



# City of Santa Barbara

## PLANNING COMMISSION

### MINUTES

DECEMBER 20, 2018

1:00 P.M.

City Hall, Council Chambers

735 Anacapa Street

[SantaBarbaraCA.gov](http://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:

Tava Ostrenger, Assistant City Attorney  
Allison DeBusk, Senior Planner  
Krystal M. Vaughn, Senior Commission Secretary

#### CALL TO ORDER

Chair Wiscomb called the meeting to order at 1:03 p.m.

#### I. ROLL CALL

Chair Lesley Wiscomb, Vice Chair Sheila Lodge, Commissioners John P. Campanella, Jay D. Higgins (until 4:47), Mike Jordan, Deborah L. Schwartz (until 5:28), and Addison Thompson

Absent: None

#### STAFF PRESENT

Tava Ostrenger, Assistant City Attorney  
Sue Gray, Business Manager  
Lt. Dan McGrew, Santa Barbara Police Department  
Allison DeBusk, Senior Planner  
Kathleen Kennedy, Project Planner  
Kelly Brodison, Associate 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. December 6, 2018 Minutes

**MOTION: Schwartz/Higgins**

Approve the Minutes as amended.

The motion carried by the following vote:

Ayes: 4 Noes: 2 (Lodge, Wiscomb) Abstain: 1 (Campanella) Absent: 0

Commissioner Campanella abstained from Item III.C onward.

2. PC Resolution No. 23-18  
1325 State Street

**MOTION: Thompson/Jordan**

Approve the Resolution as presented.

The motion carried by the following vote:

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

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

No public comment.

III. **NEW ITEMS**

A. **ACTUAL TIME: 1:14 P.M. (Continued from October 4, 2018)**

**STATUS REPORT FROM PEOPLE ASSISTING THE HOMELESS (PATH), 816 CACIQUE AND 110 SOUTH QUARANTINA STREETS, APNS 017-240-021, 017-113-035 & -017-113-034, M-1 LIGHT MANUFACTURING, C2 GENERAL COMMERCE AND S-D-3 COASTAL OVERLAY ZONES, LOCAL COASTAL PLAN DESIGNATION: INDUSTRIAL (MST99-00432)**

The purpose of this meeting is for People Assisting the Homeless (PATH) to provide its Two-Year Progress Report on the operation of the Emergency Homeless Shelter, located at 816 Cacique Street, as required by Condition II.F of Planning Commission Resolution 008-09.

The Planning Commission will receive the report and hear public comment only. The Planning Commission will not take any action on the approved Conditional Use Permit during this discussion item. For more information on the Planning Commission's purview, please refer to the Staff Report at [SantabarbaraCA.gov/PC](http://SantabarbaraCA.gov/PC).

Kelly Brodison, Associate Planner, gave the Staff presentation. Sue Gray, Business Manager; and Lt. Dan McGrew, Santa Barbara Police Department, were available to answer questions.

Chuck Flacks, Director of Programs; and David Tabor, PATH Chairman, gave the Applicant presentation. Tessa Madden Storms, Regional Director/ Senior Director of Development and Communications was also available to answer questions.

Public comment opened at 1:57 p.m.

The following people spoke in opposition or with concerns:

1. Anna Marie Gott (Natalia Govoni ceded her time to Ms. Gott)

Public comment closed at 2:02 p.m.

Commissioner comments:

Commissioner Schwartz:

- Requested copies of the PATH Neighborhood Partnership (PNP) meeting minutes for the record.

Commissioner Higgins:

- Requested that People Assisting the Homeless (PATH) come back at a lunch meeting to discuss the program in more detail.

Commissioner Jordan:

- Agrees with Commissioner Higgins that the item should come back as a lunch item to further discuss various issues.
- Is intrigued and encouraged by the evolution of PATH, and encouraged by other groups coming to the City, similar to City Net, which seem to be results oriented and driven.
- Is hopeful that the missing link of housing itself can be found.
- There is a group of people who are left on the street, are resistant to the model, and aren't willing to improve their lives; and as a city, community, or society we are failing that group and we have to find some way to address that.

Chair Wiscomb:

- Agrees with commissioner comments and would like a lunch meeting scheduled with PATH to further discuss what to include in the next biannual report.
- Is thankful for everything PATH does for the community.

**B. ACTUAL TIME: 2:04 P.M.****APPLICATION OF JOHN CUYKENDALL, DUDEK, AGENT FOR VERDE VENTURES, LLC, PROPERTY OWNER OF 35 N. CALLE CESAR CHAVEZ, APN 017-113-004, OM-1 (OCEAN-ORIENTED LIGHT MANUFACTURING) AND SD-3 (COASTAL OVERLAY) ZONES, LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: OCEAN-ORIENTED INDUSTRIAL (MST2018-00505)**

The proposed project involves a request to operate a building materials supply company and a lumber yard within the existing industrial buildings located on a 28,350 square foot lot at 35 N. Calle Cesar Chavez.

The discretionary application required for this project is a Conditional Use Permit to allow the existing buildings in the OM-1 Zone to be used as a construction materials warehouse and a lumber yard, which are not allowed uses per SBMC §28.73.030.A. (SBMC Chapters.28.73 and 28.94).

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

Kelly Brodison, Associate Planner, gave the Staff presentation.

Doug Fell, Attorney; Mark Rabatin, Owner; Robert Gillcrest, Project Manager; and Brad Frohling, Radius Group, gave the Applicant presentation.

Public comment opened at 2:38 p.m.

The following people spoke in support:

1. David Pintard
2. Guy Rivera
3. Billy Brace
4. Kelsey O'Reilly
5. Juan Ruiz
6. Ruben Munoz
7. Ken James
8. Edward D. Langhorne
9. John Price
10. Pat Odale

The following people spoke in opposition or with concerns:

1. Mark A. Massara
2. Jeff Maasson
3. Michael Nelson
4. Kim Selkoe
5. Christopher J. Voss

Public comment closed at 3:07 p.m.

Public comment re-opened at 3:56 p.m.

The following people spoke in support:

1. Brian Escalera
2. John L. Githens
3. Correspondence from John J. Thyne III, Travis Twining, Alastair Winn, Mark M. Alvarado, was acknowledged.

The following people spoke in opposition or with concerns:

1. Anna Marie Gott
2. Correspondence from Mark A. Massara; Carolyn Groves, Coastal Program Analyst, California Coastal Commission was acknowledged.

Public comment closed at 4:02 p.m.

Commissioner comments:

Commissioner Jordan:

- Can make the finding; the market is not out there, there has been more than a good faith effort to find an OM-1 tenant.
- Finds the use compatible with OM-1 uses.
- Information provided on the business's marine-related products and projects helped him reach this determination.
- Can support the CUP.

Commissioner Thompson:

- The money spent to purchase, remediate and construct new buildings on the property is not justification for a CUP.
- Multiple commercial real-estate agencies have confirmed for the record that there is currently no viable marine-related tenant. Existing uses and pattern of development indicate that there is little interest from OM-1 uses.
- The underlying zoning is not being changed, so an OM-1 use could occupy the site in the future.

Commissioner Higgins:

- Can support the CUP
- Compatibility with ocean related use is there.

Commissioner Campanella:

- The property being considered is not just land, but also finished buildings that had gone through the city's process.
- We cannot limit to uses that have an uneconomic lease rate; need to cover development costs. Finds that objective evidence on leasing has been provided. Right now, OM-1 uses aren't economically feasible.
- Supports the use for a CUP

Commissioner Schwartz:

- Fishing is vital to our community and she encourages further discussion with those groups.
- Finds that relevant and reliable data has been provided, including financing and remediation costs.
- Supports the use for a CUP

Commissioner Lodge:

- Given that most of the land is in legal nonconforming use, it is very troubling.
- The OM-1 land is meant to have more affordable rents so that ocean-related uses can compete.
- Will be supporting the CUP request because the OM-1 uses can't support the rent.

Chair Wiscomb:

- Agrees with the support of the CUP.
- Existing older buildings with lower rents don't find OM-1 users either.
- Comforted by the list from the potential leaser showing the potential sale of lumber for marine use and marine-related projects.
- Commends the applicant for all the work that has been done on the property.

**MOTION: Jordan/Thompson**

Approve the request for a Conditional Use Permit to allow the existing buildings in the OM-1 Zone to be used as a construction materials warehouse and a lumber yard as outlined in the Staff Report dated December 13, 2018, and request that staff return on January 10, 2019 with draft findings and Conditions of Approval for review.

The motion carried by the following vote:

Ayes: 7      Noes: 0      Abstain: 0      Absent: 0

The ten calendar day appeal period was announced.

**\* THE COMMISSION RECESSED FROM 4:37 TO 4:48 P.M. \***

**C. ACTUAL TIME: 4:48 P.M.**

**APPLICATION OF RRM DESIGN GROUP, ARCHITECT FOR YAU REVOCABLE TRUST, 691 N. HOPE AVENUE, APN 057-113-007, COUNTY ZONE: 8-R-1 (SINGLE FAMILY RESIDENTIAL, MINIMUM LOT SIZE OF 8,000 SQUARE FEET PER DWELLING UNIT), COUNTY GENERAL PLAN DESIGNATION: RESIDENTIAL, 4.6 UNITS PER ACRE (MST2018-00345)**

**This is an Initiation Request and Concept Review Hearing.** The applicant requests Initiation of Annexation, General Plan Amendment, and Zoning Map Amendment for the two-acre property at 691 N. Hope Avenue (APN 057-113-007) in Santa Barbara County. The property is located north of Connie Way within the City's Sphere of Influence and is currently developed with a single-family residence and detached garage.

If the initiation is granted, the proposed project would return to the Planning Commission at a later date for the following City discretionary approvals:

- A. Tentative Subdivision Map to allow the division of one parcel into six lots (SBMC Chapter 27.07); and

Recommendation to City Council of the following actions:

- A. Annexation of the property from the unincorporated area of Santa Barbara County to the City;
- B. General Plan Amendment to add the property to the City's General Plan Map with a designation of Low Density Residential, five dwelling units per acre; and
- C. Zoning Map Amendment to add the property to the City's Zoning Map with a designation of RS-7.5/ USS (Residential Single Unit, 7,500 square foot minimum lot size / Upper State Street Overlay).

At this time, the only discretionary action being requested is the Initiation of Annexation, General Plan Amendment, and Zoning Map Amendment for the two-acre property at 691 N. Hope Avenue in Santa Barbara County.

No formal action on the proposed subdivision will be taken at the concept review, nor will any determination be made regarding environmental review of the proposed project.

Kathleen Kennedy, Project Planner, gave the Staff presentation.

Tony Tomasello, applicant, gave the Applicant presentation.

Public comment opened at 5:17 p.m.,

The following people spoke in opposition or with concerns:

1. Joan Sullivan (Ms. Elizabeth Scholtz ceded her time to Ms. Sullivan)
2. Chris Kallai
3. Correspondence from Willa and William Shapiro, Cathi and Amy Arnold was acknowledged.

Public comment closed at 5:25 p.m.

**MOTION: Jordan/Lodge**

Approve to Initiate Annexation, Initiate General Plan Amendment with potential General Plan designation of Low Density Residential, 5 du/acre, and Initiate Zoning Map Amendment with potential Zoning designation of RS-7.5/USS.

The motion carried by the following vote:

Ayes: 5      Noes: 0      Abstain: 0      Absent: 2 (Higgins & Schwartz)

Commissioner comments:

## Commissioner Jordan:

- Prefers the currently proposed subdivision design. Could support the flag lot configuration and lack of street frontage for lot 6. Having two lots at the end (lots 5 and 6) would potentially reduce the house size to be more compatible with the neighborhood.
- Supports any attempts to maximize east-west pedestrian and bike access.

## Chair Wiscomb:

- Is pleased to see the road and grade aligned with Pemm Place, as it provides for a great future connection.
- Supports the need for an arborist report for the existing oak tree and hopes that that the tree will remain as part of the subdivision.
- Could support the cul-de-sac design.
- Could support the design of lot 6 with less than the required street frontage.
- Supports the public road concept.
- The applicant should study safety as it pertains to Hope Avenue and the nearby school.
- Drainage concerns should be addressed and corrected.
- Prefers parking in driveways for guest parking as opposed to developing wider roads.

## Commissioner Lodge:

- Concurs with all commissioner comments.

**IV. ADMINISTRATIVE AGENDA****ACTUAL TIME: 5:41 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 December 3, 2018 meeting of Architectural Board of Review.
- b. Commissioner Lodge reported on the December 12, 2018 meeting of the Creeks Water Quality Improvement Citizens Advisory meeting.
- c. Commissioner Wiscomb reported on the December 11, 2018 meeting of Sea Level Rise Adaptation Subcommittee.



**V. ADJOURNMENT**

Chair Wiscomb adjourned the meeting at 5:47 p.m.

Submitted by,

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Krystal M. Vaughn, Senior Commission Secretary

DRAFT

