

V. NEW ITEM:

ACTUAL TIME: 4:34 P.M.

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Bartlett recused himself due to the involvement of his architectural firm with the project.

APPLICATION OF JARRETT GORIN, AGENT FOR 803 N MILPAS STREET LLC, 803 N MILPAS STREET, 031-042-028 COMMERCIAL (C-2) ZONE DISTRICTY, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2006-00510)

The proposed project consists of a mixed use development containing five mixed use residential/commercial condominiums, one live/work unit, two residential units and one commercial condominium. The development would be split among three buildings totaling 19,886 net square feet. The overall height of the proposed development would be between 37 feet and 38 feet, 6 inches. Parking would be located within eight two-car garages and on the interior of the lot for a total of 26 parking spaces. Access to the garages and parking lot would be via a driveway from De la Guerra Street, located between two of the buildings. Pedestrian access to the site would also be provided from Milpas Street. A landscaped area would be provided in the northwest corner of the site, behind the open parking. An area along the northern property line has been reserved for the location of secured remediation equipment, if required.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a one-lot subdivision with nine condominium units (eight residential, one commercial) per SBMC Chapters 27.07 and 27.13;
2. A Modification to allow less than the required number of parking spaces (SBMC §28.92.110.A.1); and
3. A Development Plan to allow the construction of 2,851 net square feet of nonresidential development on APN 031-042-028 (SBMC §28.87.300).

The Planning Commission will consider approval of the Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

Case Planner: Peter Lawson, Associate Planner
 Email: PLawson@SantaBarbaraCA.gov

Peter Lawson, Associate Planner, Michael Berman, Environmental Analyst; Steve Foley, Supervising Transportation Planner; and Chelsey Swanson, Associate Transportation Planner were in attendance.

Peter Lawson gave the Staff presentation.

Jarrett Gorin, Vanguard Planning, representing the property owner, gave the Applicant presentation.

Chair Larson opened the public hearing at 4:57 P.M. and, with no one wishing to speak, closed the hearing.

Chelsey Swanson, Assistant Transportation Planner, clarified for the Planning Commission the sidewalk dimensions as required in the Pedestrian Master Plan.

In response to an alternative for increasing the sidewalk width into the existing right-of-way, Staff responded to the Commission's questions about the current traffic levels on Milpas Street and the likelihood of reducing lanes may not be possible.

The Commissioners made the following comments:

1. Commissioner White would like to see smaller units.
2. Commissioner Larson commented on her preference for sidewalk amenities, such as a parkway, and also commented on any reduction to bike lanes would impact the city's ability to be a bicycle-friendly city.
3. Commissioners Thompson and Lodge said that we need to be consistent with our Pedestrian Master Plan. The proposed mid-block bulb out configurations have implications later for parking and bicycles. Concerned with the pedestrian element on the Milpas Street frontage, otherwise, likes the project.

Chair Larson and Mr. Vincent discussed the options available to the applicant to address the issue of the sidewalk along Milpas Street. Chair Larson provided the option to the applicant of denying the project or continuing the project and working with staff to arrive at an acceptable solution for the proposed sidewalk on Milpas Street. After considering the option with the project owner, Mr. Gorin requested a continuance to address the sidewalk dimension. Chair Larson asked the applicant to stay within compliance of the Pedestrian Master Plan.

MOTION: White/Lodge

Assigned Resolution No. 032-09

Adopt the Final Mitigated Negative Declaration and continue the project to October 1, 2009.

This motion carried by the following vote:

Ayes: 4 Noes: 0 Abstain: 0 Absent: 3 (Bartlett, Jacobs, Jostes)

VI. ADMINISTRATIVE AGENDA

ACTUAL TIME: 5:27 P.M.

Commissioner Bartlett returned to the dais at 5:28 P.M.

is more similar to elementary and secondary schools than community colleges or other educational institutions geared for adults; and finds the 2 W. Mission Street dispensary in violation of SBMC §28.80.060.C., because it is located less than 500 feet from a school, and revoke the MCDP approved by the Staff Hearing Officer on September 9, 2009.

This motion carried by the following vote:

Ayes: 3 Noes: 2 (Bartlett, Jostes) Abstain: 0 Absent: 1 (Jacobs, Larson)

Chair Thompson announced that there is no appeal period and called for a recess at 2:59 P.M.

Chair Thompson resumed the meeting at 3:20 P.M. Commissioner Jacobs returned to the dais after the break.

V. **CONTINUED ITEM:**

ACTUAL TIME: 3:21 P.M.

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Bartlett recused himself due to his architectural firm working on the project and left the dais at 3:22 P.M.

APPLICATION OF JARRETT GORIN AGENT FOR 803 N MILPAS STREET LLC, 803 N MILPAS STREET, 031-042-028 COMMERCIAL (C-2) ZONE DISTRICTY, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2006-00510)

The proposed project consists of a mixed use development containing five mixed use residential/commercial condominiums, one live/work unit, two residential units and one commercial condominium. The development would be split among three buildings totaling 19,886 net square feet. The overall height of the proposed development would be between 37 feet and 38 feet, 6 inches. Parking would be located within eight two-car garages and on the interior of the lot for a total of 26 parking spaces. Access to the garages and parking lot would be via a driveway from De la Guerra Street, located between two of the buildings. Pedestrian access to the site would also be provided from Milpas Street. A landscaped area would be provided in the northwest corner of the site, behind the open parking. An area along the northern property line has been reserved for the location of secured remediation equipment, if required.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a one-lot subdivision with nine condominium units (eight residential, one commercial) per SBMC Chapters 27.07 and 27.13;
2. A Modification to allow less than the required number of parking spaces (SBMC §28.92.110.A.1);

3. A Development Plan to allow the construction of 2,851 net square feet of nonresidential development on APN 031-042-028 (SBMC §28.87.300); and
4. Design Review by the Architectural Board of Review (ABR).

The Planning Commission will consider approval of the Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

Case Planner: Peter Lawson, Associate Planner

Email: PLawson@SantaBarbaraCA.gov

Peter Lawson, Associate Planner, gave the Staff presentation, joined by Steve Foley, Supervising Transportation Planner.

Jarret Gorrin, Vanguard Planning, gave the Applicant presentation.

Applicant expressed concern that the project was subject to the updated inclusionary fees, which was adopted after the project was deemed complete. N. Scott Vincent, Assistant City Attorney, stated that under the Subdivision Map Act if a project is deemed complete prior to any changes to an ordinance or a new ordinance, then the project is not subject to those changes. Therefore the project was not subject to the inclusionary housing fees and the condition of approval requiring the payment of fees shall be removed.

Chair Thompson opened the public hearing at 3:47 P.M. and, with no one wishing to speak, closed the hearing.

Commissioner Jostes was not present at the August 20, 2009 Planning Commission meeting, but reviewed the meeting video and felt qualified to participate in the Commission's decision.

The Commissioners made the following comments:

1. Commissioners White and Lodge appreciated the work done on widening the sidewalk and the elimination of the mid-block bulb-out.
2. Commissioners Lodge, Jacobs, and Jostes would like to see 3' of planters and a zero inch curb.
3. Commissioner Jacobs supports the project and thinks that it sets a new standard for Milpas Street.

MOTION: Jacobs/Lodge

Assigned Resolution No. 043-09

Approved the project, making the findings for the Tentative Subdivision Map, Development Plan, and Modification as outlined in the Staff Report, subject to the Conditions of Approval in Exhibit A of the Staff Report with the following revisions to the Conditions of Approval: 1) Eliminate the Inclusionary Housing Fees and delete Condition D. 15 and Condition F.8.; and 2) Return language D.2.a and D.14 to previous language allowing for a larger planter along the Milpas Street portion of the building.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Bartlett, Larson)

Chair Thompson announced the ten calendar day appeal period.

VI. ADMINISTRATIVE AGENDA

ACTUAL TIME: 3:56 P.M.

A. Committee and Liaison Reports.

1. Staff Hearing Officer Liaison Report

Danny Kato reported on the Staff Hearing Officer meeting held on November 3, 2009.

2. Other Committee and Liaison Reports

Commissioner Thompson reported on two recent Transportation events: Hot Springs Roundabout and Ground Breaking Ceremony on Airport Terminal.

B. Action on the review and consideration of the following Draft Minutes and Resolutions listed in B.3. of this Agenda:

a. Draft Minutes of September 17, 2009

b. Resolution 037-09
617 Bradbury Avenue

c. Draft Minutes of October 1, 2009

d. Draft Minutes of October 8, 2009

e. Resolution 038-09
520 E. Yanonali Street

f. Resolution 039-09
705 Norman Firestone Road

g. Resolution 040-09
1712 Anacapa Street