



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 021-16
1925 EL CAMINO DE LA LUZ
COASTAL DEVELOPMENT PERMIT
AUGUST 25, 2016

APPLICATION OF CLAY AURELL, AB DESIGN STUDIO, ARCHITECT FOR EMPRISE TRUST, 1925 EL CAMINO DE LA LUZ, APN 045-100-024, E-3/SD-3 (ONE-FAMILY RESIDENCE/ COASTAL OVERLAY) ZONES, LOCAL COASTAL PLAN DESIGNATION: RESIDENTIAL (5 DU/ACRE) (MST2013-00240)

The proposal consists of a new 2,789 square-foot (net) three-story single-family residence with an attached 571 square-foot (net) two-car garage on a 20,046 square-foot coastal flag lot. The maximum height of the proposed residence is 30 feet. Demolition and removal of existing infrastructure and debris (e.g., concrete paving, fencing, landslide debris) would occur prior to construction. Grading is estimated to be 1,180 cubic yards with cut and fill balanced onsite. Construction activities include the installation of deep caissons, shear-pins, and tie backs for site stabilization, using drilling and poured in place construction. A portion of the adjacent parcel, 1921 El Camino de la Luz, would be used as a temporary material and equipment storage area during construction. The duration of the demolition, grading, slope stabilization, and construction process is estimated to be 70 weeks (1.3 years).

The discretionary permit application required for this project is a Coastal Development Permit (CDP2013-00014) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC§28.44.060).

A Final Mitigated Negative Declaration (MND) was adopted for the project pursuant to the California Environmental Quality Act Guidelines Section 15074 on July 7, 2016 and an Addendum with minor changes has been prepared pursuant to Section 15164.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant team of Clay Aurell, AB Design Studio; Steven Kaufmann, Attorney, Richards, Watson, & Gershon; and Patrick Shires, Geotechnical Engineer, Cotton, Shires and Associates, Inc. were present and made comments in support of the project.

WHEREAS, no one else appeared to speak in favor of the application, and six people appeared to speak in opposition thereto or with concerns, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 18, 2016
2. Site Plans
3. Correspondence received in support of the project:
 - a. Mark Manning, via email
 - b. Brandon Cox, via email
 - c. Richard Monk, Applicant's Attorney, via email
4. Correspondence received in opposition to the project:
 - a. Scott H. Wiscomb, via email
 - b. Scott and Lesley Wiscomb, via email

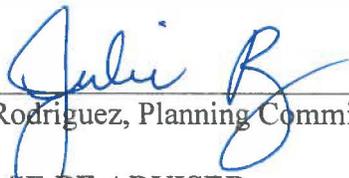
- c. Rafael Franco, via email
- d. Robert Stenson, via email
- e. Janice Hartoch Taylor, via email
- f. Bruce Peterson, via email
- g. Thomas J. Morrison, hand-delivered
- h. Mindy Thomas, via email
- i. Stan Krome and Joanna Morgan, via email
- j. Kim and Joe Finegold, via email
- k. Gregory M. Smith and Judith Smith, via email
- l. Marcene and David Smith, hand-delivered

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission denied the project, making Finding No. 6 of the Staff Report, dated August 18, 2016: The project is inconsistent with LCP Policy 8.2 (no development on a bluff face) because the top of bluff /bluff edge has been determined to be located at the 127 foot elevation and the proposed development would be located at a lower elevation (i.e., on the bluff face) as described in Section VI of the Staff Report.

This motion was passed and adopted on the 25th day of August, 2016 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 4 NOES: 2 (Higgins, Jordan) ABSTAIN: 0 ABSENT: 1 (Schwartz)

I hereby certify that, after video review and Applicant Attorney's concurrence, this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.



Julie Rodriguez, Planning Commission Secretary



Date

PLEASE BE ADVISED:

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) CALENDAR DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

PLANNING COMMISSION SPECIAL MEETING MINUTES

August 25, 2016

ACTUAL TIME: 1:06 P.M.

**APPLICATION OF CLAY AURELL, AB DESIGN STUDIO, ARCHITECT FOR
EMPRISE TRUST, 1925 EL CAMINO DE LA LUZ, APN 045-100-024, E-3/SD-3
(ONE-FAMILY RESIDENCE/ COASTAL OVERLAY) ZONES, LOCAL COASTAL
PLAN DESIGNATION: RESIDENTIAL (5 DU/ACRE) (MST2013-00240)**

The proposal consists of a new 2,789 square-foot (net) three-story single-family residence with an attached 571 square-foot (net) two-car garage on a 20,046 square-foot coastal flag lot. The maximum height of the proposed residence is 30 feet. Demolition and removal of existing infrastructure and debris (e.g., concrete paving, fencing, landslide debris) would occur prior to construction. Grading is estimated to be 1,180 cubic yards with cut and fill balanced onsite. Construction activities include the installation of deep caissons, shear-pins, and tie backs for site stabilization, using drilling and poured in place construction. A portion of the adjacent parcel, 1921 El Camino de la Luz, would be used as a temporary material and equipment storage area during construction. The duration of the demolition, grading, slope stabilization, and construction process is estimated to be 70 weeks (1.3 years).

The discretionary permit application required for this project is a Coastal Development Permit (CDP2013-00014) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC§28.44.060).

A Final Mitigated Negative Declaration (MND) was adopted for the project pursuant to the California Environmental Quality Act Guidelines Section 15074 on July 7, 2016 and an Addendum with minor changes has been prepared pursuant to Section 15164. The environmental analysis will inform the Planning Commission findings for action on the project.

Contact: Kathleen Kennedy, Associate Planner

Email: KKennedy@SantaBarbaraCA.gov

Phone: (805) 564-5470, extension 4560

Kathleen Kennedy, Associate Planner, gave the Staff presentation. Barbara Shelton, Environmental Analyst was available to answer any of the Planning Commission's questions.

Clay Aurell, AB Design Studio, gave the Applicant presentation. He was joined by Steven Kaufmann, Attorney, Richards, Watson, & Gershon and Patrick Shires, Geotechnical Engineer, Cotton, Shires and Associates, Inc.

Chair Campanella opened the public hearing at 2:15 P.M.

The following people spoke in opposition to the project:

1. Scott Wiscomb, neighbor, expressed concerns that there is no reasonable basis for expecting development on the site; and if approved, the size of the project should be reduced. Lesley Wiscomb yielded her time.
2. Nancy Brock, neighbor, expressed concerns regarding the previous landslide and the City's environmental history. Tom Morrison yielded his time.
3. Grace Peterson, neighbor, read a portion of the March 2, 2016 letter from the California Coastal Commission to the City of Santa Barbara regarding the top of bluff determination.
4. Bruce Peterson, neighbor, expressed concerns that the owner bought the land knowing it was not developable, and that we should not go against Local Coastal Plan policies to grant a Coastal Development Permit.
5. Robert Stenson, neighbor, expressed concerns that the proposed project is not consistent with the neighborhood because none of the existing houses protrude south toward the ocean.
6. Janice Hartoch Taylor, neighbor, expressed concerns about the proposed development on the landslide site, and that no story poles were required.

With no one else wishing to speak, the public hearing was closed at 2:31 P.M.

Mr. Kaufmann requested that the Commission consider the following changes to the Conditions of Approval:

1. Delete references to the bluff edge location being at the 127' elevation and the project being inconsistent with Policy 8-2.
2. Delete Condition D.1.d. regarding a limitation on construction related truck trips because there is no evidence of an impact, or nexus to apply the condition.
3. Accept the four Mitigated Negative Declaration (MND) recommended measures presented by Staff.

Chair Campanella called for a break at 3:35 P.M. and reconvened the meeting at 3:43 PM.

MOTION: Pujo/Thompson

Assigned Resolution No. 021-16

Deny the project, making Finding 6 of the Staff Report, dated August 18, 2016: The project is inconsistent with LCP Policy 8.2 (no development on a bluff face) because the top of bluff /bluff edge has been determined to be located at the 127 foot elevation and the proposed development would be located at a lower elevation (i.e., on the bluff face) as described in Section VI of the Staff Report.

This motion carried by the following vote:

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

Chair Campanella announced the ten calendar day appeal period.