



**UNAPPROVED  
PLANNING COMMISSION  
MEETING MINUTES  
MONDAY, SEPTEMBER 8, 2008**

6:00 P.M.  
City Hall  
130 Cremona Drive, Suite B  
Goleta, California

***Members of the Planning Commission***

*Kenneth Knight, Chair  
Brent Daniels, Vice Chair  
Edward Easton  
Doris Kavanagh  
Julie Kessler Solomon*

*Patricia Miller, Secretary  
Tim W. Giles, City Attorney  
Linda Gregory, Recording Clerk*

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The meeting was called to order at 6:00 p.m. by Chair Knight followed by the Pledge of Allegiance.

**ROLL CALL OF PLANNING COMMISSION**

Present: Planning Commissioners Daniels, Easton, Kavanagh, Knight, and Solomon.  
Absent: None.

Staff present: Director of Planning and Environmental Services Steve Chase, Current Planning Manager Patricia Miller, City Attorney Tim W. Giles, Senior Planner Alan Hanson, Assistant Planner Shine Ling, and Recording Clerk Linda Gregory.

**PUBLIC FORUM**

Barbara Massey, Goleta, commented that the DRB has completed Conceptual review of the proposed Haskell's Landing project. She said she believes it would be advantageous if the Planning Commission could conduct Conceptual review of the Haskell's Landing project before the applicant spends a lot of money and then requests the project to be moved forward.

**AMENDMENTS OR ADJUSTMENTS TO AGENDA**

None.

## A. ADMINISTRATIVE AGENDA

### A.1 Planning Commission Minutes for August 25, 2008

Recommendation:

1. Approve the Planning Commission minutes for the Special Meeting of August 25, 2008.

Speaker:

Karen Lovelace, Goleta, requested amendments to the minutes with regard to documents that she submitted for the record. She also suggested adding the language "in the past" to Comment 1 made by Commissioner Solomon, on Page 4, for clarity, with regard to houses that were built adjacent to the highway.

MOTION: Commissioner Solomon moved/seconded by Commissioner Easton to approve Planning Commission Special Meeting minutes of August 25, 2008, as amended.

VOTE: Motion carried by unanimous voice vote.

## B. PUBLIC HEARING

### B-1. 04-226-TM, -DP, -RN: Citrus Village Project located at 7388 Calle Real; APN 077-490-043.

**Continued from August 25, 2008**

Recommendation:

1. Conduct continued public hearing and provide direction to staff.

Staff Speakers:

Current Planning Manager Patricia Miller

Director of Planning and Environmental Services Steve Chase

Director of Planning and Environmental Services Steve Chase stated that the purpose of the process tonight is to consider whether there is a preferred design that would be acceptable for this parcel; or whether the project will not work on this parcel.

Ex-parte conversations: Vice Chair Daniels reported that he met with Detlev Peikert, applicant, and Lisa Plowman, agent, this morning at their offices and viewed the plans.

Detlev Peikert, applicant, presented and discussed a PowerPoint entitled "PGA Peikert Group Architects, LLP, Architecture and Development, Creating Livable Communities, Citrus Village, Ownership Housing Project". He also presented a document entitled "Citrus Village Planning Commission Hearing, September 08, 2008, Consideration of Alternatives", which shows Schemes A through D. The proposed alternatives to the original proposed 9 Unit Plan included: a) Revised 9 Unit Project;

b) 10 Unit Alternative plan; c) 12 Unit Alternative plan with 2 affordable and 10 market with State density bonus; and d) 16 Unit Alternative, 100% affordable with State density bonus.

Detlev Peikert, applicant, stated that he believes that the Revised 9 Unit Project plan is the superior alternative although the other alternatives could be acceptable. He requested clear direction at this time with regard to whether one of the alternatives is suitable, perhaps with suggestions to modify the plans. If it does not seem that any of the alternatives would be suitable with possible modifications, he requested that the original application be denied which would provide an opportunity for the applicant to submit an appeal to the City Council.

Detlev Peikert, applicant, said that, in general, a project with any amount of rental units would not be economically viable. He stated that the only reason the 16 Unit Rental Project Alternative would be viable is that it would require a substantial amount of financial subsidies that are available for low-income housing; however, a financing plan is not currently in place.

Commissioner Easton commented that the proposed 10 Unit Alternative plan solves some of the principal problems which include the positioning of the project with regard to the commercial use, noise, and visual prominence from the second-story. He believes that the 10 Unit Alternative plan corresponds to the direction and concerns expressed at the last meeting. He appreciates that the plan adds an additional unit as well as more abundant guest parking. He commented that there is enough room to add a high wall and landscaping to buffer the adjacent commercial development. He questioned whether the applicant is considering adding a carport structure along the western border which would provide additional buffering. With regard to the 12 Unit Alternative plan, he commented that it does not appear that having more units on the site would be of benefit with regard to the concerns related to the adjacent commercial use and guest parking. He expressed concern with regard to the height of the third floor and requested that the applicant provide a section drawing that would show the view from the third floor windows. He expressed some concern regarding the aspect of vertical circulation with regard to the third floor. Another concern was with regard to the light transmission from the commercial site until the trees grow tall enough to provide a barrier. He also suggested some possible changes in the floor plan that would allow the living room to open into a private space; for example, he suggested consideration with regard to placing the main entrance through the kitchen, which would allow the easterly yard to be a private space rather than an entrance.

Detlev Peikert, applicant, clarified that the applicant still intends to construct a six-foot concrete block wall along the western property line.

Commissioner Solomon commented that she was impressed by aspects of the 12 Unit Alternative plan; for example, she appreciates the courtyard area, and noted that the 12 unit plan provides additional housing units which she believes is an important consideration. She agreed with Commissioner Easton that the 10 Unit Alternative would provide more abundant guest parking spaces. She suggested that the applicant consider installing solar panels on the roofs.

Chair Knight commented that he appreciates the 12 Unit Alternative plan, stating that he believes it is important to support affordable housing and it is appropriate to incorporate affordable units into project designs. From the standpoint of the layout, he appreciates that the plan addresses concerns with regard to providing a buffer between the commercial uses along the western property line. He is impressed with the privacy that is provided by the plan. He believes that, at some point, landscape buffers may be needed on both sides, stating that the landscape buffer on the west side with the *Myoporum* species will probably disintegrate soon. He noted that the unit sizes in the 12 Unit Alternative plan are reduced to a size that is basically the size of other homes in the area. In his opinion, Chair Knight said that the height of the 12 Unit Alternative plan may not be a significant issue on this parcel, which is designated for 12 units per acre, and is adjacent to a commercial parcel. He commented that the height may help block some of the noise from Highway 101 in other places in the neighborhood, which makes it seem appropriate that a project of this type would be located on the perimeter of the neighborhood, adjacent to the freeway area.

Vice Chair Daniels suggested the applicant consider providing more storage space in the garages in the 10 Unit Alternative plan; for example, in an attic space above the garage, in the front. Detlev Peikert, applicant, stated that the amount of space that could be provided for storage in the attic in the garage for the 10 Unit Alternative plan would be negligible.

Commissioner Kavanagh spoke in support of the 12 Unit Alternative plan, stating that she believes it is important to send a message that some affordable housing units are being built. With regard to her parking concerns, she appreciates the revision that separated and moved the guest parking next to the commercial property.

#### Speakers:

Barbara Massey, Goleta, requested that a decision regarding the project be continued to a future meeting, stating that she does not believe the Planning Commission or the public has had sufficient time to study the proposed plans. She said that if she needed to make a choice at this time, the 10 unit alternative would be preferable.

Karen Lovelace, Goleta, agreed with comments made by speaker Barbara Massey, stating that there needs to be more time to review the plans. She believes that when the number of units is being considered, the focus should be on the square footage which affects the size, bulk and scale of the project. She suggested that the reduction in the number of bedrooms in some of the units would be useful to reduce the size of the project. She commented that the 10 Unit and 12 Unit Alternatives address the concern regarding the need for separation between the residential and commercial uses. She suggested consideration be given to the row house concept, typical in Britain and Ireland, which has no separation between the houses, and provides each unit with a backyard. She believes that story poles will be needed with regard to the proposed height in the neighborhood.

Director of Planning and Environmental Services Steve Chase provided an overview of the application process, stating that the applicant and staff are prepared to move forward with direction from the Commission. He said that the applicant has made a

good faith effort to respond to concerns with regard to the project. He stated that the revisions shown in the alternative plans that were supported by members of the Commission at this hearing included: a) recognition that more guest parking will be provided; b) the addition of a buffer on the western side through the provision of additional space; c) more units, possibly more affordable units; d) more opportunity for privacy with the 12 Unit Alternative plan layout; e) the importance of common open space, which is actually increased in some of the alternatives; f) energy efficiency plans; and g) the reduction of the nuisance potential with regard to moving the residential use away from the adjacent commercial property. He clarified that the subject property was granted a density designation of 12.3 units per acre in the General Plan adopted in 2006, and that the parcel is zoned Design Residential, maximum 12.3 dwelling units per acre.

Commissioner Easton suggested that the applicant be directed to move forward with the site layout proposed for the 10 and 12 Unit Alternatives with regard to the location of the housing structures and parking; to work with staff to resolve whether 10 or 12 units would be appropriate; and to submit an alternative proposal with specificity that the applicant supports to the DRB for review.

Detlev Peikert, applicant, clarified that all of the proposed plans require technical modifications but do not require additional concessions such as modifications to open space and setbacks. He invited Planning Commissioners and members of the public who have taken strong interest in this project to visit his office to view the plans and learn more about the basic product.

Detlev Peikert, applicant, stated that he would be happy to move forward with the 12 Unit Alternative plan if directed by the Planning Commission, which he believes meets many of the concerns raised at the last meeting, although it is not the applicant's first choice.

**MOTION:** Commissioner Kavanagh moved/Commissioner Solomon seconded, to direct that 04-226-TM, -DP, -RN: Citrus Village Project located at 7388 Calle Real, APN 077-490-043, shall move forward with consideration of the 12 Unit Alternative plan, to include review by the DRB; and to continue the public hearing to November 10, 2008, which shall be re-noticed.

**AMENDED**

**MOTION:** Commissioner Kavanagh moved/Commissioner Solomon seconded, to direct that 04-226-TM, -DP, -RN: Citrus Village Project located at 7388 Calle Real, APN 077-490-043, shall move forward with consideration of the 12 Unit Alternative plan, to include review by the DRB, with the ability for the applicant and DRB to consider the 10 Unit Alternative plan if the 12 Unit Alternative Plan is found to be problematic within the review process; and to continue the public hearing to November 10, 2008, which shall be re-noticed.

**VOTE:** Motion approved by unanimous voice vote.

**RECESS HELD FROM 7:27 P.M. TO 7:37 P.M.**

**B.2 08-035-CUP: Price Restaurant Conversion of Drive-Up Window to Full Drive-Thru Window located at 370 Storke Road; APN 073-100-008 (Miller/Hanson)**

Recommendation:

1. Adopt Planning Commission Resolution 08-\_\_ (Attachment 1), entitled "A Resolution of the Planning Commission of the City of Goleta Approving a Conditional Use Permit to Allow for the Conversion of the Existing Price Restaurant Drive-up Window to a Drive-Thru Window; Case No. 08-035-CUP; 370 Storke Road; APN 073-100-008".

Staff Speakers:

Senior Planner Alan Hanson

Current Planning Manager Patricia Miller

Director of Planning and Environmental Services Steve Chase

Documents: 1) Memorandum from Senior Planner Alan Hanson, dated September 5, 2008, transmitting one letter from Gordon Bell, Bell + Associates, dated September 4, 2008, and eleven public comment letters and emails regarding 08-035-CUP. 2) Memorandum from Senior Planner Alan Hanson, dated September 8, 2008, transmitting nine comment letters and emails regarding 08-035-CUP.

Site visits: Made by Members Easton, Kavanagh, Knight and Solomon. Commissioner Easton reported that he voted in favor of this project when he was a member of the Design Review Board.

Ex-parte conversations: None reported.

Senior Planner Alan Hanson presented the staff report and PowerPoint presentation. He stated that the nine letters and emails transmitted by memorandum dated September 8, 2008, and eleven letters and emails transmitted by memorandum dated September 5, 2008, are in support of the project.

Bendy White, agent representing the applicant, gave a PowerPoint presentation entitled "Storke Road Restaurant and Drive-Through". He stated that the owner has made a substantial investment to renovate the site that includes the complete replacement of the interior infrastructure and also exterior improvements. He said the applicant is requesting to modernize the drive-up restaurant, stating that the speaker and menu board would allow the business to operate more efficiently by allowing vehicles to flow through the site more smoothly. He noted that the staff report points out that the Santa Barbara County APCD has found that on a per vehicle basis, idling emissions of the ozone precursors and CO<sub>2</sub> are lower for the shorter length visits characteristic of this type of commercial facility rather than for a vehicle that has been parked for the duration of the visit. He stated that, while the parking space that is located next to Storke Road has been discussed as being fully landscaped, the applicant requests the opportunity to discuss with the DRB the possibility of providing space for bicycle parking.

Scott Schell, Associated Transportation Engineers, presented the plans with regard to site access and circulation issues. He stated that he has provided a detailed analysis which responded to a request from Community Services staff to review approximately eight items that included parking maneuvers, drive-thru circulation, and emergency vehicle access. He addressed some of the concerns raised in the letter from Gordon Bell + Associates, dated September 4, 2008, as follows: a) an analysis was conducted with regard to parking space #2, closest to the entrance, which showed that there was enough room for a vehicle to back up, exiting the space, without intruding into the sidewalk or onto Storke Road; b) an analysis was conducted that showed there is still enough room in the driveway area for a car to enter the site and go around a vehicle that was maneuvering in parking space #2 without stopping on Storke Road; c) a modeling was conducted which showed that there is enough back-up distance for a vehicle to back out of parking space #5 without being interfered with by a car waiting at the drive-thru window [he noted that there is a Condition of Approval to look at this issue as a final site design condition]; d) measurements were taken which show that there would be enough room in the drive aisle for vehicles to exit the car wash while vehicles are stopped at the order window or are backing out of a parking space; e) he presented a diagram showing that the drive-through lane accommodated 8 vehicles in queue with no interference of parking spaces, which is a minimum industry standard; and f) he presented a slide that showed an example from the Burger King on State Street in Santa Barbara which has angled parking stalls that are located adjacent to the entry drive aisle, on both sides of the aisle, as well as located adjacent to the exit aisle. Mr. Schell stated that he has read the Community Services Department Conditions of Approval and believes that all of the conditions can be satisfied with regard to on-site parking and striping improvements for circulation transportation.

Vice Chair Daniels stated that he believes that Scott Schell, Associated Transportation Engineers, has demonstrated that the proposed Conditions of Approval can be satisfied with regard to on-site parking and circulation.

Commissioner Easton commented that the appearance of the building as proposed is fine and he hopes that items will not be added such as banners and signs that would make the building unattractive.

PUBLIC HEARING OPENED AT 8:04 P.M.

Speakers:

Mark Ingalls, property and general manager, Camino Real Marketplace (property located immediately west of the project site), spoke in support of the staff recommendation to approve the Conditional Use Permit to allow for the conversion of the existing Price Restaurant Drive-Up Window to a Drive-Thru Window. He commended the property owner for the improvements made to the site, stating that he looks forward to having a viable business back in that location.

Brian Placencia, Goleta, spoke in support of the installation of the menu board which he believes will greatly reduce the back-up of traffic and allow the traffic to flow more freely into the car wash. He frequents the car wash several times per week to wash

his commercial vehicles and appreciates the improvements on the site that have been made by the property owner.

PUBLIC HEARING CLOSED AT 8:08 P.M.

MOTION: Vice Chair Daniels moved/seconded by Commissioner Easton, to adopt Planning Commission Resolution No. 08-08 (Attachment 1), entitled "A Resolution of the Planning Commission of the City of Goleta Approving a Conditional Use Permit to Allow for the Conversion of the Existing Price Restaurant Drive-Up Window to a Drive-Thru Window, Case No. 08-035-CUP, 370 Storke Road, APN 073-100-008", with Exhibit 1 Findings, Exhibit 2 Conditions of Approval, and Attachments.

VOTE: Motion approved by unanimous voice vote.

**B.3 08-057-GPA, -RZ: Harwin/Aero Camino General Plan Amendment and Rezone located at 6390, 6398, and 6416 Hollister Avenue; APN 073-070-024, -021, -005 (Miller/Ling)**

Recommendation:

1. Adopt Planning Commission Resolution 08-\_\_\_ (Attachment 1), entitled "A Resolution of the Planning Commission of the City of Goleta Recommending to the City Council Approval of Various Actions Related to the Harwin/Aero Camino General Plan Amendment and Rezone; Case No. 08-045-GPA, -RZ; 6390, 6398, and 6416 Hollister Avenue; APN 073-070-005, -021, -024".

Staff Speakers:

Assistant Planner Shine Ling

Current Planning Manager Patricia Miller

Director of Planning and Environmental Services Steve Chase

Site visits: Made by Commissioners Easton, Kavanagh, Knight and Solomon.

Ex-parte conversations: None reported.

Assistant Planner Shine Ling presented the staff report and PowerPoint. He stated that the proposed re-designation of the three subject lots would be consistent with the overall goals and objectives of the General Plan. In summary, he said that the proposed General Plan Amendment and Rezone are determined to be in the public interest and are consistent with good zoning and planning practices; and are therefore recommended for approval to the City Council by the Planning Commission.

Current Planning Manager Patricia Miller stated that all of the property owners were queried by staff and that they have concurred with the proposed action. She clarified that any future alternate use of the property that would involve substantial remodeling or demolition would require a full consistency analysis at that time.

PUBLIC HEARING OPENED AT 8:22 P.M.



Steve Welton, of Suzanne Elledge Planning and Permitting Services, agent for Lisa Harwin of the Harwin Family Trust, property owner, spoke in support of the project. He stated that the main reason for the applicant's request is that there have been some difficulties bringing in tenants for the property. Some of the recent requests the applicant has received from potential tenants were for commercial uses which the applicant found were not compatible with the current zoning for the property. He noted that there have been some commercial uses on the site in the past. He clarified that there are currently fourteen parking spaces in front which are dedicated to the applicant's property. He pointed out that there is an agreement with an adjacent property owner which allows the property owner reciprocal access to the back of the property, and that there is an opportunity for the applicant to obtain additional parking spaces for the property if a need arises in the future. Mr. Welton stated that the applicant believes that some of the benefits of the rezone would include improving the economic viability of the project; providing a benefit for the surrounding uses; maintaining continuity with past uses; and allowing the existing uses on the site to continue to operate under the proposed new zoning with no impact.

PUBLIC HEARING CLOSED: 8:26 P.M.

Commissioner Solomon spoke in favor of the General Plan Amendment and rezone, stating that there are many people who work in offices in this area who need to travel a distance for food. She believes that the opportunity to provide services such as food and exercise facilities on this property would be a benefit for the community.

MOTION: Commissioner Solomon moved/seconded by Vice Chair Daniels, to adopt Planning Commission Resolution No 08-09 (Attachment 1), entitled "A Resolution of the Planning Commission of the City of Goleta Recommending to the City Council Approval of Various Actions Related to the Harwin/Aero Camino General Plan Amendment and Rezone; Case No. 08-057-GPA, -RZ; 6390, 6398, and 6416 Hollister Avenue; APN 073-070-024, -021, -005", with Exhibit 1 (Findings).

VOTE: Motion approved by unanimous voice vote.

### **C. DIRECTOR'S REPORT**

Current Planning Manager Patricia Miller reported that the next joint workshop between the Planning Commission and the Design Review Board on Building Intensity Standards in the General Plan/Coastal Land Use Plan will be held on September 15, 2008.

Director of Planning and Environmental Services Steve Chase reported that some of the projects moving forward in the City include the review by the City Council of the Rincon Palms Hotel and Restaurant Project and the review by the Planning Commission of the Goleta Valley Cottage Hospital Project.

### **D. PLANNING COMMISSION COMMENTS**

Commissioner Easton commented that he received a public Notice of Preparation (NOP) with regard to the Ekwil Street/Fowler Road Extension Project. He requested clarification from

staff regarding the role of the Planning Commission with regard to review of Capital Improvement Plan projects in the City.

Current Planning Manager Patricia Miller stated that with regard to the NOP for the Ekwil Street/Fowler Road Extension Project, the NOP process is a hearing at the staff level on the proposed scope of the environmental planning report. She clarified that because a portion of this project is located in the Coastal Zone, a Planning Commission hearing will be held further along in the process.

Chair Knight requested that staff provide a briefing with regard to the City's Capital Improvement Plan projects and clarification with regard to the respective purview and responsibilities of the Planning Commission and the City Council.

Director of Planning and Environmental Services Steve Chase stated that Community Services staff will be invited to provide a presentation on the City's Capital Improvement Plan.

Chair Knight commented that the type of work that was done today with regard to the Citrus Village project was a good example of the type of conceptual review that should be done which will result in a better project.

Chair Knight requested that staff provide a brief report at the next meeting with regard to the annual Goleta Economic Forecast report that will be presented by the UCSB Economic Forecast on September 12, 2008.

Chair Knight commented that a letter was received by the Planning Commissioners from Gary Stenshol, Chairman/Partner, Ag Land Services, in which Mr. Stenshol reiterates his comments regarding the possibility of developing the Bishop Ranch property for economically viable agriculture use, which were made at the City Council meeting on July 15, 2008, during the public hearing on Initiation of Proposed General Plan Amendments, Bishop Ranch.

Chair Knight stated that he will be present at the Planning Commission meeting on October 13, 2008, noting that he had previously indicated he would not be able to attend this meeting.

**E. ADJOURNMENT: 8:40 P.M.**

Prepared by Linda Gregory, Recording Clerk.