



# City of Santa Barbara Planning Division

## PLANNING COMMISSION MINUTES

March 19, 2015

### **CALL TO ORDER:**

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

### **I. ROLL CALL**

Chair Addison Thompson, Vice-Chair John P. Campanella, Commissioners Jay D. Higgins, Mike Jordan, Sheila Lodge, June Pujo, and Deborah L. Schwartz.

### **STAFF PRESENT:**

Renee Brooke, AICP, City Planner  
Allison De Busk, Acting Senior Planner  
N. Scott Vincent, Assistant City Attorney  
Kathleen Kennedy, Associate Planner  
Steve Foley, Supervising Transportation 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 5, 2015

#### **MOTION: Jordan/Lodge**

Approve the minutes as corrected.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 1 (Pujo). 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 Thompson opened the public hearing at 1:03 P.M. and, with no one wishing to speak, closed the hearing.

III. **DISCUSSION ITEM**

**ACTUAL TIME: 1:03 P.M.**

**RECUSALS:** To avoid any actual or perceived conflict of interest, Commissioners Thompson and Lodge recused themselves from hearing this item because they are Board Members of the Riviera Association, which has been active in this item.

Commissioners Thompson and Lodge left the dais at 1:03 P.M.

**APPLICATION OF TRISH ALLEN, SUZANNE ELLEDGE PLANNING & PERMITTING SERVICES, AGENT FOR BELMOND EL ENCANTO, ORIENT EXPRESS HOTELS, 800 ALVARADO PLACE, APN 019-170-022, R-2/4.0/R-H: TWO FAMILY RESIDENTIAL/ 4 UNITS PER ACRE/ RESORT-RESIDENTIAL HOTEL ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU /ACRE) (MST2007-00140) Continued from September 4, 2014.**

The Belmond El Encanto received approval from the Planning Commission for a Master Plan in 2004 and a Revised Master Plan in 2009. Condition of Approval A.7, of Planning Commission Resolution No. 057-04, states that employees must park onsite. The current proposal is a Substantial Conformance Determination request to allow hotel employees to park at an approved off-site parking lot rather than onsite. The purpose of the hearing is to receive input from the Planning Commission and the public regarding the request. The Community Development Director will make the final determination as to whether or not the proposal is in substantial conformance with the approved project; therefore, the Planning Commission will not take a formal action on this item.

Contact: Kathleen Kennedy, Associate Planner  
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Phone: (805) 564-5470, ext. 4560

Kathleen Kennedy, Associate Planner, gave the Staff presentation. Steve Foley, Supervising Transportation Planner, was also present to answer the Commission questions.

Trish Allen, Suzanne Elledge Planning and Permitting Services (SEPPS), gave the Applicant presentation. Also present to respond to Commission questions were Shaun O'Bryan, Belmond El Encanto Resort Manager; and Elizabeth Fajardo, Belmont El Encanto Director of Learning, Development, and Human Resources.

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

The following people commented on the project:

Virginia Guest, neighbor, spoke on the street parking congestion caused by hotel employees and hotel guests wanting to avoid valet parking. She was concerned that without continued monitoring, any progress that has been made could revert to prior parking problems and wanted to know what assurances the neighbors will have that parking congestion will not reoccur.

With no one else wishing to speak, the public hearing was closed at 1:21 P.M.

Commissioner Schwartz left the dais at 3:03 P.M and returned at 3:05 P.M.

The Commission reviewed the Employee Parking Management Plan and the Draft Conditions of Approval and made the following comments:

- Commissioner Jordan made the following comments:
  - Commissioner Jordan would like to impress upon the management of the hotel that this SCD is a gracious accommodation for the hotel. Continued concerns can lead to a potential for review of entire Master Plan for all land use issues. Commissioner Schwartz concurred.
  - He is more concerned with the consequences of not complying than with the specifics of the Program itself.
  - There should be a designated contact person at the hotel to handle questions and complaints about parking. Commissioner Pujo concurred.
  - The monthly summary reports should be made available to the public on request, or sent to a designated association, such as the Riviera Association.
  - The financial penalties are too harsh. Recommends three phases instead of two. The first occurrence to be exactly as worded but with no financial penalty. Second occurrence would be the same but with a financial penalty associated. The third would be the same as the second, but would also have a public hearing
- Commissioner Pujo made the following comments:
  - Finds the Program to be fairly complete and well done.
  - Would like to see a section on Good Neighbor Policy and Neighborhood Outreach included in the Program.
  - Would like to see employees that walk to work be given higher incentives in the Employee Parking Management Program.
  - Suggests a change to Condition B.1. Add “approved” before “on-site” and change “proposed” to “provided”.
  - Suggests adding a new provision under Condition B to read “Meet with Traffic Solutions a minimum of once a year and submit a summary of the meeting to the Community Development Director.”
  - Suggests deleting the first part of the sentence under Condition C.
  - Suggests adding a new provision under Condition C, “If the identified offsite parking location either becomes unavailable, or the valid lease expires, the

- applicant shall immediately notify the Community Development Director and take immediate temporary action to ensure compliance with Item C.1.”
- Supports the first tier penalty but asked the review period be changed from 12 months to 24 months.
- Suggests adding to Condition D regarding third tier penalties “including, but not limited to, a performance security equal to the implementing cost of a revised parking program.”
- Requests that the condition language clarify that “employees” means all employees, including managers.
- Commissioner Higgins made the following comments:
  - Would support a requirement for a new parking demand study for the whole project if there were future violations and the El Encanto were to return to the Commission.
  - Does not agree with the financial penalties.
- Commissioner Schwartz made the following comments:
  - Would like to see the monitoring strengthened since it was observed that a majority of the employee vehicles parked in the church lot did not have decals affixed to the windshield. Would like both the statement of intent and reinstatement language, as suggested in the letter from Greg Parker, to be included in the Conditions of Approval.
  - Favored penalties that include reimbursement of staff time to address compliance.
  - Commissioner Schwartz would like language included, similar to: “The Community Development Director may reinstate the requirement for delivery of monthly reports at any time should he or she determine that a number of verified complaints within a particular time period.” Commissioner Higgins does not feel this is necessary.
- Commissioner Campanella made the following comment:
  - Stated that the ability to park employees off site is a real benefit to the hotel which they would not want to lose since it gives them the ability to cater to their guests and other events at the hotel.

Commissioner Schwartz left the dais at 4:30 P.M. and returned at 4:32 P.M.

Commissioner Higgins left the dais at 4:32 P.M. and returned at 4:35 P.M.

Most Commissioners concurred that Condition B.4 should not reference termination of employees although it may be included in the Employee Parking Management Program. There was much discussion regarding the details of the condition related to penalties and as a result the following polls were taken.

**Straw Poll:**

Revise Condition D.1. a. from three to five employee violations per day and retain the 15 parking violations within a 30-day period.

Ayes: 5 Noes: 0

**Straw Poll:**

Change from 2-tier penalty system to 3-tier penalty system.

2-tier: 0 3 tier: 5

**Straw Poll:**

No financial penalty on first penalty tier

Ayes: 5 Noes: 0

**Straw Poll:**

Change penalty period in first penalty from 12 months to 24 months.

12 months: 4 24 months: 1 (Pujo)

**Straw Poll:**

Define financial penalties as \$5,000 for the second violation and \$5,000 plus the cost of the Planning Commission hearing for the third violation.

Ayes: 4 Noes: 1 (Higgins)

Commissioner Campanella concluded by stating that the Employee Parking Management Program is well thought out and the proposed Conditions of Approval make sense.

**IV. ADMINISTRATIVE AGENDA**

**ACTUAL TIME: 5:00 P.M.**

A. Committee and Liaison Reports

1. Staff Hearing Officer Liaison Report

None was given because there was no meeting that week.

2. Other Committee and Liaison Reports

a. Commissioner Jordan announced that Oak Cottage will have its Grand Opening on Saturday, March 28, 2015.

b. Commissioner Higgins reported that he will be attending the upcoming Parks and Recreation Commission meeting, as well as the Citywide Way-find Signage Program Committee.

c. Commissioner Pujo reported that she attended the League of Cities training in early March in Newport Beach.

**ADJOURNMENT**

Chair Campanella adjourned the meeting at 5:08 P.M.

Submitted by,

  
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Julie Rodriguez, Planning Commission Secretary