



City of Santa Barbara

PLANNING COMMISSION

MINUTES

SEPTEMBER 9, 2021

1:00 P.M.

This Meeting was Conducted Electronically
SantaBarbaraCA.gov

COMMISSION MEMBERS:

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

STAFF:

Tava Ostrenger, Assistant City Attorney
Allison DeBusk, Senior Planner
Gillian Fennessy, 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 Gabriel Escobedo, Commissioners Roxana Bonderson, Jay D. Higgins, Sheila Lodge, Barrett Reed, and Lesley Wiscomb

Absent: None.

STAFF PRESENT

Tava Ostrenger, Assistant City Attorney
Allison DeBusk, Senior Planner
Ted Hamilton, Assistant Planner
Kaitlin Mamulski, Associate Transportation Planner
Tony Ruggieri, City TV Production Supervisor
Gillian Fennessy, Commission Secretary

II. PRELIMINARY MATTERS

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

No requests.

B. Announcements and appeals:

Ms. DeBusk announced that the development agreement for the 701 North Milpas Street project will be heard by City Council on Tuesday, September 14, 2021.

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

Public comment opened at 1:03 p.m., and as no one wished to speak, it closed.

III. **NEW ITEM**

ACTUAL TIME: 1:04 P.M.

533 E. MICHELTORENA STREET

ZONE: R-M (RESIDENTIAL MULTI-UNIT), LAND USE DESIGNATION: MEDIUM-HIGH DENSITY RESIDENTIAL, APN: 027-580-001 THROUGH -008, 027-580-015, 027-580-016, PLN 2019-00173, APPLICANT/ OWNER: JANE GRAY, DUDEK AND MELISA TURNER, DESIGNARC/ SANTA BARBARA CONDO 204 LLC AND SANTA BARBARA CONDO 101 LLC

Concept review of a proposal to construct a new 7-unit, four-story condominium in the location of an existing surface level parking lot. Project is on the same lot as an existing three-story, mixed-use structure containing 2 residential condominiums and 10,100 square feet of commercial medical offices, which is proposed to remain. The project also proposes a parking garage with a total of 31 spaces, resulting in a combined total of 46 spaces on the lot, of which 12 spaces would be allocated to the 9 residential units. The resulting 9 residential units (2 existing, 7 new) on the 21,258-square-foot lot would have a residential density of 18.4 dwelling units per acre. 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.

Allison DeBusk, Senior Planner, gave the Staff presentation. Kaitlin Mamulski, Associate Transportation Planner was available to answer questions.

Jane Gray, Project Manager, Dudek gave the Applicant presentation, and was joined by Melisa Turner, DesignARC, Inc.; and Mark Kirkhart, Architect; DesignARC, Inc.

Public comment opened at 1:41 p.m., and the following individuals spoke:

1. Matthew Gries
2. Maria Zate
3. John Campanella
4. Brian Lezak

Public comment closed at 1:49 p.m.

Written correspondence from Wm. Brennan Lynch, Pat & Jeff Saley, and Jeffrey Rohde was acknowledged.

*** THE COMMISSION RECESSED FROM 3:05 P.M. TO 3:15 P.M. ***

Commissioner comments:

Commissioner Higgins:

- Believes that there is more work to do to generate exhibits or better explanations for why the modifications are needed.
- Believes that just because the modifications exist elsewhere, isn't the right bar to hit. Understands that it is relevant in terms of compatibility, but if that were the standard there wouldn't be a need for modifications.
- Believes that it is a great infill project.
- Feedback from the Architectural Board of Review (ABR) is critical in his review.
- Believes that the project is going to look great, no matter how many square feet or how many units it has.
- Finds that the architect and team/developer are committed to a design that will fit in nicely and be another outstanding architectural contribution to the neighborhood.
- Would like to see a dashed line on the Process Steps to Date Slide (Slide 20) of Staff's presentation to denote the time in which the AUD codes changed to reduce parking.

Commissioner Reed:

- Agrees with Commissioner Higgins' comments.
- Believes that this is a sound project architecturally and is beautifully designed.
- Encourages the applicant to attempt to reduce the number of modifications.
- Assuming the applicant can reduce the amount of modifications, but may still have some requested, he would like to see specific information to support the required findings.
- Believes that there is room to build a more conforming project than what is being presented and suggests that the applicant show more conforming options.
- Does not disagree with Staff's position when they state that the disapproval of the modifications, maybe not all of them, would not preclude a reasonable use of the property. Believes that this is an income generating property as it stands today, as it is already developed with commercial and residential uses.
- As far as constraints presented, including the site being a corner lot, the slope, existing development, doesn't see how those are preventing new development on the site from largely conforming to zoning requirements.
- Does not see the physical constraint or justification for the encroachment into the front setback, especially when considering that the average unit sizes for the project are maximized.
- Believes that any parking within the front setback should meet the design standards.
- Understands that the applicant's purpose for the interior setback modification was to create architectural interest and believes that is valid, but doesn't see the full justification necessary to make the required findings.
- As far as open yard, believes that the public comment about the lack of open yard use on the property, it spilling over onto the adjacent properties, and utilizing their open-space is valid.
- Finds that the project is not meeting all of the standards and would like the applicant to go back and look at the alternative open yard design standards and its findings, specifically, 5.b., Approval of the alternative open yard design will meet the purpose of the required open yard, as described in this section. Believes that this findings would be tough to make.
- Believes that the parking modifications are complicated with the ordinance confusion and believes that it needs to be cleared up.

- Not ready to take a position on the parking modification.
- The site already has commercial parking that is nonconforming and is under-parked under the current parking requirement which is 36 provided compared to the 40 parking spaces required based on the 10,000 square foot medical office use.
- Would like to see where everything goes with the City's Multi-unit housing standards update.
- Parking design needs to meet the parking area design and development standards.
- Does not currently support the proposed narrower sidewalk width, but can support a 5 foot wide sidewalk width and is okay with it jogging in a little bit.

Commissioner Wiscomb:

- Agrees with many of Commissioner Reed's and Higgins' comments.
- Believes that more work needs to be done.
- Likes the architecture.
- Likes the fact that this is an infill project and believes that it is a tremendous benefit and is the type of project that the City needs.
- Thinks that the number and type of modifications that the applicant is requesting are too great and too extensive at this point in time.
- Guided by ABR's last motion made on March 9, 2020 in which they are asking the applicant to comply with the 20 foot setback requirement for the third and fourth floor and that any significant modification request for the this setback modification would be problematic and unacceptable. This project is requesting an encroachment of 11 feet 6 inches to reduce the width down to 8 feet 6 inches and she believes that this is significant and agrees with ABR.
- As for the comments ABR made about the transformer, she understands that the applicant has been through the process and that this is a good location for the transformer, but after hearing about the amount of space needed to make it work, is very concerned with the fact that the applicant won't be able to screen it.
- Concerned that the Staff Report states that the interior setback modification lacks justification necessary to make the findings required and so she believes that the applicant needs to take another look at the interior setback modification. Architectural interest isn't enough justification.
- Pleased with Commissioner Bonderson's questioning regarding the open yard modification and that the applicant is going to take another look at units four and seven to bring their private open yard up to the standard so they wouldn't be deficient any longer.
- Believes that there isn't enough common open yard space on the site and although a modification might still be required, further attempts need to be made by the applicant to identify some additional areas of potential common open yard in order to support a good faith effort and so there is not quite the deficit that there is now.
- Pleased with Mr. Kirkhart stating that a parking demand study will probably operate in his favor.
- Believes that the parking area design development standards need to be met.
- Concerned about reducing the legal nonconforming 36 parking spaces down to 34 spaces, when 40 are required, and hopes that this will be included in the parking demand study.
- Supports Staff's recommendation for a 5 foot wide sidewalk with the planter next to the building and if it needs to pare down in some spots that is something the Commission could look at.

- Believes that there needs to be a melding of the condominium ordinance requirement of two parking spaces per unit versus the AUD ordinance with one parking space per unit and hopes that it gets resolved before this project comes back to the commission. Believes that the parking demand study will help guide the process.

Commissioner Lodge:

- Agrees with the previous comments made by her fellow Commissioners.
- Believes that the applicants knew what the constraints were on the property when they starting working on the project.
- Believes that too much development is trying to be squeezed into the site with too many modifications so she cannot support the project in its present form and could not make the required findings.

Commissioner Bonderson:

- Setting aside zoning code requirements, she likes the project in terms of design and finds that it is pleasant and welcoming, and loves all of the intricacies.
- In agreement that the project feels too tight setback to setback.
- Feels that it is unfortunate because to be able to meet the expectations and reduce the number of modifications for the Commission to consider the project, the applicant needs to scale back the project and focus on mass, bulk, and scale and do their best not to request as many modifications as presented today.
- In agreement that ABR's comments should be followed and that there should be more of an effort made by the applicant to explore solutions.
- Looking forward to having the applicant come back to the Commission with an updated project to review that hopefully meets ABR's comments.
- Cannot see the justification for the common open yard modification at this time; although, in the future if the applicant manages to present a project with fewer modifications, a modification request could be made.
- Would like the applicant to find creative ways to resize the units, potentially reduce the request for the setback modifications, and meet the open space requirements to the best of their ability before the project comes back to the Commission.
- Pleased to hear that the applicant will be looking to give the minimum private open space with consideration to a balcony for units four and seven and making sure all units have adequate private open yard space.
- Agrees with fellow Commissioners that the parking requirement area standard must be met or at least get a lot closer to the parking requirement.
- Agrees with Commissioner Reed's comment on the sidewalk requirement and is concerned about having it modified to 4 feet. Believes that it needs to meet requirements for pedestrians.
- Understands that the applicant is working on solar design and believes that it is really important. Would like the applicant to include solar design in the project plans when it comes back to the Commission.
- Would like Staff to provide information about other modifications that have been granted in the neighborhood and the rationale to support them, in order to make sure there is a precedence or need for that since it was a comment made repeatedly during the hearing. Believes that each project is individual and so one project doesn't lead another project, each project is unique.
- Believes that if there is any type of legal concern with the other property owners or stakeholders of the property, based on Mr. Lynch's public comment, that needs to be

handled early on and there needs to be some kind of consensus otherwise the project will not be working forward regardless of how lovely it is.

- Hopes that everyone will be working together and the Commission will see a modified project in the future.

Commissioner Escobedo:

- Agrees with fellow Commissioners that the design is great and that the project fits in with the surrounding buildings and the neighborhood.
- Differs somewhat with fellow commissioners in regard to the front setback because those setbacks exist to address mass, bulk, and scale so he finds it interesting that ABR in one comment was supportive in the mass, bulk, and scale, but in the next comment they spoke about not being able to support the front setback.
- Would like the applicant to work on the front setback to reduce the encroachment on the third floor, but doesn't think that it has to meet the full 20-foot setback requirement and his reasoning is that he is skeptical about round numbers and what the requirements are trying to accomplish, so he would like the applicant to work on getting closer to addressing the concerns of ABR.
- Could be supportive of the modifications in the future, especially if the applicant is able to explain why that is the preferred option, what other designs have been looked at, and why conforming design options do not work.
- In support of a parking demand study. This may also help to inform the location of transformer, which needs better screening, meeting the demand of parking, and meeting the concerns of ABR.
- Did not hear any justification for decreasing the 5-foot sidewalk width and understands that there will be undulations under that 5 feet, but where possible, he is in support of the 5-foot sidewalk.
- Would like to see an attempt from the applicant to get closer to the common open yard requirement before he could support a modification. If possible, continue working with Cottage Hospital regarding the adjacent remnant parcel to meet those requirements.

Chair Schwartz:

- Believes that there is a great demand from the community for condominium home ownership and would like to encourage making this happen in the best way possible by balancing expertise, in order to achieve the greatest number of condominium units with supportive parking on the site.
- Believes that there is a golden opportunity to provide condo ownership with some of the provisions afforded under the AUD program and using the technologically advanced parking apparatus while making sure that everything from pedestrian safety, including egress and ingress studies from the parking demand study, and appropriate open yard space.
- Hoping to continue community use of communal open space such as public parks to bring community together, instead of trying to shoehorn in a lot of open space parcel by parcel.
- Believes that consistency is very important in decision making bodies because applicants rely on the positions that ABR or Planning Commission have come to and expressed justifications for.
- Believes that the ABR direction was clear.
- Hopes that Staff can work with the applicants to provide some consistent guidelines that will be applied such that the projects can move through the process as efficiently as

possible so that they can come back to the Commission when feasible and when there is a majority of Commissioners that can support the project.

- Hopes that a less constrained parcel can be identified in the City for a condominium project and would like the applicant to explore that.

IV. ADMINISTRATIVE AGENDA

ACTUAL TIME: 3:49 P.M.

A. Committee and Liaison Reports:

1. Staff Hearing Officer Liaison Report

Commissioner Higgins reported on the September 8, 2021 meeting of the Staff Hearing Officer.

2. Other Committee and Liaison Reports

- a. Commissioner Bonderson reported on the meeting of State Street Advisory Committee.

V. ADJOURNMENT

Chair Schwartz adjourned the meeting at 3:55 p.m.

Submitted by,

Gillian Fennessy, Commission Secretary