your comments to: City of Santa Barbara, Planning Division, Attn: Kathleen Kennedy, Associate Planner, P.O. Box 1990, Santa Barbara, CA 93102-1990, or send them electronically to KKennedy@SantaBarbaraCa.gov.

No formal action on the development proposal was taken at the environmental hearing.

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

Kathleen Kennedy, Associate Planner, gave the Staff presentation. Michael Berman, Environmental Analyst and Steve Foley, Supervising Transportation Planner were available to answer questions.

Jonathan Leech, Dudek, gave the applicant presentation joined by Don James, Nuclear Medicine Technician; and Rick Scott, President, Cancer Center of Santa Barbara.

Chair Bartlett opened the public hearing at 1:34 P.M., and with no one wishing to speak, closed the hearing.

On the Draft Mitigated Negative Declaration (DMND), the Planning Commission expressed concerns about traffic, specifically around W. Junipero Street, with one Commissioner requesting additional traffic analysis; construction noise impacts; air quality issues; and the potential conflict with the PlanSB Draft Environmental Impact Report (DEIR).

The Planning Commission appreciated the project's pursuit of LEED certification, but remained concerned with the design of the parking structure and suggested softening the design.

Chair Bartlett called a recess at 2:44 P.M and reconvened the meeting at 3:02 P.M. Chair Bartlett welcomed two young students in attendance as a part of Girl's Inc.'s "Take Our Daughter's to Work Day".

Scott Vincent, Assistant City Attorney left at the break with Steve Wiley, City Attorney returning as Counsel after the break.

IV. RECOMMENDATION TO CITY COUNCIL:

ACTUAL TIME: 3:03 P.M.

REVISIONS TO THE MEDICAL CANNABIS DISPENSARY ORDINANCE

The Planning Commission held a public hearing to discuss revisions to Chapter 28.80 (Medical Cannabis Dispensaries) of Title 28, The Zoning Ordinance, of the Santa Barbara Municipal Code. The purpose of the meeting is to review a proposed ordinance that was drafted pursuant to direction given by the Council Ordinance Committee, and to make recommendations on the revisions to City Council.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15305, Minor Alterations in Land Use Limitations.

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

Danny Kato, Senior Planner, gave the Staff presentation.

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

The following people provided public comment:

1. Bonnie Raisin submitted written comments.
2. Jamison Merrick submitted written comments.
3. Vince Kotowski
4. Derek Westen, representing Santa Barbara Patient's Group
5. Heather Poet, Santa Barbara Patient's Group
6. John Donohue
7. Rabbi Zalmy Kudan, Chabad Savings Lives Coalition
8. Janet Rowse submitted written comments
9. Geoff Roland submitted written comments
10. Mary Mender
11. Tony Vassallo
12. Joshua Braun, Hortipharm

With no one else wishing to speak, the public hearing was closed at 3:53 P.M.

The Planning Commission unanimously preferred a ban on storefront dispensaries. In the absence of a ban, the consensus of recommendations made to City Council was:

- Limit the storefront collective membership to Santa Barbara County residents only;
- Limit the number of storefront collectives to 2-3;
- Adopt a 24-hour waiting period to join a storefront collective;
- Prohibit edible forms of medical marijuana;
- Require incorporated cooperatives, not collectives (pre-empted by state law); and
- The Staff Hearing Officer's decision should be appealable to the Planning Commission then to City Council.

V. **ADMINISTRATIVE AGENDA**

ACTUAL TIME: 5:33 P.M.

MOTION: Jordan/Jacobs

Continue the Administrative Agenda to the meeting of June 3, 2010.

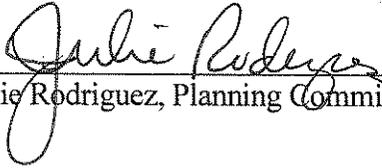
This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jostes)

VII. ADJOURNMENT

Chair Bartlett adjourned the meeting at 5:37 P.M.

Submitted by,



Julie Rodriguez, Planning Commission Secretary