



# City of Santa Barbara Planning Division

## PLANNING COMMISSION MINUTES

April 5, 2012

### CALL TO ORDER:

Chair Lodge called the meeting to order at 1:00 P.M.

### I. ROLL CALL

Chair Sheila Lodge, Vice Chair Mike Jordan, Commissioners Bruce Bartlett, John P. Campanella, Stella Larson, Deborah L. Schwartz, and Addison Thompson.

### STAFF PRESENT:

Danny Kato, Senior Planner  
N. Scott Vincent, Assistant City Attorney  
Steve Foley, Supervising Transportation Planner  
Jim Austin, Fire Department Inspector  
Allison De Busk, Project Planner  
Kathleen Kennedy, Associate Planner  
Julie Rodriguez, Planning Commission Secretary

### II. PRELIMINARY MATTERS:

A. Action on the review of the following Draft Minutes and Resolutions:

1. Draft Minutes of March 15, 2012
2. Resolution 006-12  
1085 Coast Village Road

### MOTION: Thompson/Larson

Approve the minutes and resolution as corrected.

This motion carried by the following vote:

Ayes: 4 Noes: 0 Abstain: 3 (Bartlett, Jordan, Schwartz). Absent: 0

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

None.

C. Announcements and appeals.

1. Danny Kato, Senior Planner, announced that the Highway 101 High Vehicle Lane Expansion Project's draft EIR has been released, with public comment ending on May 25, 2012. The Planning Commission will be taking comments on May 10, 2012. Caltrans will hold two public hearings on April 24, 2012 at the Montecito Country Club, and on April 25, 2012 at Carpenteria High School.
2. Commissioner Stella Larson announced that beginning that evening; the Santa Barbara Fire Department Office of Emergency Services (OES) was offering an 8-part CERT emergency and preparedness training for the public at Fire Station 1 at 121 W. Carrillo Street, beginning at 6 P.M.
3. Mr. Kato announced that on Tuesday, April 10, 2012, City Council will initiate discussion on Average Unit Density (AUD).
4. Mr. Kato also announced that on Tuesday, April 24, 2012, Staff will present an update on Cottage Hospital to City Council.

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

Chair Lodge opened the public hearing at 1:06 P.M. and, with no one wishing to speak, closed the hearing.

**III. REQUEST FOR RECONSIDERATION:**

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

**RECUSALS:** To avoid any actual or perceived conflict of interest, the following Commissioners) recused themselves from hearing this item:

Commissioner Schwartz recused herself due to a California Fair Political Practices (FPPC) regulation regarding campaign contributions.

Commissioner Bartlett recused himself from hearing this item due to his architectural firm's involvement with the project.

Commissioners Bartlett and Schwartz left the dais at 1:06 P.M.

This project was approved by the Planning Commission with revised findings and conditions on March 15, 2012, on a 4/0 vote. Danny Kato prefaced the request by stating that an appeal letter had been received by City Council, but that the Applicant requested that reconsideration be given by the Planning Commission before moving forward in the appeal process.

Subsequently, Staff contacted the motion-maker and relayed the Applicant's request. Commissioner Thompson requested that the action be reconsidered.

**APPLICATION OF KEVIN DUMAIN ARCHITECT FOR JANDA PARTNERS LP,  
1085 COAST VILLAGE RD, APN 009-281-003, C-1 LIMITED COMMERCIAL/SD-  
3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION:  
COMMERCIAL/MEDIUM HIGH RESIDENTIAL (MST2010-00026)**

The project consists of alterations to an existing 2,317 sf automobile service station including: demolishing of 344 sf of retail floor area; constructing of a 607 sf addition of retail floor area; constructing of a 1,667 sf covered car wash; installing of two pay point kiosks; constructing of a 135 sf equipment enclosure; revising driveway entrances to improve pedestrian circulation; converting of an existing exploratory well to a non-potable production well; relocating the existing propane tank; constructing a shade trellis for car wash detailing operations; restriping parking for a total of 10 parking spaces on site; and remodeling the interior of the service station including the removal of service bays to be used as a mini-market. An existing Jacaranda tree will be relocated to allow and existing curb cut to be widened.

The discretionary applications required for this project are:

1. Design Review by the Architectural Board of Review of additions and alteration to a non-residential development (SBMC §22.68.040(A.));
2. A Modification to provide less than the 18 required parking spaces (SBMC §28.92.110.1);
3. A Modification to allow two pay point kiosks to be located within the required 10 foot front setback. (SBMC §28.92.110.1);
4. A Conditional Use Permit for the conversion of an existing automobile service station to automobile service station with mini-market (SBMC § 28.94.030.V.);
5. A Conditional Use Permit for the car wash in the C-1 Zone District (SBMC § 28.94.030.Q.); and
6. A Coastal Development Permit for development including an automobile service station with mini-market and car wash and a new well in the Coastal Zone (SBMC §28.44.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303.

Case Planner: Suzanne Riegle, Assistant Planner

Email: SRiegle@SantaBarbaraCA.gov

Phone: 805-564-5470, ext. 2697

**MOTION: Thompson/Campanella**

Reconsider the motion made at the March 15, 2012.

Commissioner Larson remained firm on her request for inclusion of the mute button on the Pumpflicks, if feasible.

This motion failed by the following vote:

Ayes: 2 Noes: 2 (Larson, Lodge) Abstain: 1(Jordan) Absent: 2 (Bartlett, Schwartz)

**IV. ENVIRONMENTAL AND CONCEPT REVIEW HEARING:**

**ACTUAL TIME: 1:13 P.M.**

Commissioners Bartlett and Schwartz returned to the dais at 1:14 P.M.

**APPLICATION OF BRENT DANIELS, L&P CONSULTANTS, AGENT FOR DR. HERB BARTHEL, 1837 1/2 EL CAMINO DE LA LUZ, APN 045-100-065, E-3/S-D-3 (ONE-FAMILY RESIDENCE/COASTAL OVERLAY) ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 5 UNITS/ACRE (MST2002-00214/CDP2002-00008)**

The proposed project evaluated in the Revised Draft EIR involves construction of a 1,499 square foot (net), two-story single family residence with an attached 443 square foot garage.

The current design involves construction of a 1,505 square foot (net), two-story single family residence with an attached 429 square foot garage on a 23,885 square foot vacant bluff-top lot. Grading quantities total approximately 288 cubic yards of cut and 21 cubic yards of fill. Access to the site would be provided by private easements extending south from the terminus of El Camino de la Luz.

The purpose of the environmental hearing is to receive comments from the Planning Commission, interested agencies and the public on the adequacy and completeness of the Revised Draft Environmental Impact Report (EIR). The purpose of the concept review hearing is to receive comments on the applicant's current design.

**No action on the environmental document or the proposed project will be taken at this hearing.**

The discretionary application required for this project is a Coastal Development Permit to allow construction of a new residence in the appealable jurisdiction of the Coastal Zone (SBMC §28.44.060).

Case Planner: Kathleen Kennedy, Associate Planner  
Email: [KKennedy@SantaBarbaraCA.gov](mailto:KKennedy@SantaBarbaraCA.gov)

Phone: 805-564-5470, ext. 4560

Kathleen Kennedy, Associate Planner, gave the Staff presentation.

Brent Daniels, L & P Consultants, gave the applicant presentation, joined by Richard Monk, Attorney; and Detlev Peikert, Architect.

Chair Lodge opened the public hearing at 1:43P.M.

The following people commented on the project:

1. Ray Franco, neighbor, provided a 15 minute presentation on behalf of his neighbors: Tom Morrison; Greg Smith; Joanna Morgan; Stan Krome; Guy and Jerry Lou Wright; Bruce and Grace Peterson; James Brooke; and Lee Scharfeld; asking the city to define the top of bluff as prescribed by the Coastal Act and the California Coastal Commission, the bluff retreat, and to establish the required setbacks.
2. Nancy Brock, neighbor, stated that the focus needs to be on where the top of bluff is with an explicit delineating line from Leadbetter Beach to Hendry's Beach; that it needs to follow the Coastal Act and 75-year setback, and needs to be definitive and correct.
3. JoAnne Thompson, neighbor, was concerned with the stability and danger of the area being close to the 1978 landslide area, and concerned that the building of the home could cause a further hazard to the property and the surrounding properties.
4. Tony Fischer, Attorney representing a group of neighbors, alleged a conflict of interest with Dr. William Anikouchine, the city, and the Applicant, since June of 2009. Mr. Fischer asked that Dr. Anikouchine be disqualified from participating in the EIR process.

With no one else wishing to speak, the public hearing was closed at 2:09 P.M.

EIR Comments:

- Commissioners Thompson and Jordon want clarification on use of the word 'substantially' found on page 2-8, Transportation section T-1.
- Commissioner Jordan asked, in regard to hazards and fire safety, why access is not a significant impact that has to be mitigated.
- Commissioner Jordan stated that the views and impact to views discussions on pages 5.1-15 and 5.1-35 uses compatibility with the neighborhood, and residences along El Camino de la Luz, as comparisons at this location. It is too broad and the comparison needs to be a smaller scope.
- Commissioner Jordan stated that the noise section needs to include the potential for noise impacts if there is a potential for the driving of caissons.
- Commissioner Jordan stated that the contradictions in the Storm Water Management Plan Tier 3 requirements versus the use of impervious surfaces and the desire to collect and quickly convey water to the creek are not addressed in terms of impact.
- Commissioner Jordan referred to page 5.1-16 and found inconsistencies concerning impacts related to the understory walls and grading associated with the original project and the current project.
- Commissioner Schwartz was concerned that the EIR does not include the current design of the proposed project.
- Commissioner Schwartz was concerned with the view from La Mesa Park and does not agree with the statement made on page 5.1-35 that views of the proposed residence from the lawn area would be consistent with the urban context of the proposed area.
- Commissioner Schwartz asked for clarification as to whether there is a 5 foot wide easement for public access and how it would impact Planning Commission and

Single Family Design Board's consideration of the project as it pertains to safe access to the beach.

- Commission Campanella would like corrections to pages 6.2 and 6.3 if it is found that the pathway to the beach is a public easement, and also to determine if the change in the location of the pathway has any effect on whether it is currently a public pathway.
- Commission Campanella would like to see the language "Approved measures to reduce potential slope stability impacts shall be incorporated into the project's final grading and building plans prior to the issuance of a grading and/or building permit." from the previous mitigation measure, Geo 3-A, to be inserted back in the document.
- Commissioner Larson would like to know how the sewer is being addressed because she did not see sewage addressed in the EIR.
- Commissioner Bartlett asked that the lot frontage modification request be removed from the project description since it is no longer required.
- Commissioner Lodge thought that conformance with T-1 (access) should have been determined at the beginning.
- Many of the Commissioners asked that the top of bluff and top of bank be clearly defined and shown how they were determined. It would be helpful to have diagrams or sections that show contour grades of the site. Would like to see Creek's staff involved.

Concept Review Comments:

- Commissioner Thompson appreciated the design that took in site complexities and came up with a solution. He is still concerned with practical construction, and day-to-day use and public access to the beach.
- Commissioner Bartlett felt that the design concept is better than alternatives that were previously presented and appreciates the rotated design that is sensitive to view angles.
- Commissioner Larson felt that the more the project hugs the site and the lower the profile, the more successful it will be in getting approved. Suggested minimizing the view impact.
- Commissioner Schwartz acknowledged a positive evolution in the design. Appreciates the green design elements and concurred with Commissioner Larson about 'hugging the site'. Urged keeping neighborhood compatibility.
- Commissioner Jordan felt that it was a sharp design, but was distressed about the neighbors, who appear to oppose the project, but have houses that are larger than the house that is being proposed. Concerned about other Commissioners comments about lowering the residence more since that may cause other problems. Asked neighbors to consider what the real issues are and to show restraint.
- Commissioner Campanella acknowledged the balancing act and good solution in the current design that eliminated the height and required less grading. Current design leaves as much of the ocean and horizon open as possible. Would like to see

illustrations of the mature landscaping between the view corridor and the house when the project returns.

- Commissioner Lodge sees the green roof garden as becoming a fire hazard in itself. Would like a comparison with other projects with roof gardens and their success with the Fire Department. Would like the Architect to consider green roofs under drought conditions.

**V. ADMINISTRATIVE AGENDA**

**ACTUAL TIME: 3:57 P.M.**

**E. Committee and Liaison Reports.**

**1. Staff Hearing Officer Liaison Report**

Commissioner Larson reported on the Staff Hearing Officer meeting held on April 4, 2012.

**2. Other Committee and Liaison Reports**

- a. Commissioners Larson and Lodge reported on the Historic Landmarks Commission meeting of March 28, 2012.
- b. Commissioner Schwartz reported on the Transportation and Circulation Committee meeting of March 22, 2012.
- c. Commissioner Campanella reported on attending the California League of Cities Planner's Institute in San Jose March 20-22, 2012.
- d. Commissioner Thompson reported on the Single Family Design Board meeting of March 26, 2012.

**VI. ADJOURNMENT**

Chair Lodge adjourned the meeting at 4:06 P.M.

Submitted by,

  
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Julie Rodriguez, Planning Commission Secretary

