I. PURPOSE OF DISCUSSION ITEM

The purpose of this Substantial Conformance Determination (SCD) discussion item is to advise the Planning Commission of proposed changes to the Waterfront Hotel project located at 433 E. Cabrillo Blvd. and 103 S. Calle Cesar Chavez, and for the Planning Commission to provide comments on the proposed changes to the Community Development Director. The Community Development Director will make the final determination as to whether or not the proposed changes are in substantial conformance with the approved project land use approvals, taking into consideration comments received from the Planning Commission, Land Development Team, Historic Landmarks Commission and the Architectural Board of Review. Therefore, no formal approval action will be taken by the Planning Commission relative to this item.

As established in the Planning Commission’s Guidelines, the SCD process is a standard part of the City’s land development review process, since changes to projects are commonly necessary and proposed as a project progresses from one design stage to another as part of the final building permit issuance process. The levels of Substantial Conformance (Levels 1 through 4) recognize that some changes are minor while other proposed changes may be more significant. The City’s standard of review is to determine whether the project revisions result in a project that is substantially consistent with the earlier project that received land use approvals. Therefore, an SCD does not represent a new land use approval, but is a review of changes to determine if the findings originally made in support of the project can still be made. In this case, those findings relate to the Coastal Development Permit, Development Plan and Conditional Use Permit approved as part of the project.
II. PROJECT DESCRIPTION

A. APPROVED PROJECT

The Approved Project includes development on two parcels: the Hotel Parcel (also known as the South Parcel) located at 433 E. Cabrillo Blvd.; and the Parking Lot Parcel (also known as the North Parcel) located at 103 S. Calle Cesar Chavez, as well as improvements within the Transition Area (see Aerial Photograph on page 4 of the staff report). The discretionary applications approved for the Project include a Development Agreement, a Development Plan, a Parking Modification, a Conditional Use Permit and Coastal Development Permits. Refer to Exhibits J-M for City approval documents.

The Approved Project (select plan sheets are included in Exhibit B) includes construction of a three-story luxury hotel containing 150 rooms and related commercial area totaling approximately 130,235 net square feet (MST95-00175) on the South Parcel, and a 111-stall valet parking lot with a 100-square foot kiosk on the North Parcel (MST2007-00791). One hundred parking spaces would be provided across the street at 633 E. Cabrillo Street (currently a Hilton Resort Hotel, formerly the DoubleTree or Red Lion) as valet parking under a shared parking agreement. The hotel would include a pool, ballroom, meeting rooms, spa and restaurant/bar. Restoration of El Estero drainage is part of the North Parcel development, and includes removal of non-native vegetation both in the drainage and within approximately five to twenty feet from the top of bank on the property. Public improvements, including the extension and improvement of Calle Cesar Chavez, were installed as part of the development of Chase Palm Park expansion.

The Approved Project also includes landscaping and maintenance of the “Transition Area,” within Chase Palm Park and adjacent to the hotel development. With construction of the Waterfront Hotel, this area shall be landscaped and maintained by the Hotel such that it is clearly identified as public parkland and not as hotel property.

B. PROPOSED PROJECT REVISIONS

The Proposed Project includes construction of a three story luxury hotel containing 52 to 60 rooms and related commercial area totaling approximately 92,445 net square feet on the South Parcel, and a three-story approximately 10,416 square foot back-of-house building on the North Parcel. Total development would be approximately 102,861 net square feet. A total of 147 parking spaces would be provided, as follows: Employee parking (37 spaces) would be provided on the North Parcel, 10 spaces would be provided on the South Parcel, and 100 spaces would be provided across the street at 633 E. Cabrillo Street as valet parking. The hotel would include a pool, banquet rooms, theater, retail, spa and restaurant/bar. Restoration of El Estero Drain on the North Parcel would include remediation of discovered contaminated soil and recontouring the banks, as well as removal of non-native vegetation and revegetation.

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1 Note that the total square footage of development ranges from approximately 130,000 to 152,000 square feet, depending on the source. For the purposes of the current analysis, staff is using the square footage numbers provided by the applicant, as they represent a more equivalent analysis compared to the way the Proposed Project square footage is calculated.

2 Back-of-house refers to support area for the operation of the hotel, which is generally not intended to be seen by guests and includes, but is not limited to, administration, offices, employee areas, housekeeping, laundry, storage, deliveries, trash, etc.
The Proposed Project identifies the number of hotel rooms as ranging from 52 to 60. This is due to the varying needs of individual hotel operators. Because the hotel operator has not yet been chosen for the project, it may result in reconfiguration of internal space and hotel rooms. This range is being proposed to allow the applicant flexibility in moving forward prior to committing to a specific operator. However, the overall massing, footprint and volume of the proposed hotel development would not be greater than what is shown on the project plans (Exhibit B). For staff’s analysis (e.g. parking, traffic, water use, solid waste generation), we have used a maximum-case scenario of 60 rooms.

Proposed changes within the right-of-way include reducing travel lanes from two in each direction to one in each direction on S. Calle Cesar Chavez, adding a crosswalk between the hotel at 433 E. Cabrillo Blvd. and the valet parking lot at 633 E. Cabrillo Blvd., widening the sidewalk on the west side of Calle Cesar Chavez, changes to safety-related features (such as signage, gate arms, etc.) at the UPRR crossing based on proposed changes to the road striping, and relocating the Cabrillo Blvd. bus stop from west of Calle Cesar Chavez to east of Calle Cesar Chavez.

The Proposed Project continues to include landscaping and maintenance of the Transition Area.

Refer to the Applicant’s Letter and Project Plans for more detailed information about the Proposed Project design and operations (Exhibits A and B, respectively).
III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Suzanne Elledge, Suzanne Elledge Planning &amp; Permitting Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner:</td>
<td>American Tradition</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Site Information</th>
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<tr>
<td>Parcel Number:</td>
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<td>Address:</td>
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<td>Lot Area:</td>
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<tr>
<td>Zoning:</td>
</tr>
<tr>
<td>Local Coastal Plan:</td>
</tr>
<tr>
<td>Existing Use:</td>
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<tr>
<td>Topography:</td>
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</table>

<table>
<thead>
<tr>
<th>Adjacent Land Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>North – Commercial/Industrial</td>
</tr>
<tr>
<td>South – Chase Palm Park and Cabrillo Blvd.</td>
</tr>
</tbody>
</table>
B. PROJECT STATISTICS

Refer to the Applicant’s Letter and Project Plans (Exhibits A and B, respectively) for additional statistics and breakdown of project floor area.

<table>
<thead>
<tr>
<th></th>
<th>Approved Floor Area</th>
<th>Proposed Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Parcel</td>
<td>0 sf</td>
<td>10,416 net sf</td>
</tr>
<tr>
<td>South Parcel</td>
<td>130,235 net sf</td>
<td>92,445 net sf</td>
</tr>
<tr>
<td>TOTAL</td>
<td>130,235 net sf</td>
<td>102,861 net sf</td>
</tr>
<tr>
<td>Hotel Rooms/Floor Area</td>
<td>150 / 73,373 net sf</td>
<td>52-60 / 41,000 net sf</td>
</tr>
<tr>
<td>Non-Room Hotel Area</td>
<td>27,937 net sf</td>
<td>31,020 net sf</td>
</tr>
<tr>
<td>Public Commercial</td>
<td>10,741 net sf</td>
<td>11,785 net sf</td>
</tr>
<tr>
<td>Back-of-House/Admin.</td>
<td>18,274 net sf</td>
<td>19,056 net sf</td>
</tr>
</tbody>
</table>

IV. BACKGROUND

A. APPROVED PROJECT HISTORY

In 1993, the City approved plans for development of the Waterfront Hotel (Planning Commission Resolution 048-90; Exhibit J). The project included development of the Chase Palm Park Expansion and a youth hostel. The project required an amendment to the Park Plaza Specific Plan (SP-1) to allow the hotel use. This amendment was certified by the Coastal Commission in 1994.

On August 15, 1995, City Council adopted Ordinance 4920 (Exhibit K), which included a Development Agreement and associated conditions of approval for development of the Chase Palm Park expansion, the Waterfront Hotel (433 East Cabrillo Boulevard), and the youth hostel. The Development Agreement allowed the Chase Palm Park expansion project to commence immediately and provided the property owner 12 years to construct the hotel and hostel.

In June 2007, a Substantial Conformance Determination was made to eliminate the hotel’s underground parking and move it to a new surface parking lot located at 103 S. Calle Cesar Chavez.

In August 2007, the Planning Commission approved the parking lot at 103 S. Calle Cesar Chavez to serve the Waterfront Hotel. It should be noted that, during the review of the proposal, the Planning Commission asked if additional development, such as administrative offices or employee related facilities, could be proposed at 103 S. Calle Cesar Chavez to support the hotel.

In 2007-2008, the City issued building permits for both the 150-room Waterfront Hotel and associated parking lot, and the youth hostel. The hostel (12 E. Montecito St.) was completed in 2014; however, the hotel project and associated parking lot were not completed.

In 2016, the City Council approved a new Development Agreement (Exhibit L) to maintain the existing development rights for the approved hotel and establish the potential and associated process for a revised project.
Refer to Exhibit C for a more complete history of the Approved Project.

**B. SCD REVIEW PROCESS**

1. **LAND DEVELOPMENT TEAM REVIEW**

On November 16, 2017, the Applicant submitted a formal SCD request to the City. The application was distributed to members of the City’s Land Development Team for review. The City’s response letter was provided to the Applicant on January 4, 2018. On February 28, 2018, an updated SCD request was submitted to the City. The City’s response letter was provided to the Applicant on March 28, 2018. On April 12, 2018, a second updated SCD request was submitted to the City.

With each updated SCD application, the Applicant modified the plans in response to staff’s feedback regarding compliance with current regulations and consistency with the Approved Project.

2. **PARKS AND RECREATION COMMISSION**

A request to remove 54 various trees from the Calle Cesar Chavez right-of-way and Chase Palm Park Transition Area was submitted to the Street Tree Advisory Committee (STAC) for review. STAC reviewed the proposal and forwarded a recommendation to the Parks and Recreation Commission on April 5, 2018.

The proposed removal of these 54 trees and associated replacement with 59 trees was approved, with conditions, by the Parks and Recreation Commission on April 25, 2018 (Exhibit I). Additionally, 29 trees would be relocated (transplanted) within the Transition Area.

The Parks and Recreation Commission will provide further review of landscape plans for the Transition Area, and provide recommendations to the City Council regarding the new Declaration Agreement that will guide the terms and conditions of construction, maintenance and use of the Transition Area.

Final approval of the improvements within the Transition Area will be required by the Parks and Recreation Commission.

3. **DESIGN REVIEW**

This project requires review and approval by both the Historic Landmarks Commission and Architectural Board of Review.

a. **Historic Landmarks Commission**

The South Parcel and Transition Area are located in the Historic Landmarks Commission (HLC) jurisdiction. The revised hotel project has been reviewed by the HLC on seven occasions. Minutes are attached as Exhibit G. Initially the HLC review was focused on general massing and site planning. The most recent hearings have focused on specific architectural elements of the development.

On October 18, 2017, the HLC stated that the revised project is a significant improvement over past iterations and that it is in substantial conformance with prior approvals.
On November 15, 2017, the HLC had very favorable comments about the project design and had positive comments pertaining to the Project Compatibility Criteria; notably, that the size, bulk and scale are appropriate and the design protects mountain views.

The Transition Area will require HLC review and approval, in conjunction with Parks and Recreation Commission review.

b. Architectural Board of Review

The North Parcel is located in the Architectural Board of Review (ABR) jurisdiction. The portion of the revised project for the back-of-house building, parking lot and restoration on the North Parcel has been reviewed by the ABR on ten occasions (MST2016-00295). Minutes are attached as Exhibit H.

At the most recent hearing on October 23, 2017, the ABR had positive comments about the project relative to the Project Compatibility Criteria.

If the Proposed Project is determined to be in substantial conformance with the Approved Project, then Project Design and Final Approval will be required by the ABR and HLC, as applicable.

V. ANALYSIS

A. ZONING ORDINANCE CONSISTENCY

The South Parcel (433 E. Cabrillo Blvd.) is zoned HRC-2/SP-1/S-D-3. The North Parcel (103 S. Calle Cesar Chavez) is zoned OM-1/S-D-3. The following table identifies zoning requirements and project components for building setbacks and heights, parking, and lot coverage.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement/Allowance</th>
<th>Approved</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Setbacks – South Parcel</td>
<td>75 feet from curb</td>
<td>83 feet from curb</td>
<td>75 feet from curb</td>
</tr>
<tr>
<td>-Front (Cabrillo)</td>
<td>33.5 feet from curb</td>
<td>33.5 feet from curb</td>
<td>33.5 feet from curb</td>
</tr>
<tr>
<td>-Front (Cesar Chavez)</td>
<td>0</td>
<td>0 feet</td>
<td>12 feet</td>
</tr>
<tr>
<td>-Interior</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Setbacks – North Parcel</td>
<td>0</td>
<td>17 feet to parking lot</td>
<td>4.5 feet to bldg.</td>
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<tr>
<td>-Front (Cesar Chavez)</td>
<td>0</td>
<td></td>
<td></td>
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<tr>
<td>-Interior</td>
<td>0</td>
<td>6 feet to parking lot</td>
<td>6 feet to bldg.</td>
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<tr>
<td>Building Height – South Parcel</td>
<td>3 stories/45 feet with Height-Setback Relation Study</td>
<td>3 stories/45 feet</td>
<td>3 stories/45 feet</td>
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<tr>
<td>Building Height – North Parcel</td>
<td>4 stories/45 feet</td>
<td>1 story/10 feet</td>
<td>3 stories/45 feet</td>
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### Vehicle Parking

<table>
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<tbody>
<tr>
<td><strong>- Approved Project</strong></td>
<td>519 (150 for hotel, 369 for all other uses)*</td>
<td>211*</td>
<td></td>
</tr>
<tr>
<td><strong>- Proposed Project</strong></td>
<td>159 (60 for hotel, 99 for all other uses)</td>
<td>147*</td>
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</table>

### Bicycle Parking

<table>
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<tr>
<th></th>
<th>Approved Project</th>
<th>Proposed Project</th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>- Approved Project</strong></td>
<td>21 (1 per 7 parking spaces)</td>
<td>14 covered spaces</td>
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<tr>
<td><strong>- Proposed Project</strong></td>
<td>22 spaces (16 covered, 6 uncovered)</td>
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<td></td>
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</tbody>
</table>

### Lot Coverage

<table>
<thead>
<tr>
<th></th>
<th>Approved Project</th>
<th>Proposed Project</th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>- Building</strong></td>
<td>N/A</td>
<td>53,622 sf</td>
<td>40,237 sf</td>
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<tr>
<td><strong>- Paving/Driveway</strong></td>
<td>N/A</td>
<td>76,258 sf</td>
<td>65,113 sf</td>
</tr>
<tr>
<td><strong>- Landscaping</strong></td>
<td>N/A</td>
<td>106,215 sf</td>
<td>130,745 sf</td>
</tr>
</tbody>
</table>

* A Parking Modification was approved by the Planning Commission in 1993 to reduce the project parking from 519 spaces to 345 spaces.

As identified in the Table above, the Proposed Project complies with Zoning requirements for each of the respective parcels.

1. **Specific Plan 1 (SP-1) – Park Plaza Specific Plan (South/Hotel Parcel)**

   The Proposed Project complies with all Zoning requirements, as identified in the Table above. Allowed uses for the property located at 433 E. Cabrillo Blvd. (Parcel B in the Specific Plan (SP-1)) include visitor-serving uses in accordance with the HRC II designation. Therefore, use as a hotel is appropriate. The current proposal has been reviewed against the Development Regulations identified in SP-1, including for satisfying parking demand, providing alternative transportation incentives through a Transportation Demand Management Program, and compliance with requirements for setbacks, landscaping, height, view corridors, and water use.

   **a. Height and View Corridors**

   In order to exceed a height of 30 feet, a height-setback relation study is required for the purpose of maximizing view protection/enhancement. However, in no case shall the height exceed 3 stories and 45 feet. The determination to allow a height increase based on a height-setback relation study is determined by the Planning Commission. A view corridor study is also required by the Specific Plan to assess views from Cabrillo Blvd. toward the foothills and mountains.

   The Approved Project was 3 stories and 45 feet. The Proposed Project is 3 stories and 45 feet. A View Corridors, Line of Sight and Height-Setback Relation Study was prepared (MAC Design Associates, 2017) to analyze the Proposed Project compared to the Approved Project (included in Exhibit B). The Study shows that views of the mountains are generally improved with the Proposed Project, particularly at the western half of the site, as viewed from the south side of Cabrillo Blvd.
Additionally, View Simulations/Massing Studies were prepared, which identify key viewpoints and compare the Proposed Project massing to the Approved Project massing (included in Exhibit B).

b. Parking
When the project was approved in 1993 (as carried forward into the 1995 Development Agreement (Ordinance No. 4920)), a Parking Modification was approved to reduce the hotel project’s parking from 519 to 345 (245 spaces provided on site and 100 spaces provided off site). The project was revised over the years through substantial conformance determinations. The project approved by building permit BLD2007-01318, issued in 2007, required approximately 251 parking spaces and provided 211 parking spaces. The Proposed Project requires 159 parking spaces and provides 147 parking spaces, which represents a deficit of 12 spaces, significantly less than the deficit originally approved with the Parking Modification. Therefore, while still applicable, the scale of the Parking Modification has been substantially reduced with the Proposed Project. It should also be noted that an additional 50 overflow parking spaces are also available if needed to serve the development. As discussed below, the Proposed Project’s parking demand would be met by the 147 parking spaces proposed.

The Specific Plan requires that the development satisfy not only the zoning requirement, but also the peak parking needs. A Parking Demand Study was prepared by Associated Transportation Engineers (Exhibit N), which concludes that a project with 60 hotel rooms and the retail/restaurant uses proposed, would have a peak parking demand in the evening of 143 spaces, which is less than the 147 spaces to be provided. Therefore, the project would be consistent with this requirement. If the project was modified such that fewer hotel rooms were provided, the peak parking demand and parking requirement could be reduced.

2. OM-1 ZONE USES (NORTH PARCEL)
The Proposed Project complies with all Zoning requirements, as identified in the Table above. The North Parcel is zoned OM-1/SD-3. The OM-1, Ocean-Oriented Light Manufacturing, zone focuses on uses that support ocean-dependent uses, including marine storage, boat sales and repair, sail manufacturing and repair, seafood processing and similar uses, as well as El Estero Wastewater Treatment Plant. However, in establishing the OM-1 zone, it was also recognized that there might be limited demand for these uses or that land values might preclude these uses. Thus, a provision was included that allowed property owners to consider other uses allowed in the M-1 (Light Manufacturing) Zone, subject to the issuance of a Conditional Use Permit (CUP). In addition to the usual CUP findings required to approve the use, it would also be necessary to make additional findings, as follows:

a. The use is compatible with ocean-dependent or ocean-related uses; and
b. The property would have no feasible economic value if limited to ocean-dependent or ocean-related uses. This finding shall be substantiated by competent
evidence determined by the Planning Commission to be objective which includes no present or future demand for ocean-dependent or ocean-related uses.

As part of the approval of the CUP for the parking lot on the North Parcel, the Planning Commission found that the use as a parking lot was compatible with ocean-related and -dependent uses, and that the site constraints, including the shape of the parcel, creek setback, and the costs of soil remediation and wetland restoration, left the site with no feasible economic value if property use was limited to ocean-dependent or -related uses.

The parking lot on the North Parcel was related to and in support of the hotel development on the South Parcel. The current proposal for back-of-house uses and employee parking on the North Parcel would result in development related to and in support of the hotel development on the South Parcel. These findings do not need to be made again if the Proposed Project is found to be in substantial conformance with the Approved Project.

B. DEVELOPMENT AGREEMENT CONSISTENCY

The Development Agreement approved by the City Council in 2016 (Ordinance 5751) identified the Applicant’s vested right to develop the hotel on the South Parcel and the associated improvements on the North Parcel in accordance with prior City approvals, as depicted in the plans approved by building permits BLD2007-01318 and BLD2007-02954. The Development Agreement also stipulated that any request for a Substantial Conformance Determination (SCD) would be treated as a Level 4 SCD, requiring a hearing at the Planning Commission. Further discussion of the criteria for reviewing the SCD is outlined in Section VI below.

The Development Agreement specified that any proposal for an SCD, or a revised project, would be required to comply with all aspects of the City’s Storm Water Management Plan (SWMP) Ordinance. As such, the current proposal complies with Tier 3 SWMP requirements.

The Development Agreement also requires that the Applicant submit for building permits by June 23, 2020, and obtain said permits by June 23, 2021.

C. LOCAL COASTAL PLAN CONSISTENCY

The project site is within Local Coastal Plan (LCP) Component 5 (Santa Barbara Street to Punta Gorda). The land use designation for the North Parcel (parking lot/back-of-house building) is Ocean Oriented Industrial, and the designation for the South Parcel (hotel) is Open Space. The General Plan and LCP describe this area as a mix of industrial, hotel-motel, residential and public facility uses.

On the North Parcel, the Implementation Plan approved as part of the Local Coastal Program allows for uses other than Ocean Oriented Industrial subject to approval of a Conditional Use Permit, which was previously approved for the project, as described in Section V.A.2 above.

On the South Parcel, the Implementation Plan approved as part of the Local Coastal Program includes SP-1, which requires the majority of Parcel B of SP-1 to be developed as a public park (which occurred with development of Chase Palm Park), but allows for a small portion (3 acres) to be developed with a hotel.
The proposed revisions to the approved development of a luxury hotel and associated retail, restaurant and back-of-house areas would continue to be consistent with the Local Coastal Program through the adopted Implementation Plan. In considering whether the Proposed Project is in substantial conformance with the Approved Project, staff reviewed the original Coastal Development Permit findings in Ordinance 4920 (p. 9-12) and Resolution 032-07 to confirm that the rationale for approval still applied.

The original project approval included findings of consistency with the policies of the LCP, and the EIR included an extensive policy analysis. As it relates to the hotel portion of the project, LCP Policies 4.1 (visitor-serving land uses), 4.2 (visitor-serving development review), and 4.4 (hotel and restaurant development, range of rooms / prices) were specifically cited. The parking lot project approval did not specifically reference any LCP policies. A compilation of applicable policies is attached for review (Exhibit D).

D. CONDITIONS OF APPROVAL

The project is governed by conditions of approval contained within Ordinance 4920 (433 E. Cabrillo Blvd.), Planning Commission Resolution 032-07 (103 S. Calle Cesar Chavez), and the Development Agreement dated June 23, 2016 (as adopted by City Council Ordinance 5751).

1. **SOLAR/PHOTO-VOLTAICS**

Resolution 032-07 for the development at the North Parcel includes two conditions of approval (II.B.8 and 9) related to installation of solar photovoltaic (PV) panels (refer to Exhibit M). The conditions require that PV be installed on the roof of the parking kiosk to provide energy for the parking lot. Condition II.B.9 addresses the situation where an SCD is requested and requires the applicant to provide information on the feasibility of PV on the parking lot parcel to generate energy for the entire project.

The applicant studied the possibility of covering all available area on the North Parcel with PV, and determined that it could offset 97% of the North Parcel’s energy load. However, the applicant has concluded that covering the entire site with PV is not feasible due to the weight of the panels and required support structure, and resultant conflicts with the configuration of the parking lot. They are proposing to install PV on the roof of the proposed building on the North Parcel, which would offset 10% of the North Parcel’s energy load. Because the proposed building on the North Parcel is replacing uses/floor area that were previously on the South Parcel, the proposed PV should be viewed as offsetting a portion of the Approved Project’s energy needs.

Additionally, in order to satisfy City sustainability goals, the hotel building identifies roof areas where future installation of PV panels could be accommodated, includes a green roof area, and a total of 7 of the project’s 147 parking spaces would include electric vehicle charging stations.

Based on review of the Planning Commission Minutes and video recordings of the meetings (July 19, 2007 and August 30, 2007), staff believes that the current proposal is generally meeting the intent of the condition. The specific condition language was drafted at the hearing without technical information regarding feasibility. The applicant has now provided that information; however, they are not proposing to cover the parking lot with
PV, which is possible, although may not be aesthetically acceptable. Additional feedback from the Planning Commission is requested.

2. **DEVELOPMENT IN RESTORATION AREA**

Resolution 032-07 for the development at the North Parcel includes a condition of approval (II.A.5) restricting development within the restoration area. The Proposed Project includes a five-foot wide unpaved maintenance path and a new six-inch PVC sewer line beneath this path. While these improvements are technically considered development per the Coastal Act, they could be found to be in substantial conformance with the condition. The path is minimally developed (mulch), is required to maintain the restoration area, and is located as far from the drainage channel as possible while still remaining on the subject property. The proposed sewer line is similarly located as far from the drainage channel as possible, while still remaining on the subject property. Taking the sewer line to Calle Cesar Chavez would require a significant sewer main extension and there are complications due to the railroad and flow (topography).

E. **MISCELLANEOUS**

Staff has identified other aspects of the project that warrant Planning Commission consideration. These are not necessarily issues of staff concern, but represent some of the aspects of the project that staff has been reviewing, and which affect the overall design and layout of the proposal.

1. **BOUTIQUE HOTEL CONCEPT.** This is the cornerstone of the proposed revisions to the Approved Project. This concept results in fewer, larger hotel rooms with higher room rates, and less banquet area. The average room size for the Proposed Project is 683-788 square feet compared to 489 square feet for the Approved Project. For the Proposed Project, room sizes range from 591 square feet for a typical room to 1,732 square feet for the suite. Is this consistent with the intent to provide a luxury hotel as envisioned with the Approved Project? The hostel (which was increased from 75 beds to 100 beds when the 150-room hotel project was approved) required to offset any potential impact to lower-cost accommodations resulting from the provision of a high-end hotel has already been constructed and has been operational for several years.

2. **VALET OPERATIONS.** The valet operation was originally approved to use the North Parcel as the vehicle parking area. This required valet drivers to make a left turn onto Calle Cesar Chavez and then a left turn into the North Parcel driveway in order to park guests’ cars. Valet personnel would then walk back to the South Parcel using the sidewalk. While additional valet parking area was provided across the street at 633 E. Cabrillo Blvd., that was not the primary parking location.

The Proposed Project would provide that valet operators drive across Calle Cesar Chavez to the parking lot at 633 E. Cabrillo Blvd, and then walk back to the South Parcel across Calle Cesar Chavez using a new non-signalized crosswalk. A circulation analysis is provided in the Revised Parking and Circulation Study (Exhibit N), and Transportation Engineering staff has reviewed the proposal to ensure visibility of pedestrian travel in this location.
3. **CONNECTION TO PUBLIC AREAS.** The project does not propose any direct pedestrian connection to Chase Palm Park or Cabrillo Blvd. While there are some emergency egress gates provided, they are not intended for regular use by guests in order to gain access to the Transition Area or Cabrillo Blvd. Similarly, there is no way for guests or other visitors to the hotel or restaurant to gain direct access to the hotel from these areas. All access would be from Calle Cesar Chavez.

The Applicant has indicated that the proposed design is for security reasons. The Parks and Recreation Department does not generally allow direct access from private development to public parkland due to maintenance, safety and management considerations.

This lack of direct access is similar to the Approved Project design. The difference is that that proposal had a site layout with a closed perimeter, while the Proposed Project visually opens up the center of the development to Cabrillo Blvd. and locates the restaurant adjacent to the Transition Area.

The Urban Design Guidelines and Circulation Element encourage pedestrian activity and interaction with the street through building design and orientation, while also considering security, and internal organization of building activities. Transportation Planning and Planning Division staff encouraged a strong pedestrian connection to the corner of Cabrillo Blvd. and Calle Cesar Chavez because we expect many hotel guests will want to walk to that intersection. We also encouraged a pedestrian connection from the sidewalk on Cabrillo Boulevard to the proposed restaurant to facilitate alternative transportation modes for the public.

4. **POOL / BAR ON ROOF DECK.** There is a pool and bar proposed on the roof deck, which would only be open to hotel guests. The Approved Hotel included a pool at the ground floor, located near the corner of E. Cabrillo Blvd. and Calle Cesar Chavez. The bar would not involve any permanent structures on the roof, as a maximum of three stories are permitted in this zone.

5. **RESTORATION PLAN.** The Approved Project included a detention basin north of El Estero drainage (within the 25-foot setback) to capture and treat runoff from the parking lot, and also included a vegetated swale connecting the concrete swale along the northern property boundary to the detention basin. The Proposed Project revises the detention basin to run horizontally along the northern side of the drainage (within the 25-foot setback) but replaces the vegetated swale with a concrete swale. The concrete swale is proposed to convey offsite runoff in a controlled manner and protect the foundations of adjacent buildings. The North Parcel contains approximately 0.66-acres of environmentally sensitive habitat area. Approximately 0.45-acres is classified as coastal wetlands. Proposed development would permanently impact 0.08-acres of this wetland habitat. The proposed restoration plan would create 0.08-acres of wetland habitat. The project would also result in temporary impacts to approximately 0.119-acres of wetland habitat, which would be restored with native vegetation. Overall, the proposed restoration would result in a significant increase in the quality of the habitat on the North Parcel.

The City typically requires a higher replacement ratio than 1:1 (often 3:1 or 4:1) to mitigate the permanent loss of wetland habitat. In this case, much of the existing wetland...
habitat is area that was created following site remediation in 2007. Nevertheless, it is considered wetland habitat. Resource agency (i.e. California Department of Fish and Wildlife, Army Corp. of Engineers and Regional Water Quality Control Board) review of the project is still ongoing. Issuance of applicable permits by those regulatory agencies would ensure that the proposed restoration and replacement ratio is acceptable and fully offsets the project effect.

VI. SUBSTANTIAL CONFORMANCE DETERMINATION CONSIDERATIONS

In accordance with Section 10.1 of the Development Agreement dated June 23, 2016, any determination of substantial conformance made by the Community Development Director shall be made in consideration of the following specific factors (information on each item is provided in italics):

A. Whether the proposed revision results in a cumulative or overall increase to any of the following:

   (i) The total number of guest rooms on the Hotel Parcel.

   Reduced from 150 to 52-60.

   (ii) The total square footage of guest rooms on the Hotel Parcel.

   Reduced from 73,373 square feet to approximately 41,000 square feet.

   (iii) The square footage of total development on the Hotel Parcel and Parking Lot Parcel.

   Reduced from 130,235 square feet to 102,861 square feet.

   (iv) The overall height of the Hotel and related improvements on the Hotel Parcel and the Parking Lot Parcel.

   The maximum height of development on the two parcels was/is 45 feet. The approved development had 35,356 net square feet of building area at the third floor level, all of which was on the South Parcel. The Proposed Project would have 23,647 net square feet of building area at the third floor level, of which 22,170 net square feet (93.7%) would be on the South/Hotel Parcel, and about 1,477 net square feet (6.3%) would be on the North/Parking Lot Parcel.

   View simulations with project comparisons are also provided in the project plans (Exhibit B).

   Staff finds that the proposed revision does not result in a cumulative or overall increase to the project in the areas identified.

B. Whether the proposed revisions conform with the Amended Specific Plan and do not require new or additional environmental review under the California Environmental Quality Act, other than an Addendum to the FEIR.

   Refer to Section V.A.1 above for analysis of the project in relation to the (Amended) Specific Plan. Staff finds that the proposed revisions conform to the Specific Plan.

   Refer to Section VII below for information on environmental review. The Proposed Project is within the scope of analysis of the certified FEIR for the Specific Plan. Staff has prepared
an Addendum to the FEIR to document minor changes associated with the Proposed Project (Exhibit P). No new or additional EIR is required.

Additional analysis is provided in the Applicant Letter (Exhibit A).

VII. ENVIRONMENTAL REVIEW

The City Environmental Review Committee certified a Final Environmental Impact Report (FEIR) for the Waterfront Park, Hotel, and Youth Hostel project in 1993. The FEIR identified significant, unavoidable impacts (Class 1) associated with:

- Traffic and circulation (short-term related to Chase Palm Park parking on weekends and for special events and cumulative),
- Air quality (long-term due to traffic and short-term due to construction),
- Noise/vibration (long-term related to the park and short-term related to hotel construction), and
- Visual resources (short-term due to loss of mature vegetation).

By its very nature, in order for a determination of substantial conformance to be made, the environmental impacts of proposed changes to a project must be no greater than those associated with the prior Approved Project. Staff has considered the environmental implications of the proposed changes to the Approved Project. The Proposed Project changes would affect project impacts associated with traffic, views, and biological resources.

As discussed in Section V above, the proposed changes reduce the already less than significant view impacts associated with the Approved Project.

Anticipated traffic would be reduced as a result of the proposed changes due to the reduction in the number of hotel rooms and the reduction in hotel-related square footage.

With regard to biological resources, the Proposed Project includes a revised Habitat Restoration Plan, which addresses the need for soil remediation within the channel due to the discovery of contaminated soil within El Estero drainage channel. In addition to this remediation, the Applicant is now proposing to remove concrete, debris and non-native vegetation; and recontour the banks as necessary following said remediation and removal.

The Proposed Project would also have similar, or reduced, impacts related to all other issue areas, including reduced impacts associated with water use, water quality and hydrology, solid waste generation and air quality.

The FEIR did not analyze impacts associated with climate change, specifically greenhouse gas emissions and sea level rise. Staff had previously analyzed these topics in the Addendum prepared for the Development Agreement. Additional analysis was done for the Proposed Project and concluded that the Proposed Project would not result in new or increased impacts related to these issue areas.

An Addendum to the certified Waterfront Park and Hotel and Youth Hostel Project EIR documents changes to the project and associated minor changes to project environmental effects (Exhibit P).
VIII. CONCLUSION

As indicated in this staff report, while the SCD Request includes several changes to the Approved Project, staff believes that the proposed changes can be found to be in substantial conformance with the Approved Project.

Some aspects of the Proposed Project that staff believes are an improvement to the Approved Project are the following: 1. reduced massing of the development on the South Parcel resulting in improved mountain views and more openness as viewed from Cabrillo Blvd., 2. compliance with current storm water management plan requirements, and 3. improved Habitat Restoration Plan, which has been reviewed by the Creeks Division.

In addition, the Proposed Project would continue to provide the public benefits identified previously as part of the Approved Project, including:

- Street dedication and improvement (already completed);
- New public park (already completed);
- Hostel (100-bed hostel already completed, based on construction of a 150-room hotel); and
- Installation and maintenance of landscape improvements in the Transition Area.

Feedback from the Planning Commission is requested regarding whether the Proposed Project is in substantial conformance with the Approved Project.

Following Planning Commission review and comments, the Community Development Director will make a final determination as to whether the Proposed Project is in substantial conformance with the Approved Project.

If that determination is ultimately made, there are still technical and engineering details that would need to be resolved in order to ensure compliance with current construction standards and regulations and project conditions of approval, and the Applicant would need to obtain Project Design and Final Approvals from the HLC and ABR for the Proposed Project.

Exhibits:

A. Applicant's letter, dated May 31, 2018
B. Project Plans (provided under separate cover)
C. Approved Project History
D. Applicable LCP and Coastal Act Policies
E. Planning Commission Minutes, July 19, 2017
F. Planning Commission Minutes, August 30, 2007
G. HLC Minutes
H. ABR Minutes
I. Parks and Recreation Commission Minutes, April 25, 2018

The following Exhibits are available electronically:

J. Planning Commission Resolution 048-93 (Waterfront Park/Hotel)
K. Ordinance 4920
The following documents were used in staff's review and analysis of the project and are available electronically upon request:

1. Final EIR dated June 8, 1993
3. Initial Study dated December 14, 2015
4. Tier 3 Storm Water BMP Report for North Parcel by MAC Design Associates dated February 27, 2018
5. Tier 3 Storm Water BMP Report for South Parcel by MAC Design Associates, dated February 27, 2018
6. Transportation Management Plan by ATE dated December 5, 2017
7. Biological Resources Assessment (North Parcel) by Storrer Environmental Services, dated February 2018
8. Wetland Delineation & Jurisdictional Determination Report (North Parcel) by Storrer Environmental Services, dated February 2018
13. City of Santa Barbara Waste Generation Calculator for project
14. Potable Water Use Analysis, Parker Waterfront Hotel, by MAC Design Associates, dated February 27, 2018
15. View Corridor, Massing & Overall Height Comparison Study by Glazier Le dated November 15, 2017
16. Height Setback Relation Study Revised by MAC Design Associates dated November 15, 2017
17. Revised Corrective Action Plan (North Parcel) prepared by Campbell Geo, Inc and dated January 10, 2018
18. Addendum to Revised Corrective Action Plan (North Parcel) prepared by Campbell Geo, Inc and dated March 14, 2018
19. Certification of "No Rise" Determination in El Estero Channel (North Parcel) by MAC Design Associates, dated April 7, 2017
May 31, 2018

City of Santa Barbara
Planning Commission
c/o Planning Division
630 Garden Street
Santa Barbara, CA 93101

Subject: Parker Waterfront Hotel
433 East Cabrillo Blvd & 103 S. Calle Cesar Chavez
(APN 017-680-009 and APN 017-113-020)
MST2016-00284 and MST2016-00295
Substantial Conformance Determination Resubmittal

Dear Chair Wiscomb and Commissioners:

We submit this letter and updated project description along with the revised plans and documents listed below on behalf of American Tradition, LLC and the Parker Family supporting a request for a Substantial Conformance Determination by the Community Development Director for the Parker Waterfront Hotel pursuant to Section 10.1 of Development Agreement No. 25,564:

Submitted on November 16, 2017

1. Check in the amount of $6,145.00.
2. Development Agreement No. 25,564. (2 copies)
3. City Council Ordinance 4920. (2 copies)
4. Planning Commission Resolution-032. (2 copies)
5. 2008 Plans (selected sheets). (2 copies)
6. Revised Project Plans for South Parcel dated November 15, 2017 by Glazier Le, Arcadia, and MAC Design Associates and for North Parcel by DMHA, Arcadia and MAC Design Associates. (10 full size color sets and 1 half size set each)
7. View Corridor, Massing & Overall Height Comparison Study by Glazier Le dated November 15, 2017. (2 copies)
8. Height Setback Relation Study Revised by MAC Design Associates dated November 15, 2017. (2 copies)
10. Letter from Santa Barbara County Public Health dated August 1, 2016 (2 copies)
11. Traffic, Parking & Circulation Study by Associated Transportation Engineers dated November 15, 2017. (2 copies)
12. Draft Biological Resources Assessment (North Parcel) by Storrer Environmental Services, dated April 2016. (2 copies)

PRINCIPAL PLANNERS: SUZANNE ELLEDGE • LAUREL F. PEREZ
MAIL: PO BOX 21522, SANTA BARBARA, CA 93121 • OFFICE: 1425 STATE ST., SUITE 1, SANTA BARBARA, CA 93101 • TEL: 805 966-2758 • FAX: 805 966-2759

EXHIBIT A
City Planning Commission
31 May 2018
Page 2

15. Archaeological Survey Report for the El Estero Drainage, by Dudek, dated May 2016. (2 copies)
17. Certification of “No Rise” Determination in El Estero Channel (North Parcel) by MAC Design Associates, dated April 7, 2017. (2 copies)
18. ABR January 30, 2017 Meeting Minutes (North Parcel fence design OK). (2 copies)
19. ABR March 13, 2017 Meeting Minutes (North Parcel project compatibility criteria is met). (2 copies)
20. HLC October 18, 2017 Meeting Minutes (South Parcel compatibility criteria is indicated; November 15, 2017 compatibility criteria is met; minutes forthcoming). (2 copies)
21. Title Report for South Parcel by First American Title Company, dated November 2, 2017. (2 copies)
22. Title Report for the North Parcel by First American Title Company, dated November 2, 2017. (2 copies)

Enclosed with this Letter dated February 27, 2018

1. Revised Project Plans for South Parcel dated February 27, 2018 by Glazier Le, Arcadia, and MAC Design Associates and for North Parcel by DMHA, Arcadia and MAC Design Associates. (10 full size color sets and 1 half size set each)
3. Revised Preliminary Tier 3 Storm Water BMP Report for North Parcel dated February 27, 2018, and Revised Preliminary Tier 3 Storm Water BMP Report for South Parcel by MAC Design Associates, dated February 27, 2018 (2 copies each)
4. Traffic, Parking & Circulation Study by Associated Transportation Engineers dated February 27, 2018. (2 copies)
6. Phase I Archaeological Resources Investigation Equivalency Letter by AMEC dated January 30, 2018. (2 copies)
7. Revised Draft Biological Resources Assessment (North Parcel) by Storrier Environmental Services, dated February 2018. (2 copies)
8. Revised Draft Habitat Restoration Project (North Parcel) by Storrier Environmental Services, dated February 2018. (2 copies)
City Planning Commission
31 May 2018
Page 3

13. Waterfront Hotel Project Comparison Table & Color Exhibits of 2007 Approved Floor Plans and Proposed Floor Plans
15. Team Response to City’s January 4, 2018 SCD Comments.
16. Revised submittal letter in “track changes” and as a “clean” copy (ten copies of each).
17. City of Santa Barbara Waste Generation Calculator for project
18. January 17, 2018 email from Jim Austin, Supervisor, Fire Prevention Bureau, City Fire Department to Mike Caccese. (2 copies)

Enclosed with the letter dated April 12, 2018:

1. Revised Project Plans for South Parcel dated April 10, 2018 by Glazier Le, Arcadia, and MAC Design Associates and for North Parcel by DMHA, Arcadia and MAC Design Associates. (1 full size and 1 half size color set each)
2. Traffic, Parking & Circulation Study by Associated Transportation Engineers dated April 6, 2018. (2 copies)
3. Team Response to City’s March 28, 2018 SCD Comments (2 copies).
Background
The project site and adjacent properties have a complex planning and permitting history, which for the purposes of this request has been summarized below in an abbreviated fashion to highlight what is relevant to the current SCD request.

A Specific Plan for the project site was originally approved in 1981. The Specific Plan allowed for a hotel on the site and the development of Chase Palm Park to the west and a project was approved by the Planning Commission in 1993. In 1995, the City of Santa Barbara Redevelopment Agency obtained funding for the development of Chase Palm Park and wanted to immediately proceed with construction; at this same time the economy was not favorable for construction of the hotel. In 1995 and 1996, the Santa Barbara City Council adopted an Amendment to the Specific Plan, an Amendment to the project EIR, a Development Agreement, and a new Ordinance (Ordinance 4920) establishing Findings and a separate set of conditions for the hotel and the park.

Subsequently, Chase Palm Park was constructed on lands dedicated to the Redevelopment Agency (now the City) by the Parker Family, and while awaiting a more favorable time to construct the hotel, certain obligations under the Development Agreement were satisfied and these are enumerated in the new Development Agreement entered into between the City and American Tradition in 2016 (enclosed with our application package).

In 2007 and 2008, after several previous hotel revisions had been contemplated by the Parker Family, a 150-room conventional hotel that supported conference and large group activity in a predominantly 3-story, 142,647 square-foot development was approved and permitted (BLD2007-01318 and BLD2007-02954). The approved project included an at-grade 111-space valet parking lot and kiosk on an adjacent parcel to the north, APN 017-113-020, approved by the Planning Commission on August 30, 2007 (PC Resolution 032-07, EIR Addendum MST2006-00791).

Building permits for the hotel were issued, demolition of a 12,012 SF concrete pad was completed, rough grading and construction commenced, and soil remediation of both the North Parcel and South Parcel was undertaken. While the remediation work was underway on the North Parcel it was determined that additional remediation, not previously contemplated, might be necessary in the El Estero Channel, which runs along that parcel’s southern boundary. Soil remediation efforts on the South Parcel were completed in 2008 as were the portions of the North Parcel outside El Estero Channel (letters from Santa Barbara County Public Health, Environmental Services documenting this have been provided to City staff). Subsequently, the 2008 recession caused work activity on the hotel to be substantially reduced. Between 2008 and 2013, a new concept for the hotel began to form in response to changing trends in high-end hospitality.
Between 2013 and 2016 the City and the Parker Family worked through negotiations entering into a new Development Agreement which was reviewed by your Commission at two hearings in early 2016 and approved by City Council in June 2016, recorded in December 2016, and re-recorded in July 2017 to correct an error in the legal description.

A significantly smaller hotel concept has been developed that reduces the number of hotel rooms and also shifts some floor area associated with hotel administrative and "back-of-house" services to the parcel north of the railroad tracks where hotel valet parking had been previously proposed. The "North" Parcel is within the jurisdiction of the Architectural Board of Review and "South" Parcel, where most of the hotel buildings are located, is within the jurisdiction of HLC. The design team presented concept plans to each of the design review boards on several occasions and the plans were ultimately found consistent with the required compatibility criteria. The plans submitted with this SCD application package are those reviewed by the HLC and ABR and we anticipate continuing to bring them updated plans for in-progress review over the coming months.

**Project Description**
The revised project is proposed to replace the previously approved and permitted 150-room hotel on the project site (BLD2007-01318 and BLD2007-02954). The previous conventional design supported conference and large group activity in a predominantly 3-story, 142,647 square-foot development. The revised project proposes a substantially smaller hotel of between 52 and 60 rooms including several large suites, in a one-, two- and three-story project.

The proposed design preserves public view corridors from the ocean to the mountains and maximizes privacy, views and amenities for guests. Program elements include strategically placed water features, and extensive, water wise gardens, a spa, screening room, Beach Adventure Club, two banquet halls, restaurant with indoor and outdoor seating, a private dining room, wine cellar/board room that are all available to the public. A bakery/breakfast room, swimming pool and rooftop bar are also proposed and available for use by hotel guests only.

Both auto and pedestrian access to the Hotel Site is from Calle Cesar Chavez via an auto court and accessible sidewalks along this frontage. Direct pedestrian access between the hotel and its southern frontage along Chase Palm Park has been the subject of some discussion with Planning staff, Parks & Recreation staff, and HLC. We are not proposing direct access for several reasons. It is a Parks & Recreation Department policy to prohibit direct access from private property into City Park property. Additionally, the originally approved hotel did not include such access and providing it would present serious concerns about the ability to provide the level of privacy and security expected by hotel guests at a luxury hotel of this caliber.

In this revised design, some back of house functions occur along the northernmost portion of the hotel building on the South Parcel (storage, maintenance, utility
equipment rooms, transformer and generator) but most back-of-house uses and support functions are relocated to the North Parcel in a predominantly 2 story building with a small 3rd story element and at-grade employee parking spaces. The building contains administrative offices, conference/training room, employee lockers and break area (a second employee break area is provided on the South Parcel), laundry, maintenance, dry storage, cold storage, housekeeping furniture storage, and a shipping & receiving area.

Deliveries to the hotel would occur at the back of house building located on the North Parcel. The delivery of goods would be unloaded at the North Parcel and then transported to the South Parcel in small electric delivery carts that are legal to operate on California public streets. The hotel would utilize a fleet of 5 electric vehicles with 5 trips per day, for a total of 25 round trips between the back of house driveway on the North Parcel and the service driveway on the South Parcel. The proposed delivery protocol for the North Parcel receiving area is as follows:

- The hotel intends to be working predominately with small local vendors who use small box trucks and vans for delivery.
- Additionally, the hotel plans on working with Jordanos for the majority of their dry-goods and paper-goods. Due to the proximity of the Jordano warehouse, we anticipate we will have smaller deliveries on a daily basis in regional route trucks. This will largely eliminate the need for larger trucks and 18 wheelers.
- There will be a restricted delivery window of 6 AM – 8 AM.
- Large trucks requiring pallet deliveries will utilize lift gates and hand operated pallet jacks.
- The standard delivery will take 10-15 minutes from pull-in to pull-out.
- We anticipate that semi-trailers will be accessing the loading zone 1-2 times per month and will only be used for non-routine deliveries. (All other regularly scheduled deliveries will need to adhere to our strict drop-window and vehicle size restrictions)

Traffic volumes on Calle Caesar Chavez adjacent to the project site are low and traffic generated between the North Parcel and service driveways could be accommodated on Calle Caesar Chavez without creating significant delays or vehicle queuing

Trip generation estimates were calculated by ATE for the approved and proposed hotel resulting in a conclusion that the proposed project generates fewer average daily trips, A.M. peak hour trips, and P.M. peak hour trips. The proposed project will also implement a Transportation Management Plan (dated December 5, 2017) to help reduce trips associated with the project.
Parking
A total of 140 parking spaces and 7 EV spaces are provided. A complete breakdown of proposed regular, EV and ADA parking spaces may be found on plan sheet A001. In summary, there are 35 spaces and an additional 2 EV spaces provided on the North Parcel that will be utilized for employee parking and will be self-park. On the South Parcel there are 5 parking spaces and 5 EV charging stations. The majority of the hotel's required parking (approximately 100 valet spaces) will be provided within a segregated portion of the existing parking lot at the Fess Parker Hotel, directly across Calle Cesar Chavez from the entrance of the new hotel. An additional 50 overflow spaces are also available at the Fess Parker Hotel by agreement and through an advance reservation system (a copy of the agreement between the property owners and attached parking exhibit was enclosed with the application package). The total number of spaces provided meets parking demand, and with the additional 50 overflow spaces, the City's Zoning Ordinance parking requirements are also satisfied.

Valet Parking Operations
The project proposes to implement a valet parking program to manage parking operations. Hotel guests and restaurant/banquet patrons would enter the site via the main project driveway on Calle Caesar Chavez to access the motor court area. The motor court provides sufficient area for valet staging of 6-8 vehicles (these are not counted toward the project parking supply). A valet attendant would park the vehicle in the allocated parking spaces at the Fess Parker Hotel parking lot across the street. The valet attendant would then return to the project site. The project is proposing to narrow the section of Calle Caesar Chavez adjacent to the hotel from four lanes to two lanes and install a new crosswalk at the hotel driveway to facilitate pedestrian crossings for valet drivers and hotel guests.

As noted above, existing traffic volumes on the section of Calle Caesar Chavez adjacent to the project site are fairly low (approximately 2,000 average daily trips). The project would generate between 60 and 70 trips per hour at the main driveway. This level of traffic could be accommodated on Calle Caesar Chavez without creating significant delays or vehicle queuing.

Additional detail regarding parking, circulation and traffic may be found in the enclosed report by Associated Transportation Engineers dated May 29, 2018.

Public Improvements
Significant public improvements including the extension of Calle Cesar Chavez (formerly Salsipuedes Street) were previously completed pursuant to project conditions of approval. The revised project proposes the following additional public improvements within Calle Cesar Chavez to enhance function and aesthetics:

- Reconfigured and enlarged landscaped medians
- Restriping of lanes
- New mid-block ADA compliant curb ramp and crosswalk
Enhanced median landscaping and irrigation
Sidewalk replacement (at Cabrillo Blvd as well); drainage from the replaced sidewalks will receive treatment by draining into the landscaped parkways
Reduction in impervious paving
New streetlight at the northwest end of the proposed public improvements

City Public Works advised the applicant to coordinate with UPRR regarding those proposed improvements that are close to the railroad tracks and within their jurisdiction and this effort has commenced. A recent site visit with City Public Works, UPRR, and the CPUC was conducted to discuss the proposed street improvements and the enclosed plans include specific road design and safety features requested by these agencies.

Additionally, after consultation with MTD and Parks & Recreation, an existing bus stop along the Cabrillo Blvd. frontage (west of the intersection with Calle Cesar Chavez) is proposed to be relocated easterly of this intersection (see plan sheet C-2). Along with meeting MTD turnout specifications, a trash receptacle and bench are also proposed at the new bus pocket location.

Substantial Conformance
Section 10.1 of the Development Agreement 25,564, establishes the following criteria by which the City Community Development Director will determine if a revised project is in substantial conformance with the previously approved project:

(A) Whether the proposed revision results in a cumulative or overall increase to any of the following:
   (i) the total number of guest rooms on the Hotel Parcel,
   (ii) the total square footage of guest rooms on the Hotel Parcel
   (iii) the square footage of total development on the Hotel Parcel and Parking Lot Parcel
   (iv) the visual, traffic or circulation impacts of the Hotel,
   (v) the total building footprint of the Hotel and related improvements on the Hotel Parcel and the Parking Lot Parcel, and
   (vi) the overall height of the Hotel and related improvements on the Hotel Parcel and the Parking Lot Parcel; and

(B) whether the proposed revisions conform with the Amended Specific Plan and do not require new or additional environmental review under the California Environmental Quality Act, other than an addendum to the FEIR.
The table on the following page compares the previously approved hotel to the proposed hotel with respect to all the foregoing criteria. Please note that we propose a range of potential hotel rooms (between 52 and 60) within the footprint and volume of the enclosed plans. Discussions with potential hotel operators indicate that the number of rooms may vary depending upon the preferred programming of a specific operator. We have also allocated approximately 3,800 SF within the volume of the proposed plans as a contingency for potential use during the design development phase of the project.

For the purposes of the parking and traffic analysis we have assumed the maximum number of 60 hotel rooms.
## City Planning Commission
31 May 2018
Page 10

<table>
<thead>
<tr>
<th>Development Agreement SCD Criteria</th>
<th>Previously Approved Hotel</th>
<th>Revised Hotel (drawing dated 11/08/17)</th>
<th>Difference/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Guest Rooms</td>
<td>150</td>
<td>52-60</td>
<td>-90-98</td>
</tr>
<tr>
<td>Total SF of Guest Rooms</td>
<td>73,373 SF</td>
<td>41,000 SF</td>
<td>-32,373</td>
</tr>
<tr>
<td>Total SF of Development</td>
<td>142,647 SF</td>
<td>96,876 SF South Parcel 10,921 SF North Parcel 107,797 SF Total</td>
<td>-34,850 SF</td>
</tr>
<tr>
<td>Visual, Traffic or Circulation Impacts</td>
<td>Impacts previously identified were those associated with 150-room hotel and 142,647 SF of floor area</td>
<td>Reduced floor area, massing, and room count (see above)</td>
<td>Studies are enclosed demonstrating reduction to visual, traffic and circulation impacts</td>
</tr>
<tr>
<td>Total Footprint of Bldg &amp; Related Improvements (Note: Bldg. footprint SF does not include exterior decks, loggias, etc., for both previously approved and revised project)</td>
<td>South Site Bldg: 53,622 SF (est.) Hardscape: 52,978 SF (est.) North Site Bldg: N/A Hardscape: 23,280 SF</td>
<td>South Site Bldg: 36,814 SF Hardscape: 45,310 SF North Site Bldg: 3,423 SF Hardscape: 19,803 SF</td>
<td>South Site Bldg: -16,808 SF Hardscape: -7,668 SF North Site Bldg: +3,423 SF Hardscape: -3,477 SF</td>
</tr>
<tr>
<td>Overall Height of the Hotel and Related Improvements</td>
<td>45-feet above grade at the time of approval (grades as documented in 2008 approved Gensler Plans)</td>
<td>45-feet above grade at time of approval (grades as documented in 2008 approved Gensler Plans)</td>
<td>See plan, section, elevation and 3D photo montage exhibits; maximum height is the same but proposed project is more sensitive to visual resources than approved project</td>
</tr>
</tbody>
</table>

Must comply with process set forth in City’s July 15, 1997 SCD Guidelines (Level 4)

Note: that we do not find that these guidelines preclude consideration of modifications to conditions of approval.

Proposed revisions conform to the Amended Specific Plan

Proposed revisions do not require additional environmental review other than an Addendum to the FEIR

The project team believes that the revised project meets the intent of all SCD requirements.
Summary of Environmental Review Considerations

We have not identified any new adverse environmental impacts resulting from the revised project. Given the significantly reduced size and massing of the proposed project compared to the previously approved project, we believe any potentially adverse impacts of the proposed project are either equal to or less than those resulting from the previously approved project.

The original and subsequent environmental documents prepared for the project are as follows:
- Project FEIR: ENV92-0107; SCH#92091038 adopted in 1995
- Addendum MST2006-00791 (North Parcel)
- Addendum MST2013-00371 (New Development Agreement)

Note that the previous environmental documents do not describe or analyze the proposed remediation in El Estero Channel. However, CEQA Guidelines include a list of classes of projects that do not have a significant effect on the environment and are therefore exempt from CEQA. Section 15300 to 15332 of the CEQA Guidelines provide a comprehensive list of classes of projects that have been determined not to have a significant effect on the environment and are declared to be categorically exempt from the requirement for the preparation of environmental documents. Section 15330 categorically exempts from CEQA minor clean up actions taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance which are small or medium actions costing $1 million or less. To qualify for this categorical exemption, the clean-up must be consistent with applicable state and local environmental permitting requirements, including off-site disposal rules and water quality standards. Furthermore, the clean-up must be approved by the regulatory body with jurisdiction over the site. The clean-up can include a wide variety of activities, including without limitation, excavation and/or off-site disposal of contaminated soils.

The revised Waterfront Hotel project proposes to clean-up an area containing known soil contaminants. The applicant is working under the direction of the applicable regulatory agencies and pursuant to an approved remedial action plan. The estimated hard costs to complete the remediation is between $500,000 and $600,000, well below the $1 million threshold. Finally, the clean-up consists primarily of the excavation and off-site removal of contaminated soil. For these reasons, the clean-up activities proposed by the applicant are categorically exempt from CEQA and no environmental document is required.
With respect to the revised project, please also note the following:

1. The elimination of between 90-98 hotel rooms, the reduced mass, bulk, and scale, and the re-distribution of some floor area from the South Parcel to the North Parcel, results in a significant reduction to impacts related to traffic, circulation, parking requirements, and visual resources.

2. The revised project results in an overall improvement to the function and habitat values in El Estero Channel given that soil remediation, concrete removal and non-native tree removal were not proposed in the approved project and will now be completed with implementation of the revised project.

3. An updated Draft Biological Resources Assessment, Draft Wetland Delineation, Draft Habitat Restoration Project and Archaeological Assessment have been prepared due to the need to remediate soil within El Estero Channel; all recommendations contained within these reports are proposed to be implemented as part of the revised project description.

4. The mitigation measures identified in the FEIR would continue to apply to the revised project as conditions of approval.

5. The recommendations contained within all technical studies submitted with the SCD application package are proposed to be implemented with the revised project.

Key Considerations in SCD Determination
The substantially reduced project clearly results is an environmentally superior project. Reductions in impacts related to traffic, circulation, parking requirements, visual resources and increased benefits to function and habitat values in El Estero Channel are a result of the revised project and these are documented in the enclosed technical studies.

Existing Project Conditions of Approval to be Addressed in SCD
The hotel is comprised of two parcels and each parcel has an entitlement and set of conditions which must be satisfied. The conditions are set forth in City Council Ordinance 4920 and Planning Commission Resolution 032 (enclosed). We have prepared a compliance matrix for each set of conditions to track the required timing of compliance, responsible party, method of compliance and current status.

Some of the conditions of approval have been previously satisfied prior to the permits being issued for the previous projects (e.g. recorded documents); other conditions were previously satisfied but will need to be satisfied again with the revised project (e.g. plan requirements, notes on plans etc.) and others remain outstanding and will be satisfied as required.

There are two conditions related to the North Parcel that need to be reviewed in a new context; these conditions are duplicated below (with relevant language highlighted)
followed by an explanation of why the condition is either no longer applicable, or how the revised project meets the intent of the condition:

**North Parcel Conditions (Planning Commission Resolution 032-07):**

**Condition II.A.5. Development Right Restrictions.** The Owner shall not make any use of the restoration area of the Real Property as designated on the approved Development Plan in order that those portions of the Real Property remain in their natural, restored state. These restrictions include, but are not limited to, the right to develop the restricted portions with any grading, irrigation, buildings, structures, ornamental landscaping, or utility service lines. The Owner shall continue to be responsible for (i) maintenance of the restricted area, and (ii) compliance with the orders of the Fire Department. Any brush clearance shall be performed without the use of earth moving equipment.

Team comments:
The revised plan includes a parking lot in generally the same location as the approved plan but it has been slightly reconfigured and expanded to the west. The 25-ft setback from El Estero Channel, approved under the previous plan, has been maintained.

In order to maintain the habitat restoration area on the undeveloped portion of this site, a 5-ft unpaved path for maintenance personnel and their equipment is required. The revised project proposes to locate a new 6-inch PVC sewer line below grade within this pathway. While the creation of the path and sewer line do not entirely conform to the original condition language, one is needed to fulfill the language (maintain the restoration area) and the other is a below grade utility line and together they do not create new significant impacts.

Our biologist has provided the summary below describing differences between the 2007 and 2008 URS draft habitat restoration plan and the current proposal, as well as the anticipated improvements to the quality of the emergent wetland, riparian, and upland habitat on the North Parcel and improved hydrologic function of the El Estero Channel:

- The previously approved Restoration Plan (URS 2008) did not take into consideration the significant amount of concrete, debris, and trash within and along the banks of the El Estero Drainage as part of restoration. Removal of concrete/debris will facilitate restoration planting and will result in higher quality wildlife habitat.
- The previously approved Restoration Plan (URS 2008) did not propose removal of the numerous invasive trees present within and along the El Estero Drainage. The current HRP removes all non-native, invasive tree species from the restoration areas and El Estero Drainage. This significantly increases the likelihood of restoration success and establishment of native vegetation along the drainage.
It also improves wildlife habitat and prevents the spread of invasive species downstream.

- Removal of the concrete/debris and non-native trees will allow for recontouring of the banks to facilitate restoration planting and provide improved upland breeding habitat for southwestern pond turtle. The current slope is steeply incised and provides little to no habitat for wildlife. In addition, a minimum 2.5:1 slope was requested by the City Creeks Division as part of the current HRP for the El Estero Drainage.
- Removal of the concrete/debris and non-native trees are essential to improving habitat quality and function and are therefore considered beneficial.
- Although the project permanently impacts the Northern Drainage Ditch, replaces a concrete culvert, and relocates the detention basin, the removal of the concrete/debris and the non-native, invasive trees will result in a significant improvement in the quality of the habitat along El Estero Drainage. In addition, recontouring of the banks and west end of the drainage will improve hydrologic function within the drainage.
- Overall, the Project will result in a significant increase in the quality of the emergent wetland, riparian, and upland habitat within the Project Area and will improve hydrologic function of the El Estero Drainage.

Additional detail and a complete analysis of the North parcel’s biological resources may be found in the three documents by Storrier Environmental Services enclosed with the application package.

**Condition II.B.9. Consideration of Additional Photo-voltaics.** If a Substantial Conformity Determination is needed, then the applicant will provide additional information on parking supply and demand and include coming back to the Commission or to Staff with the feasibility for use of photo-voltaics on the parking lot to generate energy for the entire project.

Team Comments:
Regarding parking supply and demand, a current parking study dated May 29, 2018, has been completed by ATE and is enclosed.

Regarding the use of photo-voltaics on the site, in addition to the condition language above, there is another photo-voltaic condition (B.8) that states:

"Provide photo-voltaic array onsite sufficient to provide energy for the parking lot, on the area of the kiosk roof."

Additionally, please refer to pages 3-4 of the Planning Commission Minutes of August 30, 2007 (attached) which taken together provide additional context:

"Some Commissioners asked that photo-voltaics be included in the project. One Commissioner found the nexus issues for requiring photo-voltaics created a
discomfort level for all involved in the project. Suggested using photo-voltaics to shade the parking area to generate energy for the parking area and the hotel; desired to see a sustainable design that represented Santa Barbara...Suggested that, when Staff and the applicant review any Substantial Conformity determination, consideration be given to sustainable solar panels on the site...One Commissioner did not feel the study was necessary to validate the need for photo-voltaics and wanted to see photo-voltaics included in the conditions outright."

Solar modules are proposed to be installed on the roof of the new BOH/Admin building now located on the North Parcel (see sheet A104 of the North Parcel plans; a much larger roof area than the 100 SF kiosk roof proposed in the 2007 plan). A kiosk is no longer proposed. The design maximizes use of the BOH/Admin building roof area and is sufficient to offset 10% of the North Parcel loads (including the parking area). Given the condition language above, it is important to note that these energy loads are hotel-related given that the uses in the building are hotel back of house uses and therefore serve to offset hotel energy loads

At staff’s request we explored the possibility of also covering the entire parking area with solar and asked Brighten Solar to calculate the associated additional energy load offset; see enclosed letter by Brighten Solar dated February 19, 2018 which estimates that an additional 87% of the North Parcel load could be offset with such a system. However, such a system is not viable given the weight of the panels and the span of the travel lane and parking spaces associated with a cantilevered design; if adequate support beams were used instead, vehicular movements would be too constrained.

We believe the intent of this condition has been met; we have studied the issue and while covering the parking lot with a carport/PV panel system is not feasible, we have proposed to maximize PV panels on the roof of the BOH/Admin building (a solar component of the project that was not previously proposed) and this will serve to offset a small portion of the hotel energy load.

**Pending Efforts related to Proposed Project**

**Design Review**

Interestingly, the two project parcels are located in two different design review jurisdictions. The South Parcel is within El Pueblo Viejo (EPV) and requires review and approval by the Historic Landmark Commission (HLC). The North Parcel is outside EPV and is within the design review jurisdiction of the Architectural Board of Review (ABR).

Conceptual plans for the project have been presented to both design review boards several times since July 2016. The concept plans enclosed with this package were found to meet the compatibility criteria by ABR on March 13, 2017 and by HLC.
informally on October 18th and formally on November 15, 2017, paving the way for consideration of the SCD. The design team intends to schedule in-progress reviews with both boards to advance the drawings. It is possible that prior to the advisory review of the SCD by Planning Commission, we will have updated, more detailed plans.

**Chase Palm Park Transition Area**
A portion of the east end of Chase Palm Park has been designated as a “Transition Area” or buffer between active park uses and the hotel. The project team is working with City Parks & Recreation on the plan for this area. The concept plan and street tree proposal was recently reviewed by the Parks & Recreation Commission and Street Tree Advisory Committee and received favorable comments.

**Ongoing Soil Remediation and Habitat Restoration Planning of El Estero Drainage**
In 2008, soil remediation of a portion of the North Parcel underlying the then-proposed parking lot were completed and Santa Barbara County (SBC) confirmed that construction could proceed. SBC Environmental Health Services (SBCEHS) reconfirmed construction approval in August 2016 based on a Campbell Geo, Inc. (Campbell) technical memorandum that evaluated the 2008 remediation work relative to current soil cleanup levels following a period during which the previously approved hotel project was suspended. Campbell also conducted an environmental investigation of sediment, soil, groundwater and surface water within the El Estero Drainage and adjacent upland areas on the North Parcel. The assessment report was submitted to SBCEHS that characterized the El Estero Drainage for cleanup planning. Following consultation with SBCEHS and the California Office of Environmental Health and Hazards Assessment (OEHHA), a Human Health and Ecological Risk Assessment (HHERA) report prepared by Huntley Environmental and Corrective Action Plan (CAP) prepared by Campbell were submitted to SBCEHS for review in January and February 2017, respectively. The HHERA and CAP were subsequently revised based on SBCEHS and OEHHA comments and additional surface and storm water investigation conducted by Campbell.

The CAP proposes a risk-based removal approach consistent with what was approved by SBCEHS for the City’s property west and downstream of the project site (the Campbell CAP dated January 10, 2018 and CAP Addendum dated March 14, 2018 have been provided for your information and have been approved by SBCEHS on February 13, 2018 and March 30, 2018 respectively). Permit applications for the proposed remediation and habitat restoration of El Estero Drainage were submitted on May 3, 2018 to the California Department of Fish & Wildlife, Regional Water Quality Control Board, and US Army Corps of Engineers. We are hopeful that these regulatory agencies will complete their review and issue permits in August 2018.

The environmental team’s approach to soil remediation and habitat restoration planning within El Estero Drainage was coordinated with City Public Works to ensure
consistency with the City’s efforts in the western segment of the Drainage. A draft copy of the Habitat Restoration Plan (HRP) prepared by Storrer Environmental Services was also provided to the City Creeks Division for review and comment including a meeting and the current HRP reflects revisions made in response to Creeks Division comments and has now been approved.

Anticipated Construction Schedule

North Parcel
Completion of remediation and construction of Hotel Back of House building and employee parking lot is anticipated to occur as follows:
- Remediation regulatory agency permits: August 2018
- Building permit: mid-October 2018
- Building construction complete: mid-May 2019
- Road improvements March - April 2019

South Parcel
After approximately 5 months of sitework and utilities, we anticipate approximately 1-yr of building construction in the sequence and estimated timeframes below:
- Site work permit: November 2018 and mobilization December 2018 based on the availability of bidding documents.
- Foundation permit: January 2019
- Full permit issued: May 2019 – Building structure start, likely shift site work focus to the ROW work while building takes over on site
- Commencement of Hardscape: January 2020
- Building substantially weather tight: February 2020
- Building construction complete: approximately March-April 2020
- Inspections and closeout May 2020
- Owner staffing, training and setup: May - July 2020
- Grand opening: August 2020

On behalf of American Tradition, the Parker Family, and project team, we thank you for your consideration of this SCD request and will provide timely responses to any other information you may need to evaluate and process this application.

Sincerely,

SUZANNE ELLEDGE
PLANNING & PERMITTING SERVICES, INC.

[Signature]
Suzanne Elledge
Principal Planner
Exhibit B: The Project Plans for the Waterfront Hotel have been distributed separately.

A copy of the plans is available for viewing at the Planning and Zoning Counter, 630 Garden Street, Santa Barbara, CA between the hours of 8:30 A.M and 4:30 P.M. Monday through Thursday, and every other Friday. Please check the City Calendar at www.SantaBarbaraCA.gov to verify closure dates.
Approved Project History

In 1981, the City and the California Coastal Commission approved Park Plaza Specific Plan #1 (Specific Plan) and a Tentative Subdivision Map creating three parcels that make up the Specific Plan area. These parcels included the Fess Parker DoubleTree (formerly Red Lion) Hotel and the Waterfront Hotel properties, as well as the Chase Palm Park expansion area. The Specific Plan allowed the development of the DoubleTree Hotel, which was constructed in the mid-late 1980s. The other two parcels were designated for retail, public parking, and park development.

In 1987, a proposal for development of the remainder of the Specific Plan area was submitted ("Fiesta Park"). After various revisions, the project was denied by the Planning Commission and ultimately by the City Council on appeal (June 1989).

On August 19, 1993, the Planning Commission approved a Coastal Development Permit, Development Plan, Conditional Use Permit and Parking Modification, and recommendation for approval of a Specific Plan amendment, for the Chase Palm Park expansion, the Waterfront Hotel, and a 75-bed youth hostel (Resolution 048-93). The Environmental Review Committee certified a Final Environmental Impact Report (FEIR) for the project, which identified significant, unavoidable impacts associated with traffic and circulation (short-term related to park parking for weekends and special events), air quality (long-term due to traffic and short-term due to construction), noise/vibration (long-term related to the park and short-term related to hotel construction), and visual resources (short-term due to loss of mature vegetation).

In 1994, the City and Coastal Commission approved an amendment to the Specific Plan (Resolution No. 94-030) to allow construction of a 150-room luxury hotel on the Waterfront Hotel site, instead of retail use, and development of a public park on the remaining parcels. The Specific Plan area was also expanded westward to include the City property between the Laguna Channel and Santa Barbara Street, and a 100-bed hostel (increased from a 75-bed hostel) was required.

The originally approved Waterfront Hotel included 150 rooms in a 244,383 gross square foot building with a total of 301 parking spaces, 201 of which were provided under the approved hotel. However, overflow parking of between 50 and 100 spaces was also required based on concerns that special events at the hotel could result in parking demand not being met onsite. When Fess Parker’s DoubleTree Resort’s conference facility capacity was expanded in the late 1990’s, an easement was approved on the westerly portion of the DoubleTree parking area to provide future parking for the Waterfront Hotel. The agreement involves an area that accommodates a total of 150 non-valet parking spaces. Most of the time, 100 parking spaces will be available to the Waterfront Hotel. The Waterfront Hotel can request up to 50 additional parking spaces from the DoubleTree if major events are scheduled at the Waterfront Hotel. The DoubleTree may also request 50 of the Waterfront Hotel’s spaces for major events at the DoubleTree. Because the parking area on the DoubleTree site can be configured for valet parking the actual parking available to the Waterfront Hotel will be greater than the 150 spaces outlined in the easement area.

Per the conditions of approval, the park and youth hostel were to be completed prior to the opening of the hotel. In 1995, the applicant requested a Development Agreement to extend
the expiration date of project approvals because there was limited financing available for hotel development at the time.

On August 15, 1995, the City and the Applicant entered into a Development Agreement (Ordinance No. 4920) involving construction of the Chase Palm Park expansion, the Waterfront Hotel, and a youth hostel. The Development Agreement allowed the Chase Palm Park expansion project to commence immediately and provided the Parker Family 12 years to construct the hotel and hostel. An Addendum to the certified FEIR was prepared.

On August 2, 1996, the former Redevelopment Agency and American Tradition entered into a Declaration of Construction and Operating Covenants and Reciprocal Easements to guide development of Chase Palm Park and the Hotel; establish easements over both the Park Parcel and the Hotel Parcel; establish the location of the “Transition Area” within the Park that would serve as the Transition Area between the Park and the Hotel Property; and the covenants, conditions and restrictions for the construction, operation, maintenance and use of the Park Parcel, including the Transition Area and the Hotel Parcel.

Since approval of the Development Agreement, the following actions have been completed or initiated by the applicant:

- Extension and improvements to Calle Cesar Chavez, formerly known as Salsipuedes Street, were completed in 1997, which connected the road to Cabrillo Boulevard.
- In conjunction with the adjacent Wright property (Cabrillo Plaza Specific Plan) project, Garden Street was extended to connect Highway 101 to Cabrillo Boulevard.
- Both land and fees to complete the Waterfront Park (Chase Palm Park expansion) were provided by the applicant and the Park expansion improvements were completed in 1998.
- Improvements to the area drainage on the hotel and park sites were completed and connected to a Santa Barbara County Flood Control drainage project in 1996 – 1997.
- On June 25, 2007, changes to the hotel project description, including moving the underground parking to a 111-space surface lot at the 103 S. Calle Cesar Chavez site, were determined to be in substantial conformance with the original project approval. The number of hotel rooms remained the same.
- On August 30, 2007 the Planning Commission approved a Coastal Development Permit and Conditional Use Permit (Resolution 032-07) for the parking lot and restoration at 103 S. Calle Cesar Chavez. An Addendum to the certified FEIR was prepared.
- On September 20, 2007, a building permit was issued for foundation and grading work on the proposed hotel site. Work under this permit began, but was never completed. This permit has now expired as a condition of the Development Agreement approved in 2016.
• On September 20, 2007, building permits were issued for soil remediation on the hotel site and parking lot site, and work was completed on September 4, 2008. The hotel site remediation was fully completed and the parking lot site was partially remediated in the area where the paving would occur. A permit to complete soil remediation within El Estero drain area is required.

• On May 8, 2008, a building permit was issued for construction of the hotel building shell and core. This permit has now expired as a condition of the Development Agreement approved in 2016.

• On September 19, 2007, a building permit to construct the youth hostel at 12 E. Montecito Street was issued and construction commenced. In 2011, the applicant revised the floor plan to create more individual rooms instead of the dormitory style rooms that were more common at the time of project approval. The hostel was completed in August 2014 and is now operational. The Parker Family no longer owns this site.

• On December 3, 2010 a Voluntary Lot Merger was recorded for the lots comprising 103 S. Calle Cesar Chavez.

• Since 1998, the applicant has contributed $62,500 annually towards the operation and maintenance of the park and will continue to do so until the hotel is constructed. Upon completion of the hotel, the contribution would be $125,000 annually (indexed annually for inflation) for an additional 35 years.

• One time air quality offset and traffic mitigation fees were submitted in 2007.

On April 29, 2014, staff and the applicant provided the City Council an update on the progress of the hotel construction and a proposed new Development Agreement to extend development rights for the approved hotel and establish provisions for proposing a revised project. The Applicant explained their desire to construct a smaller, boutique-style hotel. Council was generally supportive of the Development Agreement, and expressed a strong desire to see the site developed soon.

On January 7, 2016, the Planning Commission reviewed the proposed Development Agreement and continued the proposal. On March 10, 2016, the Planning Commission recommended approval of a revised Development Agreement to the City Council.

On May 24, 2016, the City Council approved the Development Agreement, which, among other things, gave the Applicant five years to obtain new building permits for the Approved Project. The Development Agreement also established criteria for reviewing a Substantial Conformance Determination request for revisions to the project, and defined a process for transferring unused floor area to another property.
Waterfront Hotel
Applicable Local Coastal Plan and Coastal Act Policies

LOCAL COASTAL PLAN

LCP Policy 3.3. New development proposals within the coastal zone which could generate new recreational users (residents or visitors) shall provide adequate off-street parking to serve the present and future needs of the development.

LCP Policy 3.4. New development in the coastal zone which may result in significant increased recreational demand and associated circulation impacts shall provide mitigation measures as a condition of development including, if appropriate, provision of bikeways and bike facilities, pedestrian walkways, people mover systems, in lieu fees for more comprehensive circulation projects or other appropriate means of compensation.

LCP Policy 3.13. Developers shall be required to provide on-site recreational open space and parking for new users generated by any development of vacant or underdeveloped properties inland of Cabrillo Boulevard.

LCP Policy 4.4. New hotel/motel development within the coastal zone shall, where feasible, provide a range of rooms and room prices in order to serve all income ranges. Likewise, lower cost restaurants, or restaurants which provide a wide range of prices, are encouraged.

LCP Policy 6.1. The city, through ordinance, resolutions, and development controls, shall protect, preserve, and, where feasible, restore the biotic communities designated in the City’s Conservation Element of the General Plan and any future annexations to the City, consistent with PRC Section 30240.

LCP Policy 6.8. The riparian resources, biological productivity, and water quality of the City’s coastal zone creeks shall be maintained, preserved, enhanced, and, where feasible, restored.

LCP Policy 6.9. The City shall support the programs, plans, and policies of all governmental agencies, including those of the Regional Water Quality Control Board with respect to best management practices for Santa Barbara’s watersheds and urban areas.

LCP Policy 6.10. The City shall require a setback buffer for native vegetation between the top of the bank and any proposed project. This setback will vary depending upon the conditions of the site and the environmental impact of the proposed project.

LCP Policy 9.1. The existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced. This may be accomplished by one or more of the following:

(1) Acquisition of land for parks and open space;

(2) Requiring view easements or corridors in new development;

(3) Specific development restrictions such as additional height limits, building orientation, and setback requirements for new development; or

(4) Developing a system to evaluate view impairment of new development in the review process.
LCP Policy 11.5. All new development in the waterfront area, excepting Stearns Wharf, shall provide adequate off-street parking to fully meet their peak needs. Parking needs for individual developments shall be evaluated on a site-specific basis and at minimum be consistent with City Ordinance requirements.

LCP Policy 11.15. Pedestrian movement and safety should be encouraged and provided for throughout the area.

LCP Policy 12.2. New developments within the City’s Waterfront Area shall be evaluated as to a project’s impact upon the area’s:

1. Openness;
2. Lack of Congestion;
3. Naturalness; and
4. Rhythm.

COASTAL ACT

Section 30211 Development not to interfere with access

Development shall not interfere with the public’s right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 New development projects

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

(b) For purposes of this section, "new development" does not include:

(1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.

(2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.

(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.

(4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not a seaward of the location of the former structure.
(5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach.

As used in this subdivision "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

Section 30213 Lower cost visitor and recreational facilities; encouragement and provision; overnight room rentals

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Section 30220 Protection of certain water-oriented activities

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30222 Private lands; priority of development purposes

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30230 Marine resources; maintenance

Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 Biological productivity; water quality

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water
reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

**Section 30233 Diking, filling or dredging; continued movement of sediment and nutrients**

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

1. New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

2. Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

3. In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

4. Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

5. Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.


7. Nature study, aquaculture, or similar resource dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

For the purposes of this section, "commercial fishing facilities in Bodega Bay" means that not less than 80 percent of all boating facilities proposed to be developed or improved, where the improvement would create additional berths in Bodega Bay, shall be designed and used for commercial fishing activities.

(d) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients that would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material
removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for these purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

Section 30236 Water supply and flood control

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (l) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

Section 30240 Environmentally sensitive habitat areas; adjacent developments

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Section 30250 Location; existing developed area

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Section 30251 Scenic and visual qualities

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.
Section 30252 Maintenance and enhancement of public access

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Section 30253 Minimization of adverse impacts

New development shall do all of the following:

(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

(c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.

(d) Minimize energy consumption and vehicle miles traveled.

(e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Section 30255 Priority of coastal-dependent developments

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.
III. CONCEPT REVIEW ITEM:

ACTUAL TIME: 3:55 P.M.

Commissioner White returned to the dais.

To avoid any appearance of a conflict of interest, Commissioner Bartlett stepped down from the hearing the following item.

APPLICATION OF RICK FOGG, AGENT FOR AMERICAN TRADITION, 103 S. CALLE CÉSAR CHÁVEZ, 017-113-020, OM-1/SD-3 ZONES, GENERAL PLAN DESIGNATION: OCEAN ORIENTED INDUSTRIAL (MST2004-00791)

The proposed project is the construction of a 106 stall parking lot with a 100 square foot unenclosed kiosk on a vacant lot. The parking lot would provide part of the required parking for the approved Waterfront Hotel located to the south of the site at the corner of Calle César Chávez and Cabrillo Boulevard. As part of the project, a habitat restoration of the portion of the El Estero Drain located on the project site is proposed. This would include removal of non-native vegetation, an approximate ten to twenty foot separation between the top of bank and the parking lot and detention basin to capture runoff from the parking lot. Access to the site would be directly from Calle César Chávez.

The purpose of this concept review is to allow the Planning Commission and the public an opportunity to review the proposed project design at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the proposed land use and design. No formal action on the development proposal will be taken at the concept review, nor will any determination be made regarding environmental review of the proposed project.

Upon review and formal action on the application for the development proposal, the proposed project will require the following discretionary applications:

4. Coastal Development Permit to allow development in the non-appealable jurisdiction of the Coastal Zone (SBMC §28.44.060); and
5. Conditional Use Permit to allow development other than that specifically expressed in the Ocean-Oriented Light Manufacturing Zone (SBMC §28.73.030.B);

Case Planner: Peter Lawson, Associate Planner
Email: plawson@santabarbaraca.gov

Peter Lawson, Associate Planner, gave the Staff presentation, joined by Steve Foley, Supervising Transportation Planner.

Rick Fogg, Counsel for the American Tradition, gave the applicant presentation.

Staff answered Planning Commission questions on whether the proposed parking spaces meet the parking requirement for the approved Waterfront hotel; City ownership of
neighboring property; pedestrian access and language in the Pedestrian Master Plan for use of the Union Pacific right-of-way; clarification of prior parking plan for Waterfront hotel and hotel parking requirements to meet demand; sensitivity to Shore Acres in excavation; and underground parking; Other questions answered included impacts by valet traffic crossing Calle Cesar Chavez; use of stacked parking at site; and comparison of parking lot stacking with City parking lot standards.

Chair Jacobs opened the public hearing at 4:28 P.M.

Mike Jordon, Chair of the Creeks Advisory Committee, spoke in support of the project, citing that the original Waterfront Hotel plan did not encompass this site and did not place conditions on this site. There is still an opportunity to address drainage improvements on this site. Called for a formal restoration plan to be implemented. Recommended fencing the area off. Asked for consideration of native plantings in the bioswale and restoration area.

Mr. Lawson noted that a restoration plan had been submitted.

With no one else wishing to speak, the public hearing was closed at 4:32 P.M.

Commission’s comments:

1. Providing public access adjacent to the railroad right-of-way should be considered.
2. Some Commissioners expressed interest in seeing the inclusion of photovoltaics, perhaps a photovoltaic farm to provide energy to the hotel. One suggestion was photovoltaics over the cars.
3. Suggested a grass roof over the lot to reduce the asphalt span.
4. Expressed concern for pedestrian crossing and safety. Pedestrian right of way should be more defined, either with crosswalks, or differentiated pavement.
5. Approve of Creek restoration.
6. One Commissioner supports the EIR addendum, and supports the first CUP finding. Felt the second finding needed more data.
7. Valet concept is OK, but expressed concern over kiosk location, operations, and security.
8. Does not support chain link fencing facing along the street. Would like to see more substantial fencing and landscaping.
9. Drainage improvements to El Estero drain are a plus.
10. Emphasized the detention basin replaced with bioswale and suggested the restoration plan be reviewed by the Creeks Division.
11. Use of the land is acceptable, but not optimal.
13. Some Commissioners expressed preference for a parking structure, as opposed to a black asphalt lot. Suggestions were made for including amenities for employees by adding a second floor.

14. Requested that more information be included on lighting and landscaping and reviewed by Architectural Board of Review (ABR).

Staff added that consideration is being given to changing Calle Cesar Chavez to one lane in each direction and allowing street parking.

Mr. Fogg stated that it was the City that approached the Parker family to construct a park in 1995, thus the development agreement was adopted. The proposed parking lot is laid out oddly due to the protected wetland habitat areas. Consideration was given to a parking structure and solar farm. However, intensive use would create more issues with Fish and Game and the Army Corps with close proximity to the habitat and increased intensive use. Timing was also an issue with the impending expiration of permit approvals. The Specific Plan area does not encompass the proposed property in review due to City Council Ordinance 4920. Physical limitations imposed by the habitat limit the options of what can be done with this property and impact the CUP considerations.

Ms. Hubbell added that because the property has not been used, the homeless population has made use of it. A public benefit from this project will be the increased security and restored drainage.

Mr. Fogg was commended for his articulation of the findings for the CUP in his letter.
II. NEW ITEMS:

ACTUAL TIME: 1:14 P.M.

A. APPLICATION OF RICK FOGG, AGENT FOR AMERICAN TRADITION, 103 S. CALLE CESAR CHAVEZ, 017-113-020, OM-1/SD-3 ZONES, GENERAL PLAN DESIGNATION: OCEAN ORIENTED INDUSTRIAL (MST2004-00791)

The proposed project is for the construction of a 106 stall parking lot with a 100 square foot unenclosed kiosk on a vacant lot. The parking lot would provide part of the required parking for the approved Waterfront Hotel located to the south of the site at the corner of Calle Cesar Chavez and Cabrillo Boulevard. As part of the project, a habitat restoration of the portion of the El Estero Drain located on the project site is proposed. This would include removal of non-native vegetation, an approximate twenty-five foot separation between the top of bank and the parking lot. A detention basin would be constructed to the south-west of the parking lot to capture runoff and pollutants from the parking lot. The project would also include selective soil remediation of contaminated soil in the proposed parking area only. Access to the site would be directly from Calle Cesar Chavez. The discretionary applications required for this project are:

1. A Coastal Development Permit to allow development in the non-appealable jurisdiction of the Coastal Zone (SBMC §28.44.060); and

2. A Conditional Use Permit to allow development other than that specifically expressed in the Ocean-Oriented Light Manufacturing Zone (SBMC §28.73.030.B).

In accordance with State CEQA Guidelines Section 15164, an addendum to the Waterfront Hotel and Park and Youth Hostel Final Environmental Impact Report (EIR) (State Clearing House # 92091038) has been prepared.

Case Planner: Peter Lawson, Associate Planner
Email: PLawson@SantaBarbaraCA.gov
Peter Lawson, Associate Planner, gave the Staff presentation.

Staff answered Planning Commission’s questions about any impact on the restoration plan for the area by putting photo-voltaics on the kiosk; clarification of parking lot use; the conceptual landscape plan; and the timing of the project related to permitting for the Youth Hostel.

Rick Fogg, Agent for American Tradition, responded to the Planning Commission’s questions about consideration given for use of photo-voltaics and the potential for designing a different parking configuration that included a rack system; subsidizing use of parking lot energy; consideration of iron fencing on Calle Cesar Chavez; consideration for lighting that was consistent with the hotel’s 5-star rating; and the timeline for construction of all projects.

Chair Myers opened the public hearing at 1:44 P.M.

Paula Westbury spoke against any development on the land citing the toxicity of the land, cautioned against any unsettling restoration, and shared the native history of the land.

With no one else wishing to speak, the public hearing was closed at 1:47 P.M.

Commissioner’s comments:

1. One Commissioner struggled with the initial understanding of the hotel’s perception of self-sufficiency of parking all on site and making the finding for the conditional use permit.
2. Most Commissioners were concerned with the ‘sea of asphalt’ created by the project.
3. The Commission supported the project’s restoration plan and the development of the hotel. Asked Staff if all of the parking off site would contribute to overdevelopment of the hotel site.
4. Acknowledged homeless situation and security issues; sees the potential for pedestrian connectivity and photo-voltaics and encourages it.
5. Supports improvements to El Estero drain.
6. Commissioners suggested that a review by Architectural Board of Review (ABR) include looking at Calle Cesar Chavez fencing, lighting, landscaping, and a semi-permeable solution for the filtration of drainage on the property.
7. Some Commissioners asked that photo-voltaics be included in the project. One Commissioner found the nexus issues for requiring photo-voltaics created a discomfort level for all involved in the project. Suggested using photo-voltaics to shade the parking area to generate energy for the parking area and the hotel; desired to see a sustainable design that represented Santa Barbara.
8. Suggested a review of the parking numbers to determine if they can be reduced.

9. Suggested that, when Staff and the applicant review any Substantial Conformity determination, consideration be given to sustainable solar panels on the site.

10. One Commissioner did not feel a study was necessary to validate the need for photo-voltaics and wanted to see photo-voltaics included in the conditions outright.

11. Asked Staff if permeable paving could be used in part of the parking lot.

Ms. Hubbell responded that development of the parking lot would not contribute to any overdevelopment of the hotel since the applicant had not exceeded the habitable square footage. Ms. Hubbell reviewed for the Commission any changes in the hotel’s occupancy use that related to parking. Although spaces needed for the hotel could be reduced, it might impact parking for employees.

Mr. Fogg added that a review of the ATE study would need to be done to consider the reduction of any parking spaces. If land use laws allowed for alternative use, the applicant would consider bringing back a plan for building on the site. Mr. Fogg was receptive to doing a feasibility study and collaborating with Staff on photo-voltaics.

Ms. Hubbell stated Staff would consider an added condition for inclusion of either a study of photovoltaic use or permeable paving.

Mr. Lawson explained that with the ground water being very high having a permeable parking lot would not be good due to the potential of groundwater contamination.

**MOTION: Jostes/White**

Assign Resolution No. 032-07

Approve the project making the environmental findings and findings for the Conditional Use Permit and Coastal Development Permit, subject to the Conditions of Approval in Staff Report Exhibit A, with added conditions: 1) A landscaping review by the Architectural Board of Review along Calle Cesar Chavez; 2) If a Substantial Conformity Determination is needed, then applicant will provide additional information on parking supply and demand and include coming back to the Commission or to Staff with the feasibility for use of photo-voltaics on the parking lot to generate energy for the entire project; and 3) inclusion of solar panels on the kiosk to aid in the generation of electricity for lights on the project site to the extent feasible and no larger than the roof area of the kiosk.

Mr. Fogg asked the Commission for clarification of the requested solar panel system.
This motion carried by the following vote:

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

Chair Myers announced the ten calendar day appeal period.

**ACTUAL TIME: 2:28 P.M.**
CONCEPT REVIEW – NEW ITEM: PUBLIC HEARING

6. **433 E CABRILLO BLVD**  
(2:50)  
Assessor’s Parcel Number: 017-680-009  
Application Number: MST2016-00284  
Owner: American Tradition, LLC  
Applicant: Suzanne Elledge  
Architect: Mike Niemann

(One-time concept review of a new proposal for a 43-room hotel at a project site comprised of two parcels: a 3-acre “Hotel Site” at 433 E. Cabrillo Boulevard [APN 017-680-009], and an adjacent 2.42-acre “Parking Lot Site” at 103 S. Calle Cesar Chavez [APN 017-113-020]. The Hotel Site is within El Pueblo Viejo Landmark District [EPV] and will be reviewed by the Historic Landmarks Commission; the Parking Lot Site is outside of EPV and will be reviewed by the Architectural Board of Review. The Hotel Site is currently permitted for a 150-room hotel with conference and group facilities. Proposed is a revised design for a smaller development at the Hotel Site and will comprise no less than 26 rooms in two-story attached casitas and no less than 17 rooms configured within a two to three-story “Inn” building complex located along the northern property line. The proposed square footage on this lot is 82,723 square feet. Program elements include a casual and fine dining restaurant, wine cellar and lounge, rooftop swimming pool and pool bar, spa, banquet room, water features, and gardens. Automobile and pedestrian access to the hotel will be from Calle Cesar Chavez via a motor court and accessible sidewalk at a reception pavilion. Back-of-house functions, service areas, and at-grade parking are proposed for the Parking Lot site.)

(Comments only.)

Actual time: 2:49 p.m.

Present: Suzanne Elledge, Applicant; and Mike Niemann, Architect

Staff comments: Allison De Busk, Project Planner, stated that there is an approved project still valid at this site; the applicant has received a Development Agreement that extends the approval and provides the opportunity to pursue a smaller project.

Public comment opened at 3:05 p.m. and, as no one wished to speak, it was closed.

Commissioner comments:
1. The Commission appreciates the well done, comprehensive presentation.
2. The opening up of public views to the mountains is commended.
3. The architecture at the intersection of Calle Cesar Chavez and Cabrillo Boulevard needs to have more importance; the corner and Chase Palm Park should have a civic interface.
4. The massing models as shown will be difficult to translate into El Pueblo Viejo-appropriate architecture.
5. Horizontal, large massing can be problematic; the massing character does not fit El Pueblo Viejo Guidelines. Use variety instead of repetitiveness.
6. Study reflecting the curvilinear character of the Cabrillo/Chase Palm Park sidewalk.

** MEETING ADJOURNED AT 3:24 P.M. **

EXHIBIT G
CONCEPT REVIEW - CONTINUED

8. 433 E CABRILLO BLVD  HRC-2/SP-1/SD-3 Zone

Assessor’s Parcel Number: 017-680-009  
Application Number: MST2016-00284  
Owner: American Tradition, LLC  
Applicant: Suzanne Elledge  
Architect: Mike Niemann

(Proposal for a 48 room hotel at a project site comprised of two parcels: a 3-acre "Hotel Site" at 433 E. Cabrillo Boulevard (APN 017-680-009), and an adjacent 2.42-acre "Parking Lot Site" at 103 S. Calle Cesar Chavez (APN 017-113-020). The Hotel Site is within El Pueblo Viejo Landmark District (EPV) and will be reviewed by the Historic Landmarks Commission; the Parking Lot Site is outside of EPV and will be reviewed by the Architectural Board of Review. The Hotel Site is currently permitted for a 150-room hotel with conference and group facilities. Proposed is a revised design for a smaller development at the Hotel Site and will comprise no less than 26 rooms in two-story attached casitas and no less than 20 rooms configured within a two to three-story "Inn" building complex located along the northern property line. The proposed square footage on this lot is 84,478 square feet. Program elements include a casual and fine dining restaurant, wine cellar and lounge, rooftop swimming pool and pool bar, spa, banquet room, water features, and gardens. Automobile and pedestrian access to the hotel will be from Calle Cesar Chavez via a motor court and accessible sidewalk at a reception pavilion. Back-of-house functions, service areas, and at-grade parking are proposed for the Parking Lot site.)

(Second Concept Review. Comments only. Project was last reviewed on July 13, 2016.)

Actual time: 4:40 p.m.

Present: Suzanne Elledge, Applicant; Mike Niemann, Architect; and Puck Erickson, Landscape Architect

Staff comments: Ms. Plummer stated that this item requires comments only; no action may be taken.

Public comment opened at 5:04 p.m.

1. Paulina Conn stated that the hotel is too massive and uninviting.
2. Kellam de Forest stated that the proposal is massive and bulky.

Public comment closed at 5:06 p.m.

Commissioner comments:
1. Commissioner Drury suggested keeping the elevations along Cabrillo Boulevard at one story and manipulating the size and scale to make them recede, similar to the neighboring Fess Parker property.
2. Commissioner Mahan liked the details of the renderings but found the elevations brutal and not appropriate to El Pueblo Viejo. He also stated that the building needs to be less busy in its coloring.
3. Chair Suding stated that the very specialized arch should not repeat so frequently that it becomes mundane; use in places where it makes an impact.
4. Commissioner Murray liked the addition of the landscaping but did not find the proposal recognizable as a cohesive El Pueblo Viejo project; it is without Santa Barbara scale or architectural feeling.
5. Commissioner Grumbine supported the overall massing and scale but suggested simplification and unification of ideas to be more cohesive.
6. Commissioner Orías stated that striped awnings are not appropriate in El Pueblo Viejo.
CONCEPT REVIEW - CONTINUED

7. 433 E CABRILLO BLVD

Assessor’s Parcel Number: 017-680-009
Application Number: MST2016-00284
Owner: American Tradition, LLC
Applicant: Suzanne Elledge
Architect: Mike Niemann

(Proposal for a 48-room hotel at a project site comprised of two parcels: a 3-acre "Hotel Site" at 433 E. Cabrillo Boulevard (APN 017-680-009), and an adjacent 2.42-acre "Parking Lot Site" at 103 S. Calle Cesar Chavez (APN 017-113-020). The “Hotel Site” is within El Pueblo Viejo Landmark District (EPV) and will be reviewed by the Historic Landmarks Commission; the Parking Lot Site is outside of EPV and will be reviewed by the Architectural Board of Review. The “Hotel Site” is currently permitted for a 150-room hotel with conference and group facilities. Proposed is a revised design for a smaller development at the “Hotel Site” and will comprise no less than 26 rooms in two-story attached casitas, and no less than 20 rooms configured within a two- to three-story "Inn" building complex located along the northern property line. The proposed square footage on this lot is 84,478 square feet. Program elements include a casual and fine dining restaurant, wine cellar and lounge, rooftop swimming pool and pool bar, spa, banquet room, water features, and gardens. Automobile and pedestrian access to the hotel will be from Calle Cesar Chavez via a motor court and accessible sidewalk at a reception pavilion. Back-of-house functions, service areas, and at-grade parking are proposed for the Parking Lot site.)

(Third Concept Review. Review of conceptual sketches and architectural renderings to obtain feedback on possible design direction for project. Project was last reviewed on December 14, 2016.)

Actual time: 4:40 p.m.

Present: Suzanne Elledge, SEPPS; Mike Niemann, Designer; and Brian Cearnal, Architect

Chair La Voie disclosed that he had viewed the video of the previous review of the project and had met with the applicant to clarify the Commission’s feedback.

Public comment opened at 5:01 p.m., and as no one wished to speak, it was closed.

Motion: Continued to March 8, 2017 with comments:
1. The massing is generally acceptable.
2. The site plan is generally acceptable, with careful consideration of the open spaces and their proportion, and the light that some areas may or may not receive.
3. The issues that need to be resolved are the proportions of the fenestration, the broad arches, and the rectilinear forms that are square or more horizontal than vertical.
4. There is perhaps an overuse of the arch.
5. Use round forms or round stairways judiciously in special occasions where you turn a corner.
6. The axis off Cabrillo Boulevard should end in something important architecturally.
7. Compatibility with El Pueblo Viejo Guidelines needs to be resolved.

Action: Suding/Mahan, 6/0/0. (Murray and Veyna absent.) Motion carried.

** MEETING ADJOURNED AT 5:36 P.M. **
CONCEPT REVIEW - CONTINUED

8. **433 E CABRILLO BLVD**  
   **HRC-2/SP-1/SD-3 Zone**

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(Proposal for a 48-room hotel at a project site comprised of two parcels: a 3-acre "Hotel Site" at 433 E. Cabrillo Boulevard (APN 017-680-009), and an adjacent 2.42-acre "Parking Lot Site" at 103 S. Calle Cesar Chavez (APN 017-113-020). The Hotel Site is within El Pueblo Viejo Landmark District (EPV) and will be reviewed by the Historic Landmarks Commission; the Parking Lot Site is outside of EPV and will be reviewed by the Architectural Board of Review. The Hotel Site is currently permitted for a 150-room hotel with conference and group facilities. Proposed is a revised design for a smaller development at the Hotel Site and will comprise no less than 26 rooms in two-story attached casitas and no less than 20 rooms configured within a two to three-story "Inn" building complex located along the northern property line. The proposed square footage on this lot is 84,478 square feet. Program elements include a casual and fine dining restaurant, wine cellar and lounge, rooftop swimming pool and pool bar, spa, banquet room, water features, and gardens. Automobile and pedestrian access to the hotel will be from Calle Cesar Chavez via a motor court and accessible sidewalk at a reception pavilion. Back-of-house functions, service areas, and at-grade parking are proposed for the Parking Lot site.)

(Fourth Concept Review; Comments Only. Substantial Conformance Determination will be made by the Community Development Director. Project was last reviewed on February 8, 2017.)

Actual time: 5:14 p.m.

Present: Brian Cearnal, The Cearnal Collective, LLP; Puck Erickson, Landscape Architect; and Allison De Busk, Project Planner, City of Santa Barbara

Public comment opened at 5:31 p.m., and as no one wished to speak, it closed.

Commission comments:
1. The Commission found that in general, the site plan is aesthetically appropriate and an improvement to the previous plan.
2. The size, bulk, and scale are improved.
3. The simplification of the architecture is improved but needs further study.
4. The Commission wished to see a more Santa Barbara expression of architecture, particularly in the use of stone and arches.
5. The Commission supported the grouping of rooms and village approach to the design. Continue to pursue the village feel.
6. The Commission supported the landscape concept and design.
7. A concern for micro environments and the impact of salt air on plant material was expressed.
8. The Commission found the Project Compatibility Analysis Criteria have been generally met for this project (per SBMC 22.22.145.B. and 22.68.045.B.) as follows:
   a. The proposed development project's design is compatible with the City Charter and Municipal Code.
b. The proposed design is compatible with the architectural character of the City and neighborhood, as developed further.
c. The size, bulk, and scale of the proposed development are appropriate.
d. The design of the proposed project is sensitive to and an improvement upon public views.
e. The design of the proposed development has an appropriate amount of open space and landscaping.

* MEETING ADJOURNED AT 5:53 P.M. *
CONCEPT REVIEW - CONTINUED

3. **433 E CABRILLO BLVD**

   **HRC-2/SP-1/SD-3 Zone**

   (Proposed for an approximately 54-room hotel at a project site comprised of two parcels: a 3-acre "Hotel Site" at 433 E. Cabrillo Boulevard (APN 017-680-009), and an adjacent 2.42-acre "Parking Lot Site" at 103 S. Calle Cesar Chavez (APN 017-113-020). The Hotel Site is within El Pueblo Viejo Landmark District (EPV) and will be reviewed by the Historic Landmarks Commission; the Parking Lot Site is outside of EPV and will be reviewed by the Architectural Board of Review. The Hotel Site is currently permitted for a 150-room hotel with conference and group facilities. Proposed is a revised design for a smaller development at the Hotel Site consisting of two- and three-story structures. The proposed square footage on this lot is approximately 84,478 square feet. Program elements include a casual and fine dining restaurant, wine cellar and lounge, rooftop swimming pool and pool bar, spa, banquet room, water features, and gardens. Automobile and pedestrian access to the hotel will be from Calle Cesar Chavez via a motor court and accessible sidewalk at a reception pavilion. Back-of-house functions, service areas, and at-grade parking are proposed for the Parking Lot site.)

   (Fifth Concept Review. Comments Only. Substantial Conformance Determination will be made by the Community Development Director. Project was last reviewed on March 22, 2017.)

   Actual time: 3:39 p.m.

   Present: Suzanne Elledge, Agent; Bob Glazier, Architect, Hill Glazier Architects; and Puck Erickson, Landscape Architect, Arcadia Studio
Public comment opened at 4:24 p.m., and as no one wished to speak, it closed.

**Motion:** Continue four weeks with comments:

1. This design incorporates the very best and will be a significant addition to Santa Barbara. This was an excellent presentation.
2. The size, bulk, and scale are acceptable and a significant improvement over past iterations. The Commission could easily make findings that the proposal is compatible with the prior approvals granted by the HLC and Planning Commission.
3. The design represents everything the Commission looks for in Santa Barbara architecture, the best of Hispanic design in its massing, poetry, human scale, and building credibility. It exceeds the El Pueblo Viejo Guidelines.
4. Consider adding a connection down the lawn axis to the ocean, physically if possible. The Commission would support whatever City action a connection would require.
5. The incorporation of some more vertical elements punctuating the third-story components of the building was suggested.
6. The incorporation of awnings, color, and fabric is welcome in this style.

**Action:** Drury/Suding, 8/0/0. Motion carried.

* MEETING ADJOURNED AT 4:46 P.M. *
CONCEPT REVIEW - CONTINUED

8. **433 E CABRILLO BLVD**

   (Proposal for an approximately 54-room hotel at a project site comprised of two parcels: a 3-acre "Hotel Site" at 433 E. Cabrillo Boulevard (APN 017-680-009), and an adjacent 2.42-acre "Parking Lot Site" at 103 S. Calle Cesar Chavez (APN 017-113-020). The Hotel Site is within El Pueblo Viejo Landmark District (EPV) and will be reviewed by the Historic Landmarks Commission; the Parking Lot Site is outside of EPV and will be reviewed by the Architectural Board of Review. The Hotel Site is currently permitted for a 150-room hotel with conference and group facilities. Proposed is a revised design for a smaller development at the Hotel Site consisting of two- and three-story structures. The proposed square footage on this lot is approximately 84,478 square feet. Program elements include a casual and fine dining restaurant, wine cellar and lounge, rooftop swimming pool and pool bar, spa, banquet room, water features, and gardens. Automobile and pedestrian access to the hotel will be from Calle Cesar Chavez via a motor court and accessible sidewalk at a reception pavilion. Back-of-house functions, service areas, and at-grade parking are proposed for the Parking Lot site.)

   (Sixth Concept Review. Comments Only. Substantial Conformance Determination will be made by the Community Development Director. Project was last reviewed on October 18, 2017.)

Actual time: 6:08 p.m.

Present: Suzanne Elledge, Agent; Bob Glazier, Architect, Hill Glazier Architects; Puck Erickson, Landscape Architect, Arcadia Studio; and Allison De Busk, Project Planner, City of Santa Barbara
Staff comments: Ms. De Busk stated that the project will go before the Planning Commission for comments and then requires a Substantial Conformance Determination from the Community Development Director. Feedback from the HLC is requested in these decisions.

Public comment opened at 6:38 p.m., and as no one wished to speak, it closed.

Motion: Continue indefinitely with comments:
1. The Commission commended the applicant, architect, and landscape architect for an excellent design and looks forward to in-progress reviews as the design develops.
2. As project is further developed, the Commission would like to see more vertical proportion in the openings.
3. The Commission supported the applicant's proposal for awnings, if not overly horizontal.
4. Provide swatches of the awnings. The awning color needs to have more variety.
5. Where openings approach corners, there should be sufficient wall mass to suggest masonry construction.
6. Enhance the pedestrian experience of the main lawn area; a pergola or some type of shade was suggested.
7. Provide a connection to Cabrillo Boulevard.
8. The fountain at the end of the axis needs to be a traditional form.
9. The exterior spaces should be given as careful design consideration as the building spaces.
10. The Commission found that the Compatibility Analysis Criteria generally have been met (per SBMC 22.22.145.B.) as follows:
   a. The project is compatible with the City Charter. The project’s renderings are compatible with the architectural guidelines.
   b. The size, bulk, and scale of the project are appropriate for the neighborhood.
   c. The design of the project protects public views.
   d. The project includes sensitive and generous open space and landscaping.

Action: Drury/Suding, 7/0/0. (Hausz absent.) Motion carried.

* MEETING ADJOURNED AT 7:07 P.M. *
CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

5. **103 S CALLE CESAR CHAVEZ**

   **OM-1/SD-3 Zone**

   **(7:00)**

   Assessor’s Parcel Number: 017-113-020
   Application Number: MST2016-00295
   Owner: American Tradition
   Agent: Suzanne Elledge
   Architect: Mike Niemann
   Architect: R&A Architecture and Design

(Proposal for a revised parking lot and a new three-story, approximately 11,000 square foot administrative support building for back-of-house activities for a proposed hotel located at 433 E. Cabrillo Boulevard. The hotel is being reviewed under separate development application MST2004-00791 and the hotel design will be reviewed by the Historic Landmarks Commission. Currently permitted on this 2.42 acre parcel is a parking lot serving the approved Waterfront Hotel at 433 E. Cabrillo Boulevard; this project would replace the parking lot approved under that application. The amount of grading is unknown at this time.)

(Comments only; requires Environmental Assessment and a Substantial Conformance Determination at the Planning Commission.)

Actual time: 7:12 p.m.

Present: Suzanne Elledge, Agent; Puck Erickson, Landscape Architect, Arcadia Studio; Mike Niemann, Architect; Ben Anderson, Executive Architect, R&A Architecture and Design; and Allison L. DeBusk, Project Planner, City of Santa Barbara.

Public comment opened at 7:29 p.m.

1) Bryan Vhrig, Representing Channel Investment Company, Opposition; expressed concerns regarding a three story structure in the proposed location as well as drainage issues in the area.

Public comment closed at 7:32 p.m.

**Motion:** Continued indefinitely to Full Board with comments:
1. Provide photo-simulations of the protected view corridors with and without the proposed building massing.
2. Study rotating or altering the location of the proposed footprint of the building to provide a larger setback from the neighbor to the north, at least at the street frontage.
3. Provide any drawings that are available from the hotel site, regardless of their stage, so that the board may gain a better reference of understanding for proposed architecture of the administrative support building under review.

**Action:** Wittausch/Gradin 4/0/0. Motion carried. (Cung, Tripp, and Hopkins absent)
CONCEPT REVIEW - CONTINUED ITEM

2. **103 S CALLE CESAR CHAVEZ**
   **OM-1/SD-3 Zone**

   - Assessor’s Parcel Number: 017-113-020
   - Application Number: MST2016-00295
   - Owner: American Tradition
   - Agent: Suzanne Elledge
   - Architect: Mike Niemann
   - Architect: R & A Architecture and Design

   (Proposal for a revised parking lot and a new three-story, approximately 11,000 square foot administrative support building for back-of-house activities for a proposed hotel located at 433 E. Cabrillo Boulevard. The hotel is being reviewed under separate development application MST2004-00791 and the hotel design will be reviewed by the Historic Landmarks Commission. Currently permitted on this 2.42 acre parcel is a parking lot serving the approved Waterfront Hotel at 433 E. Cabrillo Boulevard; this project would replace the parking lot approved under that application. The amount of grading is unknown at this time.)

   (Second Concept Review. Requires Substantial Conformance Determination from the Planning Commission. Project was last reviewed on July 18, 2016.)

   Actual time: 3:21 p.m.

   Present: Suzanne Elledge, Agent; Mike Niemann Architect; Ben Anderson, Architect; Puck Erickson, Landscape Architect.

   Public comment opened at 3:38 p.m., and as no one wished to speak, it was closed.

   **Motion:** Continued six weeks with comments:
   1. Provide a photographic essay of the buildings along Calle Cesar Chavez.
   2. Study reducing the amount of corten steel to create a greater sense of compatibility with the neighborhood.
   3. The Board found the mass, bulk and scale generally acceptable as presented.

   **Action:** Gradin/Tripp, 5/0/0. (Cung and Wittausch absent.) Motion carried.
CONCEPT REVIEW - CONTINUED ITEM

1. **103 S CALLE CESAR CHAVEZ**  
   (3:15)  
   **OM-1/SD-3 Zone**  
   Assessor’s Parcel Number: 017-113-020  
   Application Number: MST2016-00295  
   Owner: American Tradition  
   Agent: Suzanne Elledge  
   Architect: Mike Niemann  
   Architect: R&A Architecture & Design  
   (Proposal for a revised parking lot and a new three-story, approximately 11,000 square foot administrative support building for back-of-house activities for a proposed hotel located at 433 E. Cabrillo Boulevard. The hotel is being reviewed under separate development application MST2004-00791 and the hotel design will be reviewed by the Historic Landmarks Commission. Currently permitted on this 2.42 acre parcel is a parking lot serving the approved Waterfront Hotel at 433 E. Cabrillo Boulevard; this project would replace the parking lot approved under that application. The amount of grading is unknown at this time.)

(Third Concept Review. Requires Substantial Conformance Determination from the Planning Commission. Project was last reviewed on December 19, 2016.)

Actual time: 3:24 p.m.

Present: Ben Anderson, Architect; Puck Erickson, Landscape Architect; Suzanne Elledge, Agent; and Alison DeBusk, Project Planner, City of Santa Barbara

Public comment opened at 3:45 p.m., and as no one wished to speak, it was closed.

Motion: Continued to the next available Full Board Agenda with comments:
1. Study alternate colors of the proposed metal finish or alternate combinations of exterior finishes.
2. Overall massing is appropriate for the area and site.
3. The Board appreciated the site plan and the quality of the landscape/hardscape design.
4. Study the amount of the south and west facing glazing.
5. Study the proportions of the windows to provide a more poetic and charming solution to the fenestrations and look towards other examples on Cesar Chavez for proportions.
6. The Board appreciated that the surface materials were solids and not veneers.
7. The Board appreciated the quality and design of the trellis and fencing along the street.

Action: Moore/Wittausch, 6/0/0. Motion carried.
5. **103 S CALLE CESAR CHAVEZ**  
   **OM-1/SD-3 Zone**

   **Assessor’s Parcel Number:** 017-113-020  
   **Application Number:** MST2016-00295  
   **Owner:** American Tradition  
   **Agent:** Suzanne Elledge  
   **Architect:** Mike Niemann  
   **Architect:** R&A Architecture & Design

   (Proposal for a revised parking lot and a new three-story, approximately 11,000 square foot administrative support building for back-of-house activities for a proposed hotel located at 433 E. Cabrillo Boulevard. The hotel is being reviewed under separate development application MST2004-00791 and the hotel design will be reviewed by the Historic Landmarks Commission. Currently permitted on this 2.42 acre parcel is a parking lot serving the approved Waterfront Hotel at 433 E. Cabrillo Boulevard; this project would replace the parking lot approved under that application. The amount of grading is unknown at this time.)

   *(Fourth Concept Review. Requires Substantial Conformance Determination from the Planning Commission. Project was last reviewed on January 30, 2017.)*

   **Actual time:** 5:35 p.m.

   **Present:** Suzanne Elledge, Agent; Ben Parker, Architect, R&A Architecture & Design; and Allison DeBusk, Project Planner, City of Santa Barbara

   Public comment opened at 5:51 p.m., and as no one wished to speak, it closed.

   **Straw vote:** How many Board Members would support Project Design Approval as the project is presented today? 2/3 Failed

   **Motion:** Continued to the April 24, 2017 Full Board Agenda with comments:

   1. The Board appreciated all the changes that have been made, as well as the new material choices.
   2. In general, the Board found the project compatible with the area.
   3. The pedestrian path to the public right away needs to be studied.
   4. Consider the potential use of square light windows.
   5. Study the south elevation in reference to the number of windows and how they balance out throughout the project.
   6. Study the French doors on the second level and how the materials transition.
   7. Study the trash building massing and how it can be tied into the overall structure.
8. Study the eve and how it will get resolved.
9. Overall the project is successful in the break-up of the mass with the use of different materials.
10. Provide more detail on the guardrails.
11. Confirm if the project is in the flood zone and its relationship to its grading.
12. The Board reviewed the proposed project and found that Compatibility Analysis Criteria have been generally met (per SBMC 22.22.145.B. and 22.68.045.B.) as follows:
   a. The proposed development project's design complies with all City Regulations and is consistent with ABR Guidelines.
   b. The proposed design of the proposed development is compatible with the distinctive architectural character of Santa Barbara and of the particular Neighborhood surrounding the project.
   c. The size, mass, bulk, height, and scale of the proposed development are appropriate for its neighborhood.
   d. The design of the proposed development is appropriately sensitive to adjacent City Landmark/designated historic resources, historic sites, or natural features, and mitigation measures are adequate to reduce adverse impacts.
   e. The design of the proposed project responds appropriately to establish Public Vistas.
   f. The design of the proposed development includes an appropriate amount of open space and landscaping.

Action: Wittausch/Watkins, 5/0/0. (Gradin stepped down.) Motion carried.
CONCEPT REVIEW - CONTINUED ITEM

2. **103 S CALLE CESAR CHAVEZ**

   **OM-1/SD-3 Zone**

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<td>Owner:</td>
<td>American Tradition</td>
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<tr>
<td>Agent:</td>
<td>Suzanne Elledge</td>
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<td>Architect:</td>
<td>DMHA</td>
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   (Proposal for a revised parking lot and a new three-story, approximately 11,000 square foot administrative support building for back-of-house activities for a proposed hotel located at 433 E. Cabrillo Boulevard. The hotel is being reviewed under separate development application MST2004-00791 and the hotel design will be reviewed by the Historic Landmarks Commission. Currently permitted on this 2.42 acre parcel is a parking lot serving the approved Waterfront Hotel at 433 E. Cabrillo Boulevard; this project would replace the parking lot approved under that application. The amount of grading is unknown at this time.)

   (Fifth Concept Review. Comments only. Project requires Substantial Conformance Determination from the Planning Commission. Project was last reviewed on March 13, 2017.)

   Actual time: 3:34 p.m.

   Present: Ryan Mills and Dianne Hemingway, DMHA; Suzanne Elledge, Agent; and Allison DeBusk, Project Planner, City of Santa Barbara

   Public comment opened at 3:57 p.m.

   Alana Charles spoke with concerns due to the modern design and feels it does not take the city's history into consideration.

   Public comment closed at 3:58 p.m.

   Straw vote: How many Board Members can support solar panels being placed on the roof? 2/2 Failed

   **Motion:** Continued to the May 22, 2017 agenda with comments:

   1. The Board supported the use of the materials and in general supported the massing.
   2. Restudy the stair tower massing that was added to the north elevation and consider the potential of an open stair design.
   3. The previous shed roof design, at the conference room, was considered a more successful design.
   4. Restudy the roof pitch and verify it is not steeper than previously proposed.
   5. Provide a more industrial detailing to the wood fence design.
   6. The previous cement panel layout with a denser detailing pattern was preferred.
7. Study the awning, trellis, and material pallet and the overall detailing of how they all come together.
8. Study if the solar panels will be placed on the carport or on the roof.
9. Study if the carport will be part of the project and how the detailing will be in keeping with the design of the building.

Action: Tripp/Watkins, 4/0/0. (Gradin and Wittausch absent.) Motion carried.
CONCEPT REVIEW - CONTINUED ITEM

5. **103 S CALLE CESAR CHAVEZ**

(4:40) Assessor’s Parcel Number: 017-113-020
Application Number: MST2016-00295
Owner: American Tradition
Agent: Suzanne Elledge
Architect: DMHA

(Proposal for a revised parking lot and a new three-story, approximately 11,000 square foot administrative support building for back-of-house activities for a proposed hotel located at 433 E. Cabrillo Boulevard. The hotel is being reviewed under separate development application, MST2004-00791, and the hotel design will be reviewed by the Historic Landmarks Commission. Currently permitted on this 2.42 acre parcel is a parking lot serving the approved Waterfront Hotel at 433 E. Cabrillo Boulevard; this project would replace the parking lot approved under that application. The amount of grading is unknown at this time.)

(Sixth Concept Review. Comments Only. Project requires Substantial Conformance Determination by Planning Commission. Project was last reviewed on April 24, 2017.)

Actual time: 5:17 p.m.

Present: Ryan Mills, Architect, DMHA; Puck Erickson, Landscape Architect, Arcadia Studio; and Suzanne Elledge, Agent, SEPPS

Public comment opened at 5:30 p.m., and as no one wished to speak, it closed.

Motion: **Continued indefinitely to the Planning Commission with comments:**
1. The project is ready for Project Design Approval.
2. The Board appreciated the changes made since the last review, particularly removing the tower and adding the exterior stair.
3. Study a less refined trellis structure, going more toward wide flange beams and exposed welded brackets. Concern was expressed about proximity of the brackets supporting the shading devices at the third floor in relation to the eave.
4. Further study the open railing.
5. The windows on the west elevation should be centered with the ridge.
6. Colors and materials are generally acceptable.
7. The roof of the two-story element on the west elevation should be reduced in height.

Action: Gradin/Tripp, 5/0/0. (Miller absent.) Motion carried.
CONCEPT REVIEW - CONTINUED ITEM

1. **103 S CALLE CESAR CHAVEZ**

   **OM-1/SD-3 Zone**

   **Assessor’s Parcel Number:** 017-113-020  
   **Application Number:** MST2016-00295  
   **Owner:** American Tradition  
   **Agent:** Suzanne Elledge  
   **Architect:** DMHA

   (Proposal for a revised parking lot and a new three-story, approximately 11,000 square foot administrative support building for back-of-house activities for a proposed hotel located at 433 E. Cabrillo Boulevard. The hotel is being reviewed under separate development application MST2004-00791 and the hotel design will be reviewed by the Historic Landmarks Commission. Currently permitted on this 2.42 acre parcel is a parking lot serving the approved Waterfront Hotel at 433 E. Cabrillo Boulevard; this project would replace the parking lot approved under that application. The amount of grading is unknown at this time.)

   (Seventh Concept Review. Comments Only. Project requires Substantial Conformance Determination by Planning Commission. Project was last reviewed on May 22, 2017.)

   Actual time: 3:31 p.m.

   Present: Ryan Mills, Architect, DMHA; Puck Erickson, Landscape Architect, Arcadia Studio; and Suzanne Elledge, Agent, SEPPS

   Public comment opened at 3:46 p.m., and as no one wished to speak, it closed.

   Straw vote: How many Board Members feel the centering of the mass on the northwest elevation should be moved? 2/3 Failed

   Straw vote: How many Board Members feel the project is ready for Project Design Approval with comments? 3/2 Passed

   **Motion:** Continued indefinitely with comments:

   1. The vinyl windows are not acceptable as proposed.
   2. Restudy the resolution of the parapet on the third-floor roof elements on the north elevation.
   3. Study adding an additional layer to the trellis.
   4. Study implementing a heavier wood material at the awnings.
   5. The Board recommends eliminating any hanging or wall-mounted down lights at the second and third floor to limit the impact to the first-floor pedestrians and adjacent building sites and study alternative illumination for those levels.
   6. Relocate the transformer or screen it from street view.

   **Action:** Gradin/Wittausch, 5/0/0. (Miller, LaPlaca absent.) Motion carried
CONCEPT REVIEW - CONTINUED ITEM

4. 103 S CALLE CESAR CHAVEZ  
    (4:25)  
    OM-1/SD-3 Zone  
    Assessor’s Parcel Number: 017-113-020  
    Application Number: MST2016-00295  
    Owner: American Tradition  
    Agent: Suzanne Elledge  
    Architect: DMHA  

(Proposal for a revised parking lot and a new three-story, approximately 11,000 square foot administrative support building for back-of-house activities for a proposed hotel located at 433 E. Cabrillo Boulevard. The hotel is being reviewed under separate development application, MST2004-00791, and the hotel design will be reviewed by the Historic Landmarks Commission. Currently permitted on this 2.42 acre parcel is a parking lot serving the approved Waterfront Hotel at 433 E. Cabrillo Boulevard; this project would replace the parking lot approved under that application. The amount of grading is unknown at this time.)

(Eighth Concept Review. Comments Only. Project requires Substantial Conformance Determination by Planning Commission. Project was last reviewed on July 17, 2017.)

Actual time: 4:40 p.m.

Present: Ryan Mills, Architect, DMHA

Public comment opened at 4:55 p.m., and as no one wished to speak, it closed.

Straw vote: How many Board Members can support the parapet solution as proposed? 2/4 Failed

Straw vote: How many Board Members can support the transformer as proposed? 0/6 Failed

Straw vote: How many Board Members can support the fencing as proposed, if the transformer gets resolved? 5/1 Passed

Motion: Continue two weeks with comments:
1. The Board appreciated the improvements, added enhancements, details, and lighting changes made since the last review.
2. The Board requested more details and cutsheets on all lighting, particularly those at the second and third floors that are shown as reassessed into the trellis.

3. The Board was uncomfortable with the location and screening options proposed for the transformer and would prefer a solution that omitted pedestrian visibility and provided greater distance from the street.

4. The majority of the Board had concerns regarding the resolution of the third-floor parapet and would like to see it restudied.

5. The Board requested that the metal fencing be restudied so that it has greater sympathy with the proposed wood fencing.

6. The applicant is to provide details on the proposed bollards.

Action: Gradin/Watkins, 6/0/0. Motion carried.

THE BOARD RECESSED FROM 5:26 TO 5:31 P.M. *
CONCEPT REVIEW - CONTINUED ITEM

1. **103 S CALLE CESAR CHAVEZ**

   **OM-1/SD-3 Zone**

   **Assessor’s Parcel Number:** 017-113-020
   **Application Number:** MST2016-00295
   **Owner:** American Tradition
   **Agent:** Suzanne Elledge
   **Architect:** DMHA

   (Proposal for a revised parking lot and a new three-story, approximately 11,000 square foot administrative support building for back-of-house activities for a proposed hotel located at 433 E. Cabrillo Boulevard. The hotel is being reviewed under separate development application, MST2004-00791, and the hotel design will be reviewed by the Historic Landmarks Commission. Currently permitted on this 2.42 acre parcel is a parking lot serving the approved Waterfront Hotel at 433 E. Cabrillo Boulevard; this project would replace the parking lot approved under that application. The amount of grading is unknown at this time.)

   **(Ninth Concept Review. Comments Only. Project requires Substantial Conformance Determination by Planning Commission. Project was last reviewed on September 11, 2017.)**

   Actual time: 3:21 p.m.

   **Present:** Tom Wagner, Wagner Utility Planning Services; Ryan Mills & Edward De Vicente, Architects, DMHA; and Lory Romano, Landscape Architect, Arcadia Studio

   Public comment opened at 3:44 p.m., and as no one wished to speak, it closed.

   Straw vote: How many Board Members can support the parapet as it is currently designed? 4/2 Passed

   Straw vote: How many Board Members can support the location and design of the transformer? 1/5 Failed

   Straw vote: How many Board Members can support the window type as presented today? 6/0 Passed

   **Motion:** Continue two weeks with comments:
   1. The parapet is acceptable as presented.
   2. The revisions to the fencing are acceptable as presented.
   3. The window sample presented is acceptable with the understanding that the siding material will reduce the apparent thickness of the jam on the exterior.
   4. The transformer location and screening need to be restudied.
   5. The oak trees currently shown as part of the landscape plan are to be maintained.

   **Action:** Wittausch/Tripp, 5/1/0. (Watkins opposed.) Motion carried.

   **Individual comments:** Board Member Watkins stated that he supports all the Board comments; however, he could not support the motion as it did not include a comment requesting the applicant study the possibility of adding enhanced details to the parapet.
CONCEPT REVIEW - CONTINUED ITEM

1. 103 S CALLE CESAR CHAVEZ

(Proposal for a revised parking lot and a new three-story, approximately 11,000 square foot administrative support building for back-of-house activities for a proposed hotel located at 433 E. Cabrillo Boulevard. The hotel is being reviewed under separate development application, MST2004-00791, and the hotel design will be reviewed by the Historic Landmarks Commission. Currently permitted on this 2.42 acre parcel is a parking lot serving the approved Waterfront Hotel at 433 E. Cabrillo Boulevard; this project would replace the parking lot approved under that application. The amount of grading is unknown at this time.)

(Tenth Concept Review. Comments Only. Project requires Substantial Conformance Determination by Planning Commission. Project was last reviewed on September 25, 2017.)

Actual time: 3:32 p.m.

Present: Ed de Vicente and Ryan Mills, Architects, DMHA; Puck Erickson, Landscape Architect, Arcadia Studio; and Tom Wagner, Utility Consultant, Wagner Utility Planning Services

Public comment opened at 3:42 p.m., and as no one wished to speak, it closed.

Motion: Continue indefinitely to Planning Commission with comments:
1. The project is ready for Project Design Approval.
2. The Board found that the Compatibility Analysis Criteria generally have been met (per SBMC 22.68.045.B.) as follows:
   a. The project fully complies with all applicable City Charter and Municipal Code requirements. The project’s design is consistent with design guidelines applicable in this area next to the railroad tracks along an industrial street.
   b. The design of the project is compatible with desirable architectural qualities and characteristics that are distinctive of Santa Barbara and of the particular neighborhood surrounding the project. The contemporary industrial style is appropriate to the neighborhood.
   c. The size, mass, bulk, height, and scale of the project are appropriate for its location and neighborhood. The massing is appropriately set back from the street and tucked into a corner, next to another large building, blending in with the existing streetscape.
   d. The design is not adjacent or nearby any Landmarks or designated historic resources.
   e. The design has no impact on scenic public vistas.
   f. The project includes an appropriate amount of open space and landscaping. The Board expressed that the landscaping proposed is very well done, especially the space along tracks and undulating landscape.
Action: Wittausch/Tripp, 4/1/0. (Watkins opposed.) Motion carried.

Individual comments: Board Member Watkins opposed due to the motion not including a comment requesting the applicant study the possibility of adding enhanced details to the parapet wall.
CALL TO ORDER

Chair Beebe Longstreet called the meeting to order at 4:00 p.m. at City Council Chambers.

PLEDGE OF ALLEGIANCE

Chair Beebe Longstreet

ROLL CALL

Commissioners and Staff Present
Chair Beebe Longstreet
Vice Chair Nichol Clark
Commissioner Tara Armbruster
Commissioner Jacob Lesner-Buxton
Commissioner Andria Martinez Cohen
Commissioner Kathy McGill
Commissioner Roger Perry
Parks and Recreation Director Jill Zachary
Assistant Parks and Recreation Director Rich Hanna
Business Manager Mark Sewell
Creeks Manager Cameron Benson
Recreation Manager Judith McCaffrey
Parks Manager Santos Escobar
Urban Forest Superintendent Tim Downey
Executive Assistant Rose Nevarez

CHANGES TO THE AGENDA: Item 4.C.3 was taken in conjunction with 4.A.2.

WRITTEN COMMUNICATIONS: None

PUBLIC COMMENT: None

YOUTH COUNCIL REPORT: Chair Jensen Steady reported on the Team Leadership Conference on April 28, applications for vacancies on the Youth Council due on May 1, a
task force organized by the Coalition Against Gun Violence, and the 17th Annual Youth Leader Awards taking place on May 21st at the Carriage Museum.

COMMISSIONER COMMITTEE ASSIGNMENT REPORTS:

Vice Chair Clark attended and reported on the Street Tree Advisory Committee meeting, site visit to the Chase Palm Park/Waterfront Hotel Transition Area on April 4th, State Trails Day at Jesusita Trail on April 21st, and Carousel House Open House that morning.

Commissioner McGill attended and reported on the site visit to the Chase Palm Park Transition Area and Carousel House Open House.

Commissioner Lesner-Buxton attended and reported on the Youth Council meeting.

Chair Longstreet attended and reported on the Semi-Annual Advisory Group meeting, Neighborhood Advisory Council meeting, site visit to the Waterfront Hotel Transition Area, and Carousel House Open House.

COMMISSION AND STAFF COMMUNICATIONS: None

CEREMONIAL ITEMS:

1. Subject: Employee Recognition – Service Award Pins

   Parks and Recreation Director Jill Zachary recognized Enrique Alvarez, Irrigation System Technician, for 20 years of service, Santos Escobar, Parks Manager, for 25 years of service, and Pete Whittington, Irrigation System Technician, for 30 years of service.

CONSENT ITEMS:

2. Subject: Summary of Council Actions – For Information (Attachment)

   The Commission received the report.

3. Subject: Minutes – For Action (Attachment)

   Recommendation: That the Commission waive the reading and approve the minutes of the Regular Meeting of March 28, 2018.

   Motion:
   Commissioner Perry / McGill to waive the reading and approve the Minutes of the Regular Meeting of March 28, 2018.

   Vote:
   Majority voice vote (5/0/2) (Abstain: Clark, Martinez Cohen)
STREET TREE ADVISORY COMMITTEE ITEMS
Any action of the Parks and Recreation Commission made pursuant to Municipal Code Chapter 15.20, Tree Planting and Maintenance or 15.24, Preservation of Trees, may be appealed to the City Council within ten days, pursuant to provisions of Section 1.30.050 of the Municipal Code.

4. Subject: Street Tree Advisory Committee Recommendations – For Action (Attachments)

Documents:
- Staff Report dated April 25, 2018
- Staff PowerPoint presented by Staff

Speakers:
- Urban Forest Superintendent Tim Downey
- Parks and Recreation Director Jill Zachary
- Public Speaker Robert Richards (Item 4.A.1)
- Public Speaker Suzanne Elledge (Item 4.A.2 & 4.C.3)
- Public Speaker Puck Erickson (Item 4.A.2 & 4.C.3)
- Public Speaker Bob Glazier (Item 4.C.3)
- Public Speaker Leland Walmsley (Item 4.B.2)
- Public Speaker Bob Cunningham (Item 4.C.2)

Recommendation: That the Commission:

A. Approve the following Street Tree removal requests:

1. 1601 State St. – (2) Syagrus romanzoffianum, Queen Palm – Robert Richards Landscape Architect

   The Commission received the report, listened to testimony, and the following action was taken:

   Motion:
   Commissioner Clark / Perry to concur with Staff recommendation and approve relocation of the two trees.

   Vote:
   Unanimous voice vote (7/0)

2. Chase Palm Park Transition Area, Waterfront Hotel – (54) various trees – Suzanne Elledge, for American Tradition LLC

   The Commission heard testimony and their questions were answered. The Commission wanted to stress that maintenance of the landscape installed by the hotel will be their responsibility, and that the transition area needs to work as a public space.

   The following action was taken:
Motion:
Commissioner McGill / Martinez Cohen to support staff recommendations and approve the removals as proposed on the condition that the 9 olives currently located around the compass rose be boxed for relocation to a new park, that any trees not approved by the Department to be planted in Chase Palm Park outside of the transition area be boxed and transported to another City park, that all tree removals be contingent on the hotel construction and transition area development, and that all tree species to be planted within the transition area and Chase Palm Park be approved by the Department, with comments from the Commission to be included.

Vote:
Unanimous voice vote (7/0)

B. Partially approve the following Setback Tree removal requests:

1. 2015 Santa Barbara St. – (5) Tipuana tipu, Tipu – Kenneth Boxer

   The Commission received the report, listened to testimony, their questions were answered, and the following action was taken:

Motion:
Commissioner McGill / Perry to approve removal of all 5 Tipu trees on the condition that they be replaced with 2 trees that can achieve 30 feet in height.

Vote:
Unanimous voice vote (7/0)

2. 1506 Shoreline Dr. – (2) Schinus terebinthfolius, Brazilian Pepper and (1) Washingtonia robusta, Mexican Fan Palm – Leland Walmsley, ASLA Evergreen Architects, Inc.

   The Commission received the report, listened to testimony, their questions were answered, and the following action was taken:

Motion:
Commissioner Martinez Cohen / McGill to deny removal of the Mexican Fan Palm and approve the removal of the 2 Brazilian Peppers on the condition that one replacement tree with a wide canopy that can achieve 30 feet in height be planted.

Vote:
Majority voice vote (6/1) (Nay: Clark)

C. Approve the following changes to the Street Tree Master Plan:

1. 1300 block of State St. – designate species – Staff
The Commission received the report, their questions were answered, and the following action was taken:

Motion:
Commissioner Martinez Cohen / Perry to approve the change to the Street Tree Master Plan to designate the Queen Palm for the 1300 block of State Street.

Vote:
Unanimous voice vote (7/0)

2. 3400-3700 Modoc Rd. – consider additional species – Bob Cunningham

The Commission received the report, listened to testimony, and their questions were answered.

The Commission expressed concerns regarding costs involved with multiple species with different maintenance needs and schedules, availability of stock, and tree litter.

The following action was taken:

Motion:
Commissioner Martinez Cohen / Clark to refer the Item back to the Street Tree Advisory Committee for further discussion, with the caveat the concerns of the Commission be taken into consideration.

Vote:
Unanimous voice vote (7/0)

3. 100 block of Calle Cesar Chavez – consider change – Suzanne Elledge on behalf of American Tradition LLC

Motion:
Commissioner McGill / Perry to support the change in designation to the Street Tree Master Plan to include the Mexican Blue Palm in the median and New Zealand Christmas Tree in the parkway in the 100 block of Calle Cesar Chavez.

Vote:
Unanimous voice vote (7/0)

ADMINISTRATIVE AND STAFF REPORTS

5. Subject: Director’s Report – For Information (Attachment)
Recommendation: That the Commission receive a report on the status of the various Parks and Recreation Department initiatives and activities.

Parks and Recreation Director Jill Zachary reported on the Chef Apprentice Graduation, Chase Palm Park Carousel House, Earth Day Celebration, and Volunteer Work Days on April 14th and April 21st.

The Commission received the report and their questions were answered.

6. Subject: Parks and Recreation Recommended Fiscal Year 2019 Budget – For Action (Attachments)

Documents:
- Staff Report dated April 25, 2018
- Staff PowerPoint presented by Staff

Speakers:
- Parks and Recreation Director Jill Zachary
- Creeks Manager Cameron Benson
- Business Manager Mark Sewell
- Assistant Parks and Recreation Director Rich Hanna

Recommendation: That the Commission recommend City Council approval of the Recommended Fiscal Year 2019 Parks and Recreation Department Budget, including the General Fund, Creeks Fund, Golf Fund, Capital Program, and Fees and Charges Schedule.

Director Jill Zachary gave an overview of the 5 funds comprising the budget: personnel/staffing; expenditures by fund; revenue by fund; and key initiatives.

Creeks Manager Cameron Benson presented the proposed Fiscal Year 2019 Creeks Fund Budget. This included an overview of the projected FY 2019 revenue and projected expenditures, including a $90,000 proposed increase in Street Sweeping. The total proposed Creeks Fund Budget is just under $4.7 million. Manager Benson gave budget highlights, an overview of the FY 2019 Capital Program, fund reserves, performance measures, and the Creeks Advisory Committee recommendations regarding the Fiscal Year 2019 Budget.

Chair Longstreet stated that the Creeks Advisory Committee have been excellent stewards of Measure B money, and she respects the memo and the request for a review of the Street Sweeping Program, because the funds were designated for special purposes and they follow it closely. She supports their memo and requests the Commission’s comments get forwarded with it.
Exhibit J-P: The referenced exhibits are available for view online at:

- [www.SantaBarbaraCA.gov/PC](http://www.SantaBarbaraCA.gov/PC)