



City of Santa Barbara

PLANNING COMMISSION

MINUTES

NOVEMBER 10, 2022

1:00 P.M.

This Meeting was Conducted Electronically
SantaBarbaraCA.gov

COMMISSION MEMBERS:

Gabriel Escobedo, Chair
Roxana Bonderson, Vice Chair
John M. Baucke
Jay D. Higgins
Sheila Lodge
Devon Wardlow
Lesley Wiscomb

STAFF:

Tava Ostrenger, Assistant City Attorney
Allison DeBusk, Senior Planner
Gillian Fennessy, Commission Secretary

CALL TO ORDER

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

I. ROLL CALL

Chair Gabriel Escobedo, Vice Chair Roxana Bonderson (at 1:10 p.m.), Commissioners John M. Baucke, Sheila Lodge, Devon Wardlow, and Lesley Wiscomb.

Absent: Jay D. Higgins

STAFF PRESENT

Tava Ostrenger, Assistant City Attorney
Allison DeBusk, Senior Planner
Kathleen Kennedy, Project Planner
Pilar Plummer, Associate Planner
Michelle Bedard, Associate Planner
Tony Ruggieri, City TV Production Supervisor
Janet Ahern, City TV Production Specialist
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:

No announcements.

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

1. October 14, 2022 Joint Historic Landmarks Commission and Planning Commission Special Meeting Minutes
2. October 20, 2022 Planning Commission Minutes
3. Planning Commission Resolution No. 009-22
402 S. Hope Avenue
4. Planning Commission Resolution No. 010-22
1336 Shoreline Drive

MOTION: Wiscomb / Lodge

Approve the minutes and resolutions as presented.

The motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Bonderson and Higgins)

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

Public comment opened at 1:06 p.m., and as no one wished to speak, it closed.

III. NEW ITEM

ACTUAL TIME: 1:07 P.M.

1218 SHORELINE DRIVE

Assessor's Parcel Number: 045-214-019
Zoning Designation: E-3/S-D-3 (One-Family Residence/Coastal Overlay)
Application Number: PLN2021-00489 **Filing Date:** October 12, 2021
Owner: David & Pat Wadors
Applicant: Tom Ochsner

The 5,676-square-foot site is currently developed with a one-story single-unit residence with an attached one-car garage. The project involves demolition of the existing residence including all onsite structures, and construction of a new two-story 1,876-square-foot single-unit residence with a 843-square-foot 100 percent below grade basement, and a detached building comprised of a 403-square-foot two-car garage with a 340-square-foot Accessory Dwelling Unit (ADU) above. The project includes 557 cubic yards of cut, 52 cubic yards fill, and 505 cubic yards of export, hardscape and landscape improvements, and a new driveway and curb cut.

The discretionary application required for this project is a Coastal Development Permit (CDP2021-00024) to allow the proposed development in the Appealable and Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060).

Pilar Plummer, Associate Planner, gave the Staff presentation.

Liz Hughes, Applicant, gave the Applicant presentation, and was joined by Tom Ochsner, Applicant.

Public comment opened at 1:18 p.m., and as no one wished to speak, it closed.

Written correspondence from James & Christan Scheib, Tony Riparetti, Carol Jimenez, and Gabriella Frederick was acknowledged.

MOTION: Bonderson / Wiscomb

Assigned Resolution No. 011-22

Approve the project, making the findings for the Coastal Development Permit as outlined in the Staff Report dated November 3, 2022, subject to the Conditions of Approval as outlined in the Staff Report, with the following additions to the Conditions of Approval:

1. Add a condition that the triple trunk palm tree located in the right-of-way should be inspected by a City Arborist for any root conflicts when the driveway is laid out. If the tree requires removal, the owner is responsible for the expense of the removal and the replacement of a new palm in a location approved by the City since it street tree.
2. Add a condition that all vehicles associated with construction and development are prohibited from parking in Shoreline Park.

The motion carried by the following vote:

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

The ten calendar day appeal period was announced.

*** THE COMMISSION RECESSED FROM 1:49 TO 1:57 P.M. ***

IV. CONCEPT REVIEW

ACTUAL TIME: 1:57 P.M.

42 HELENA AVENUE

Assessor's Parcel Number: 033-112-007

Zoning Designation: OC/S-D-3 (Ocean-Oriented Commercial/Coastal Overlay)

Application Number: PRE2022-00065

Owner: 42 Helena St LLC

Henry Courtemanche, Managing Member

Applicant: Kevin Moore, Architect

This is a concept review hearing. The project consists of the conversion of an existing 758-square-foot (net) one-story commercial building to a small hotel with two guest rooms, shared kitchenette, and shared restroom. The existing exterior barn door would be replaced with a new double door. A new outdoor display/storage area for an adjacent e-bike/scooter/golf cart rental company is proposed in the front portion of the project site. Although there is currently a security fence on the project site, this fence would be removed as part of the project.

The purpose of the concept review is to allow the Planning Commission and the public an opportunity to review the proposed project at a conceptual level and for the Planning Commission to provide comments.

The following discretionary applications are anticipated to be required:

1. A Coastal Development Permit to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060);
2. A Conditional Use Permit to allow a small hotel in the OC Zone (SBMC Chapter 28.94 and 28.71.030.B); and
3. Design Review by the Architectural Board of Review (SBMC Chapter 30.220)

The project is being presented to the Planning Commission for concept review and comments only. No appealable decisions will be made at this meeting.

Kathleen Kennedy, Project Planner, gave the Staff presentation.

Henry Courtemanche, Owner gave the Applicant presentation, and was joined by Kevin Moore, Applicant.

Public comment opened at 2:10 p.m., and as no one wished to speak, it closed.

Commissioner comments:

Commissioner Wiscomb:

- Appreciates the amount of creative effort that went into thinking about what the space could be used for.
- If the owner would like to do a hotel on the property under a Conditional Use Permit (CUP) with outdoor display/storage area, she would be agreeable to that.
- However, she would like to see the outdoor display storage area be something more creative than a rack of bicycles.
- Suggested that the display/storage area could be an outdoor art gallery.
- Excited about the idea that the display/storage area could be an outdoor art gallery with sculptures and maybe bringing some of the sculptures on the deck.
- Can make the findings for a Conditional Use Permit and a Coastal Development Permit.
- This site and the area it is located in is the funk of the Funk Zone.
- There are perhaps reasons to have a small hotel there; for example, it could be a perfect opportunity for a family to stay there, share the amenities, and enjoy the City of Santa Barbara.
- Believes that the question "Would a Parking Modification be supportable in order to allow another use?" is a question that the Commission cannot answer at this time because they don't know what staff's recommendation is and the Commission has never approved a project for a parking modification that has zero parking. Additionally, it would be difficult without knowing exactly what the proposal is because the Commission must make findings.
- Agrees with fellow Commissioners that there might be other, better uses for the site and it is something that the property owner should consider.
- Likes some of the other ideas of uses mentioned by fellow Commissioners but - do not know what the occupancy requirements would be for a 758-square-foot building and deck so cannot comment on those yet.
- The ideas of other uses are exciting but cannot comment on them because they are not fully developed ideas.
- Believes that it is a great looking building and would look super with a sculpture garden out front in the storage/display area.

Commissioner Baucke:

- Supportive of the hotel project if that is what the owner wants to do and finds that it is their best-case scenario.
- However, believes that a hotel is far from the best use of this property.
- Would strongly support a parking modification in this situation.
- Based on experience, this is similar to what he saw at the Plaza District in the City of Orange and Downtown Seal Beach which were historic areas, with parking constraints based on zoning codes that don't match up with the physical situation, and a desire for the community to have walkable locations. The only way he was able to solve the parking problem in those two cases was to look holistically at the entire district and establish a parking district and an in-lieu process with parking modifications and a funding stream.
- Believes that this will not be the last request for intensifications.
- The City needs to consider the future vision of Funk Zone.
- There should be a way to allow buildings to have their best use and the City to be supportive of what is being done.
- Would like to have Staff look at a parking program for the Funk Zone.

Commissioner Wardlow:

- Believes that the City is relying on justifications from 1990s and 2004 policies that actively incentivized small hotels, but today the City is in a different place.
- The applicant may not have pursued a small hotel if it wasn't encouraged through the City's Zoning Code.
- The Funk Zone is currently a very different place and she is not looking to see more luxury small hotels in that area.
- The proposed use is not the best use for the heart of the Funk Zone.
- Would like to set the owner up to be a successful property owner.
- If the City's zoning and policies are constraining the owner's ability to put forward a use that would benefit the community, it is on the Commission to work through that to make it so that they can put forward a use that is beneficial to everyone.
- The "mixed-use" proposal is tenuous at best.
- She is concerned with setting a precedent.
- Cannot support the Conditional Use Permit but can support a modification.
- The zoning and parking requirements are outdated and the rationale provided is antithetical to the way the City wants to be moving forward.
- Concerned with the idea that we would allow a conditional use to move forward for a hotel which is the opposite of the direction in which we want to move forward in this zone.
- This Commission should work with City Staff to do the necessary parking modifications so this can be a use for the long term that will comply and add value to the Funk Zone.
- This is an opportunity to get it right and would like to make sure the City is supporting the applicant's ability to do that and allowing flexibility in the long term.
- Would like to ensure that we are bringing in uses to the Funk Zone that complement the area.
- Would like to move in the direction of a more walkable society and this could be a project that would support that.

Commissioner Bonderson:

- Agrees with Commissioner Wardlow's comments.
- Encourages the owner and applicant to consider any options that would be worth working toward, so that if one idea doesn't work that they have a backup plan to be able to switch the use without having to come back for new/revised permits.
- Keep any approval flexible.
- Supportive of a parking modification to encourage any use other than a hotel.

Commissioner Lodge:

- An outdoor display/storage use is adequate to consider the proposal as mixed-use.
- An outdoor display/storage area is appropriate for this site.
- Can make the findings for the Conditional Use Permit.
- Can make the findings for the Coastal Development Permit.
- The supportability of a parking modification would depend on what it is for; needs to see details.
- It's clear that the Commission wants to see the applicant team have a use that is successful for them and for the Funk Zone.

Chair Escobedo:

- Could support the proposed project.
- An outdoor display/storage use is adequate to consider the proposal as mixed-use.
- An outdoor display/storage area is appropriate for this site.
- Can make the findings for the Conditional Use Permit.
- Can make the findings for the Coastal Development Permit.
- Loves the idea of an art gallery, but if were storage as proposed he could support that as well.
- Shares the perspective that there is probably a better use for this property, and he would support a parking modification to give the applicant team the flexibility to provide a use that they think is best.
- Supports Commissioner Baucke's idea of having a parking program for this area to apply to situations like this.
- Believes that sometimes we forget why these policies exist and why they were created.
- Would like to allow more flexibility as we transition into different phases of commercial properties and redevelopment. Specifically, we should be more flexible and find solutions in the Funk Zone where there is not a lot of parking.
- Could support the project proposed.
- Beautiful building and excited for there to be a use there.

V. ADMINISTRATIVE AGENDA**ACTUAL TIME: 3:12 P.M.****A. Committee and Liaison Reports:****1. Staff Hearing Officer Liaison Report**

No report.

2. Other Committee and Liaison Reports

- a. Commissioner Lodge reported on the October 24, 2022 meeting of Single Family Design Board.
- b. Commissioner Lodge reported on the October 26, 2022 meeting of Historic Landmarks Commission.
- c. Commissioner Bonderson reported on the November 3 - November 4, 2022 Open House event of the State Street Advisory Committee.

VI. ADJOURNMENT

Chair Escobedo adjourned the meeting at 3:15 p.m.

Submitted by,



Gillian Fennessy, Commission Secretary