



City of Santa Barbara

PLANNING COMMISSION

MINUTES

MAY 17, 2018

1:00 P.M.

City Hall, Council Chambers
735 Anacapa Street
SantaBarbaraCA.gov

COMMISSION MEMBERS:

Lesley Wiscomb, *Chair*
Sheila Lodge, *Vice Chair*
John P. Campanella
Jay D. Higgins
Mike Jordan
Deborah L. Schwartz
Addison Thompson

STAFF:

N. Scott Vincent, Assistant City Attorney
Beatriz Gularte, Senior Planner
Krystal M. Vaughn, Senior Commission Secretary

CALL TO ORDER

Chair Wiscomb called the meeting to order at 1:01 p.m.

I. ROLL CALL

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

Absent: Addison Thompson

STAFF PRESENT

Beatriz Gularte, Senior Planner
Dan Gullett, Supervising Transportation Planner
Derrick Bailey, Principal Traffic Engineer
Alex Ubaldo, Supervising Engineer
Kathleen Kennedy, Associate Planner
Stephanie Diaz, Contract Planner
Krystal M. Vaughn, Senior Commission Secretary

II. PRELIMINARY MATTERS

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

No requests.

B. Announcements and appeals:

No announcements.

C. Review, consideration, and action on the following draft Planning Commission minutes and resolutions:

- 1. May 3, 2018 Minutes
- 2. PC Resolution No. 009-18
2507 Mesa School Lane
- 3. PC Resolution No. 010-18
Arroyo Burro Creek Restoration Project
- 4. PC Resolution No. 011-18
Westmont College Specific Plan Amendment Initiation

MOTION: Lodge/Higgins

Approve the minutes and resolutions as amended.

The motion carried by the following vote:

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

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

No public comment.

III. NEW ITEM

A. ACTUAL TIME: 1:04 P.M.

APPLICATION OF TRISH ALLEN, SEPPS, AGENT FOR SUNNY AND JONATHAN BARACH, 1409 AND 1413 SHORELINE DRIVE, APN 045-185-018, & -17, E-3/SD-3 ONE-FAMILY RESIDENCE/ COASTAL OVERLAY ZONES, GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: RESIDENTIAL, 5 DWELLING UNITS PER ACRE (MST2016-00117)

The proposed project consists of improvements to an existing 3,972 square foot, single-family residence on a 33,540 square foot bluff top/ flag lot at 1409 Shoreline Drive. The improvements consist of the replacement of the existing driveway pavers with new pavers; replacement of the concrete driveway with permeable pavers; replacement of the existing vehicle gate; new trash enclosure; new outdoor shower; new six foot high fence along the eastern property line; removal of the existing concrete flatwork, wood deck, and trellis at the southern elevation of the residence and the installation of a new wood deck and trellis; new outdoor gathering spaces with gravel, low lighting, and flagstone pavers; new 42” high wood security fence; removal of the concrete slab foundation at the edge of the cliff; and the installation of water-wise plantings. Four onsite trees (one Brazilian Pepper, two Eucalyptus, one dead Palm) would be removed. The grading for the project consists of 85 cubic yards of cut. The proposed project also includes the removal of the unpermitted wood deck and small concrete path and viewing platform, as well as the installation of new landscaping in order to abate violations identified in the Zoning

Information Report (ZIR2014-00299). The only work proposed on the 1413 Shoreline Drive property is the removal of a Canary Island Date Palm and Queen Palm.

The discretionary application required for this project is a Coastal Development Permit (CDP2018-00009) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities) and Section 15304 (Minor Alterations to Land).

Kathleen Kennedy, Associate Planner, gave the Staff presentation.

Trish Allen, SEPPS, gave the Applicant presentation, and was joined by Adam Simmons, Consulting Geologist, and Jeff Prober, Prober Land Surveying.

Public comment opened at 2:02 p.m., and as no one wished to speak, it closed.

Commissioner comments:

Commissioner Lodge:

- There is a drop off where the LiDAR shows the top of bluff so it does not make sense to have the fence where it is proposed. It would provide greater safety at the bluff edge.
- The rest of what is proposed is fine except nothing is allowed on the bluff face.
- Concurs with the staff recommendation and the relocation of the fence.

Commissioner Schwartz:

- Found it difficult to support the applicants request to develop on the bluff face because of coastal development policies for environmental reasons and for public safety.
- Leaning towards supporting the staff recommendation.

Commissioner Jordan:

- The top of bluff presented by staff on the left side where it goes inland has no visual nexus to a top of bluff because the top of bluff is clearly that horizontal section that runs across the coastline. It is so out of character with the rest of the property.
- Could see making a case for what the applicant has proposed partially because of the site specific evidence and because the type of improvements being shown on the plan are really not all that intrusive.
- Cannot support the proposed fence location, because of the potential for use creep in the future.
- Will not support the motion because believes that the bluff edge is rounded and that over time it is artificially stepped.
- Disagrees with the LiDAR study and agrees with the site specific geology study and evidence presented at the hearing so will not support the motion.

Commissioner Higgins:

- Understands staff's perspective; however, cannot support using a LiDAR study as the basis for the determination of top of bluff since the LiDAR study can pick up man made elements as natural topography.
- Agrees with Commissioner Jordan's comment on adjusting the fence location.
- Expressed concern that the City is doing the same thing to the applicant that the Coastal Commission is doing to the City as part of the LCP update and changing the rules midstream. Therefore, he cannot support the motion.

Chair Wiscomb:

- Agrees with staff on the bluff edge since it was based on both LiDAR and a site visit.
- Staff has made a good effort to accommodate the fence close to the bluff edge since the site is constrained.
- There is an opportunity to move the proposed patio area from the bluff face to the western side of the site just below the proposed play area.
- Supports the staff recommendation.

MOTION: Lodge/Schwartz**Assigned Resolution No. 015-18**

Accept the top of bluff line labeled "City Mapped Bluff Edge" on the plan.

The motion carried by the following vote:

Ayes: 4 Noes: 2 (Higgins, Jordan) Abstain: 0 Absent: 1 (Thompson)

MOTION: Lodge/Schwartz**Assigned Resolution No. 015-18**

Approve the project, with the condition of approval that the proposed 42" high wood safety fence, and outdoor gathering space consisting of gravel, low lighting, and flagstone pavers be removed from the bluff face, and that the fence be relocated to an area above the City mapped bluff edge, making the findings for the Coastal Development Permit as outlined in the Staff Report dated May 10, 2018, subject to the Conditions of Approval in Exhibit A of the Staff Report, with the following revisions:

1. The stone steps on the bluff face shall be removed.
2. Pervious materials, comparable to those proposed in Area C (as shown on the exhibit in the staff report), shall be allowed on the western side of the property, south of the proposed play area and above the bluff edge.

The motion carried by the following vote:

Ayes: 4 Noes: 2 (Higgins, Jordan) Abstain: 0 Absent: 1 (Thompson)

The ten calendar day appeal period was announced.

*** THE COMMISSION RECESSED FROM 3:02 TO 3:11 P.M. ***

B. ACTUAL TIME: 3:11 P.M.**APPLICATION OF CITY OF SANTA BARBARA PUBLIC WORKS DEPARTMENT AND SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS FOR PUBLIC IMPROVEMENTS IN THE CITY RIGHT-OF-WAY, IN THE 1700 BLOCK OF EAST CABRILLO BOULEVARD IN THE APPEALABLE AND NON-APPEALABLE JURISDICTIONS OF THE COASTAL ZONE (MST2017-00526)**

The project site is located in the City of Santa Barbara on East Cabrillo Boulevard, between the Cabrillo Boulevard/Highway U.S. 101 interchange and the intersection of Cabrillo Boulevard and Los Patos Way. The area is surrounded by commercial development, the Bird Refuge open space, Santa Barbara Cemetery, and residential development. The terrain of the roadway is relatively level, sloping slightly north to south toward the ocean. The portion of Cabrillo Boulevard included in the Project is a two-lane road that serves as access to U.S. 101, Coast Village Road and commercial development along Cabrillo Boulevard and Los Patos Way. Thirty-two existing trees would be removed including ten palm street trees. All trees would be replaced in the project area, including 10 new palm street trees.

The proposed project involves four main features:

- Replacement of the Union Pacific Railroad Bridge (UPRR) at the intersection of Cabrillo Boulevard and U.S. 101 to provide a wider opening for bicycle and pedestrian facilities;
- A new multi-use path for pedestrians and bicyclists along the east side of Cabrillo Boulevard and under the widened Union Pacific Railroad Bridge;
- Bicycle lanes and sidewalks along the 1700 Block of East Cabrillo Boulevard; and
- Construction of a roadway roundabout at East Cabrillo Boulevard/Los Patos Way/Channel Drive intersection.

Construction time is expected to last 18-months including 12-months for bridge removal/replacement and 6-months for construction of the roundabout and pedestrian/bicycle improvements. Access on East Cabrillo Boulevard would be maintained, including access to the commercial areas on Los Patos Way and Channel Drive. For one or possibly two periods of 59-hours, East Cabrillo Boulevard and the UPRR tracks would be closed at the bridge. However, Los Patos Way and Channel Drive would remain open. The project includes a rerouting plan during those hours.

The discretionary application required for this project is a Coastal Development Permit (SBMC §28.44.060) for development in the Appealable and Non-appealable jurisdiction of the Coastal Zone. The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) under the following provisions:

CEQA Public Resources Code, Section 21080.13 Railroad Grade Separation, CEQA Public Resources Code, Section 21080.37 Alteration of Existing Roadway, and State CEQA Guidelines Categorical Exemption Section 15301 Existing Facilities Class 1 (C).

Stephanie Diaz, Contract Planner, gave the Staff presentation, and was joined by Dan Gullett, Supervising Transportation Planner.

Alex Ubaldo, Supervising Engineer, City of Santa Barbara and James Faber, Project Manager, T.Y. Lin International gave the Applicant presentation, and were joined by Derrick Bailey, Principal Traffic Engineer, City of Santa Barbara; Dan Gullet, Supervising Transportation Planner, City of Santa Barbara; Fred Luna, Principal Transportation Engineer, SBCAG; and David Black, Landscape Architect, David R. Black & Associates.

Public comment opened at 4:15 p.m.

Harry Fowler, President of the Santa Barbara Cemetery Foundation, spoke with concerns on the right-of-way acquisitions and off site safety and staging that is expected from the cemetery.

Public comment closed at 4:19 p.m.

Commissioner comments:

Commissioner Schwartz:

- There are improvements that needed to be made in the Conditions of Approval.
 - Page 4, SWMP should be spelled out.
 - Page 7, section 2-f, Letter of Commitment for Neighborhood Notification, the content of the notification should be included.
 - Page 8, Section E-1, Neighborhood Notification Prior to Construction, language should be added to specifically include tenants.
- Staging and worker parking is an integral part of the project and should be given special attention and clarified in the Conditions of Approval.
- Would support returning the project on consent.
- Would support extended construction hours.

Commissioner Jordan:

- The project solves a long-standing problem and is a positive for traffic congestion.
- Consider adding bollards or something to restrict two-person side-by-side surries from getting any further than the west side of the round about as they are a safety risk.
- The scope of the project is vast and will affect locals, tourist, and visitors; because of its impact the template language for noticing, in the conditions of approval, is inadequate and needs to be revised and show how the City will disseminate information locally, to stake holder groups, to users, business groups, and not limited to a 300 foot radius of the project.
- Provide information on traffic signage design that can be followed to keep everything stylistically managed in advance.

Commissioner Campanella:

- Concurs with Commissioner Jordan and Schwartz with regard to parking, noticing and communication since this project will be a disruption to the community for a long period of time.
- Conditions of Approval need to be updated to respond to Commissioner's comments.
- Agrees with Commissioner Higgins suggestion to extend the hours of construction listed in the Conditions of Approval.

Commissioner Higgins:

- Suggest extending the construction hours to be 7am – 7pm Monday – Saturday.
- The acquisition needed from the cemetery could be mitigated by slightly shifting the right of way plan and could be studied.
- Agrees with Commissioner Comments regarding extra noticing.
- Does not agree that the project should return to the Planning Commission and should move forward.

Commissioner Lodge:

- Would like the Conditions of Approval be approved as is.
- Parking on Channel Drive is sufficient for 10 – 20 workers.
- Agrees with extending the time limit listed for the Coastal Development Permit to 5 years.

Chair Wiscomb

- There is enough in the Conditions of Approval to allow City staff to make good decisions when situations come up.
- This is an important project and should not be held up at the Planning Commission when everything needed to move the project forward is already listed in the Conditions of Approval.

MOTION: Lodge/Higgins**Assigned Resolution No. 016-18**

Approve the project, making the findings for the Coastal Development Permit as outlined in the Staff Report dated May 10, 2018, subject to the Conditions of Approval as outlined in the Staff Report, with the following revisions to the Conditions of Approval:

1. On Page 8, Section E-1, Neighborhood Notification Prior to Construction, language should be expanded to augment the generic 300 foot radius noticing requirement as the project has a city wide impact as opposed to only a neighborhood impact.
2. The following should be conducted 30 days in advance of construction:
 - a. A community meeting should be conducted.
 - b. Advertisements on the projects should be placed in 3 major news outlets.
 - c. Staff should visit the Coast Village Road owners Association.
 - d. Mailed notice to all owners within 1000 feet of the project.
3. Include a line or two that will recognize that signage and logistics will play a role in public notification and a commitment on the part of the City to recognize such signage as a dynamic component of the project.
4. Construction parking is to be located off the public streets, off site, or a staging area is to be provided.
5. Extend the Coastal Development Permit to include an 8 year approval.
6. Extend the construction hours to be from 7 a.m. – 7 p.m., Monday-Saturday while recognizing that applicant can apply for extended hours when needed under the City's process.

The motion carried by the following vote:

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

IV. ADMINISTRATIVE AGENDA

ACTUAL TIME: 5:37 P.M.

A. Committee and Liaison Reports:

1. Staff Hearing Officer Liaison Report

No report.

2. Other Committee and Liaison Reports

- a. Commissioner Campanella reported on the Architectural Board of Review meeting of May 7, 2018.

V. ADJOURNMENT

Chair Wiscomb adjourned the meeting at 5:38 p.m.

Submitted by,



Krystal M. Vaughn, Commission Secretary