



City of Santa Barbara

PLANNING COMMISSION

MINUTES

AUGUST 13, 2020

1:00 P.M.

This Meeting was Conducted Electronically
SantaBarbaraCA.gov

COMMISSION MEMBERS:

Deborah L. Schwartz, Chair
Lesley Wiscomb, Vice Chair
Roxana Bonderson
Gabriel Escobedo
Jay D. Higgins
Sheila Lodge
Barrett Reed

STAFF:

Tava Ostrenger, Assistant City Attorney
Allison DeBusk, Senior Planner
Heidi Reidel, Commission Secretary

CALL TO ORDER

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

I. ROLL CALL

Chair Deborah L. Schwartz, Vice Chair Lesley Wiscomb, Commissioners Roxana Bonderson, Gabriel Escobedo, Jay D. Higgins, Sheila Lodge, and Barrett Reed

STAFF PRESENT

Tava Ostrenger, Assistant City Attorney
Sarah Knecht, Assistant City Attorney
Allison DeBusk, Senior Planner
Kathleen Kennedy, Project Planner
Ellen Kokinda, Planning Analyst
Timmy Bolton, Associate Planner
Robert Dostalek, Associate Planner
Tony Ruggieri, City TV Production Supervisor
Heidi Reidel, 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. July 23, 2020 Planning Commission Special Meeting Minutes

MOTION: Higgins / Lodge

Approve the minutes as amended.

The motion carried by the following vote:

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

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

Public comment opened at 1:08 p.m.

Written correspondence from Tara Rizzi, AIA was acknowledged.

III. NEW ITEMS

- A. **ACTUAL TIME: 1:09 P.M.**

APPLICATION OF TRISH ALLEN, SUZANNE ELLEDGE PLANNING AND PERMITTING SERVICES, AGENT FOR RONDAL DEAN BROOME, OWNER OF 1553 SHORELINE DRIVE, APN: 045-173-043, ZONE: E-3/S-D-3 (ONE-FAMILY RESIDENCE/COASTAL OVERLAY ZONE); LAND USE DESIGNATION: RESIDENTIAL (MAX. 5 DU/AC); (PLN2019-00326)

Proposal to construct a new approximately 2,440-square-foot, two-story residence with an attached approximately 593-square-foot two-car garage, a 21-square-foot attached storage area, and a 31-square-foot attached mechanical room. The project also includes a new patio, pool, spa, and approximately 110 linear feet of fence on a 23,333-square-foot vacant lot on the coastal bluff. Grading for the project would involve approximately 340 cubic yards of cut and 35 cubic yards of fill. The discretionary application required for the project is a Coastal Development Permit (CDP2020-00003) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060 and SBMC §28.44.110.A).

Robert Dostalek, Associate Planner, gave the Staff presentation.

Trish Allen, Applicant, SEPPS, gave the Applicant presentation, and was joined by Tom Ochsner, Architect, Thomas Ochsner Architects; Kimberly True, Landscape Architect, True Nature Landscape Architecture; Wes Barber, Civil Engineer, Flowers & Associates, Inc.; and Adam Simmons, Project Geologist.

Public comment opened at 1:41 p.m., and as no one wished to speak, it closed.

MOTION: Wiscomb / Escobedo**Assigned Resolution No. 006-20**

Approve the project, making the findings for the Coastal Development Permit as outlined in the Staff Report dated August 6, 2020, subject to the Conditions of Approval as outlined in the Staff Report.

The motion carried by the following vote:

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

The ten calendar day appeal period was announced.

B. ACTUAL TIME: 2:03 P.M.

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Reed recused himself from hearing this item due to a financial interest at 801 State Street.

APPLICATION OF PASEO NUEVO OWNER, LLC, AGENT FOR CITY OF SANTA BARBARA, OWNER OF 739 STATE STREET, PASEO NUEVO MALL, APN: 037-400-002, ZONE: C-G, COMMERCIAL GENERAL; LAND USE DESIGNATION: COMMERCIAL/ HIGH AND MEDIUM HIGH DENSITY RESIDENTIAL; (PLN2020-00202)

The proposal consists of a Development Agreement (Agreement) between the City of Santa Barbara ("City", owner and ground lessor of the property) and Paseo Nuevo Owner LLC ("PNO" and ground lessee of the property). PNO is committing to complete an investment of at least twenty million dollars (\$20,000,000) in renovation work in the Paseo Nuevo Mall. The Agreement provides certain assurances to PNO regarding the renovation work. The Agreement enhances the operation and maintenance requirements of the mall and shifts certain financial obligations contained in the existing lease from the City to PNO. At the end of the 45-year term of the Agreement, provided that PNO has performed all obligations under the Agreement, there has not been a material uncured default under the Agreement or the lease, and PNO timely provides notice of exercise, upon expiration of the ground lease, PNO will be entitled to a one-time executory right to extend the term of the ground lease for 28-years. Proposal requires a Recommendation from the Planning Commission to City Council to adopt the Development Agreement.

*** THE COMMISSION RECESSED FROM 2:04 TO 2:15 P.M. ***

Kathleen Kennedy, Project Planner, and Sarah Knecht, Assistant City Attorney, gave the Staff presentation. Allan Kotin, Real Estate Economist, Allan D. Kotin & Associates, and Dennis Roy, Partner, Abram Roy LLP, Outside Legal Counsel, were available to answer questions.

Steve Plenge, Managing Principal, Pacific Retail Capital Partners, gave the Applicant presentation, and was joined by Annmarie Brintnall, Lead Designer, Gensler; Oscar Parra, CFO, Pacific Retail Capital Partners; Jonathan Rood, Senior Vice President, Pacific Retail Capital Partners; and Scott Shuman, Partner, Arnall Golden Gregory LLP.

Public comment opened at 3:17 p.m., and the following individuals spoke:

- 1. Carl Gregory
- 2. Ed St. George
- 3. Hal Conklin
- 4. Jamie Rodriguez
- 5. Micah T

Written correspondence from Kathy Janega-Dykes, President/CEO of Visit Santa Barbara, and Kristen Miller, President/ CEO of Santa Barbara South Coast Chamber of Commerce was acknowledged.

Public comment closed at 3:29 p.m.

*** THE COMMISSION RECESSED FROM 4:39 TO 4:45 P.M. ***

MOTION: Wiscomb / Escobedo

Continue the item to a special meeting on Thursday, August 27, 2020 or the next available meeting date.

The motion carried by the following vote:

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

IV. ADMINISTRATIVE AGENDA

ACTUAL TIME: 6:39 P.M.

A. Consideration of options related to acceptance of public correspondence.

Straw poll: How many Commissioners can support adding the language recommended by staff to the agenda, changing "Monday" to "Tuesday"?

Ayes: 6 Noes: 0 Passed


B. Committee and Liaison Reports:

No reports.

V. ADJOURNMENT

Chair Schwartz adjourned the meeting at 6:54 p.m.

Submitted by,



Heidi Reidel, Commission Secretary