City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE:	October 5, 2007
AGENDA DATE:	October 11, 2007
PROJECT ADDRESS:	1727 Santa Barbara Street (MST2006-00529)
TO:	Planning Commission
FROM:	Planning Division, (805) 564-5470 Jan Hubbell, AICP, Senior Planner JH for JH Jaime Limon, Senior Planner JL

I. PROJECT DESCRIPTION

The project involves a proposal to construct a new single-family residence on a vacant lot. Proposed is a 3,265 square foot two-story residence and a 466 square foot detached two-car garage on the 10,200 square foot lot. The proposal has maximum building height of 29 feet, 6 inches and would result in a FAR of 0.37 (See Exhibit B).

II. REQUIRED APPLICATIONS

The discretionary applications required for this project is a Modification to allow the net floor area of the proposed residence to exceed 85% of the maximum allowable net floor area for the lot and the building height to exceed 25 feet. (SBMC§28.15.083D)

III. EXECUTIVE SUMMARY

Planning Staff is recommending that the FAR modification be approved to allow the proposed residence to exceed 85% of the maximum allowable net floor area for the lot and the building height to exceed 25 feet. The applicant submitted supporting material to convince the Single Family Design Board (SFDB) that an exception to the 25 foot height limit is warranted at this location in the City. Staff is of the opinion that there is sufficient justification to make the required findings for the height and size of the proposed residence.

Although the project could be redesigned to reduce the size of the home and avoid the need for a FAR modification. In this particular case, it appears reasonable to allow an exception to the general rule that prohibits the FAR to exceed 85% of the maximum net floor area and the 25 foot height limit given the size and types of existing homes in the neighborhood.

The applicant believes there is appropriate justification to support approval of the FAR modification height issue due to the architectural style selected for the home (See Exhibit C). Furthermore, the applicant believes the size of the home is reasonable given the SFDB unanimously supports the project design and size of home, (See Exhibit D).

Vicinity Map for 1727 Santa Barbara Street

DATE APPLICATION ACCEPTED: August 23, 2007
DATE ACTION REQUIRED: Nov 23, 2007

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Richard Suding	Property Owner: Richard A. Suding and Mary Gougeon Trust
Parcel Number: 027-111-017	Gross Lot Area: 10,200 square feet
General Plan: Residential, 3 units/acre	Zoning: E-1, Single-Family Residence Zone
Existing Use: Vacant	Topography: 4% average slope

Adjacent Land Uses:	
North – Single Family Residential	East – Single-Family Residential
South – Single family Residential	West – Single-Family Residential

B. PROJECT STATISTICS

	Proposed
Living Area	3,265 sf
Garage	465 sf
Total	3,731 sf
*Proposed FAR	.37
85% FAR	3,209 sf

*Note: The FAR is a regulation for two-story single-family residences on lots less than 15,000 square feet. The FAR calculation method uses the net square footage for lots; in this case the private easement portions of the lot are not deducted. In this instance, the house would not exceed the 100% FAR ordinance requirement which would allow for a maximum house size of 3,775 square feet. (See Exhibit F).

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Proposed
Setbacks -Front -Interior	 30' 10'	 30' 10'
Building Height	30'	29'-6"
Parking	2 covered	2 covered
Open Yard	1,250	1,250

The proposed project would meet the requirements of the E-1 zone related to building height, solar access, open yard requirements and parking.

VI. PROJECT SITE DESCRIPTION:

The project site is vacant 10,200 square foot parcel located in the upper east neighborhood and is surrounded by existing residences. The general topography is relatively flat with drainage at approximately 4% to the rear of the property. An existing 12 foot wide access easement extends along the southern property edge which serves another property. The vacant site contains large mature trees which are proposed to remain and the lot is hidden from the street with tall hedges at its perimeter

VII. OTHER COMMITTEE REVIEW

A. ARCHITECTURAL BOARD OF REVIEW/SINGLE FAMILY DESIGN BOARD

The Boards reviewed this project on three occasions. Based on the date of the application submittal, the applicant elected to have the first review conducted by the ABR which occurred on May 21, 2007. At that time, the ABR generally supported the site design configuration and continued the project with comments that the project's design was appropriate for the neighborhood. The Board supported the architectural style of the house and appreciated that the large specimen cedar tree was being preserved.

With the adoption of the NPO and creation of the SFDB, the project was redirected to the first SFDB meeting on July 16, 2007, at which time the Board revisited the issue of the garage location proposed to the front of the residence. The majority of the Board accepted the front yard garage although some board members believed the front garage to be incompatible with the neighborhood. At this hearing, the issue of the height of the structure exceeding the allowable 25 foot height limit when exceeding the 85% maximum net square footage was identified. The Board gave direction to reduce the height, proportions of the house to more of a human scale and asked the applicant to consider a different roof /attic design that could assist in reducing the height of the structure.

At the next SFDB meeting, the Board was advised that the applicant had considered the Board's comments for a redesign but had elected to pursue the current proposal. The applicant believed he had justification for a FAR modification request given the architectural style he was proposing, the historic character of the neighborhood and the size, height of the existing neighboring residences. The applicant submitted photos, FAR and height information submitted of the 20 closest homes to demonstrate neighborhood compatibility. A perspective drawing was also utilized to understand the proposed height and scale of the residence design. After reviewing all the materials, the Board voted unanimously to support the FAR height modification request and continued the project indefinitely to the Planning Commission. The Board stated "the structure was proposed in a historical neighborhood, that the proposed height was acceptable, and the design is superior to a lower roof." Refer to Exhibit D for complete Minutes from the ABR meetings.

B. ENVIRONMENTAL REVIEW

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality guidelines Section 15303, for new construction of a small structure.

VIII. ISSUES

A. ZONING ORDINANCE CONSISTENCY

The proposed addition would comply with all of the setback and height requirements of the E-1 Zone except for the FAR modification being requested. The proposed parking on site is also conforming in terms of size and quantity. The proposed project would provide adequate solar access, the required 1,250 square feet of open yard area, and two covered parking spaces, consistent with the Zoning Ordinance.

B. FAR MODIFICATION

As part of the recent Neighborhood Preservation Ordinance (NPO) update, new ordinance Floor to Lot Area Ratio (FAR) regulations were adopted in May of this year to limit the size of two story homes in single family zoned residential areas. The new regulations established home size and building height limits for homes on lots less than 15,000 square feet. Throughout the NPO update process there were specific concerns raised relating to two-story development proposals that would want to exceed the prescribed FAR size limits. The NPO Update Committee crafted specific FAR modification rules and findings to make it very difficult to propose and obtain these types of approvals. The following "Precluded Development" FAR restrictions outlined in MC Section 22.15.083D limits the size of tall one story or two story development proposals if the following is true regarding the project:

1) The net floor area on the lot will exceed the maximum net floor area (100%) for the lot
2) The net floor area on the lot will exceed 85% of the maximum net floor area of the lot and the following conditions apply to the lot:
    a) The average slope of the lot or the building site is 30% or greater; or
    b) The building height of any new or existing building or structure on the lot is in excess of 25 feet; or
    c) The lot is located in the Hillside Design District and the application proposes 500 cubic yards of grading outside the footprint of the main building.

Therefore, specific provisions were adopted that would mandate lower height development proposals when the 85% FAR threshold number is being exceeded. Applicants seeking two-story development that do not want to comply with the combined size, height or grading limits must seek an FAR modification approval from the Planning Commission.

The FAR modification requested is to allow the net floor area of the proposed residence to exceed 85% of the maximum allowable net floor area for the lot and the building height to exceed 25 feet. In order to approve this type of FAR modification the Planning Commission must make the following findings:

1. Not less than five (5) members of the Single Family Design board have voted in support of the modification following a concept review of the project;
2. The subject lot has a physical condition (such as location, surroundings, topography, or the size of the lot relative to other lots in the neighborhood) that does not generally exist in other lots in the neighborhood; and
3. The physical condition of the lot allow for the project to be compatible with existing development within the neighborhood that complies with the net floor area standard.

C. NEIGHBORHOOD COMPATIBILITY

Staff is of the opinion that the size and height of the proposed two-story residence is appropriate for this vacant site. Staff agrees with the SFDB and supports the requested

maximum net floor area modification request. The 20 closest homes analysis along with photographs submitted of homes in the immediate neighborhood provides sufficient basis for why the proposed building size and height can be supported. The photos submitted depict neighboring homes of much greater height and size. The comparison study and photographs clearly demonstrated that the proposed residence would fit into the older historic neighborhood which consists primarily of larger homes. The FAR information provided indicates that the proposed residence will result in a home below the average size in the area, approximately 350 square feet below the 4,100 square foot average. The proposed project will also not be the tallest in height nor have the highest FAR (See Exhibit E).

D. GENERAL PLAN

The General Plan Land Use designation for the site is Residential, 3 units per acre. The project is located within the upper eastside neighborhood area of the Land Use Element of the General Plan. The proposed residential structures would be consistent with the allowed residential use and general plan designation for the area. The following reports and studies were provided to complete environmental assessment for the subject site.

1. Archaeological Resources

The property is located in the American Period and Early Twentieth Century areas of cultural sensitivity. An Archaeological Letter Report was prepared by Heather McFarlane Archaeological Consulting. No cultural resources were identified, and the report concluded that the proposed project is not considered to have the potential to impact significant or important prehistoric or historic cultural archaeological remains. The recommended conditions of approval provide guidance if archaeological resources are discovered during ground disturbance activities.

2. Preliminary Hydrology/Storm Drainage Report

A preliminary hydrology report was prepared by Mike Gones, Civil Engineer, to provide preliminary drainage design recommendations for the site. Existing drainage patterns are to be maintained along with the proposed installation of a storm water storage detention device near the southern rear corner of the parcel. The report concludes that the drainage design proposed would not increase the current runoff amounts and have no impact to adjacent neighbors or the City Storm Drain System.

3. Soils Report/Foundation Exploration

A soils report was prepared by Coast Valley Testing which indicated that there are no unusual soils conditions present at the site and that the project will follow standard foundation design techniques for the relatively flat site.

IX. RECOMMENDATION/FINDINGS

Planning Staff supports the modification request and believes that the SFDB's support for the project should be the primary basis for the neighborhood compatibility and house size

determination. The required modification approval findings can be made for neighborhood compatibility and to allow the proposed building height. Furthermore, staff agrees with the applicant that the requested modification will not negatively impact the surrounding homes since many of the surrounding homes are of larger size and height.

Therefore, Staff recommends that the Planning Commission approve the Maxmum Net Floor Area modification with the conditions as outlined in Exhibit A and make the required project approval findings as indicated below

The Planning Commission finds the following:

NET FLOOR AREA (FLOOR TO LOT AREA) MODIFICATION FINDINGS (SBMC §28.92.110A6)

1. Not less than five (5) members of the Single Family Design board have voted in support of the modification following a concept review of the project;
2. The subject lot has a physical condition (such as location, surroundings, topography, or the size of the lot relative to other lots in the neighborhood,) that does not generally exist in other lots in the neighborhood; and
3. The physical condition of the lot allow for the project to be compatible with existing development within the neighborhood that complies with the net floor area standard.

Exhibits:

A. Conditions of Approval
B. Reduced Site Plan and Elevations
C. Applicant's letter dated August 16, 2007
D. ABR and Single Family Design Board Minutes
E. Applicant's 20 Closest Home FAR Analysis, Building Height Comparisons and photographs
F. FAR Calculator

PLANNING COMMISSION CONDITIONS OF APPROVAL

1727 SANTA BARBARA STREET
MST2006-00529
ZONING FAR MODIFICATION
OCTOBER 11, 2007

1. In consideration of the project approval granted by the Planning Commission and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession and enjoyment of the Real Property:

   A. **Recorded Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute a written instrument, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

      1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to the Real Property or any adjoining property.

      2. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement.

      3. **Maintenance of Drainage System.** Owner shall be responsible for maintaining the drainage system in a functioning state. Should any of the project's surface or subsurface drainage structures fail or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and/or Coastal Development Permit is required to authorize such work.

      4. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Single Family Design Board (SFDB).

      5. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a

EXHIBIT A

functioning state (and in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.

6. **Approved Development.** The development of the Real Property approved by the (Planning Commission) on October 11, 2007 is limited to approximately 3, 731 square feet of building area and the improvements shown on the approved plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

B. **Design Review.** The following is subject to the review and approval of the Single Family Design Board (SFDB):

1. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance and most currently adopted Energy Code. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.

2. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the SFDB. Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement.

C. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.

1. **Drainage Calculations.** The Owner shall submit final approved drainage calculations justifying that the existing on-site and proposed on-site drainage system adequately conveys a minimum of a 25-year storm event.

2. **Approved Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property. Said agreement will be prepared by Engineering Division Staff for the Owner's signature.

D. **Community Development Requirements Prior to Building or Public Works Permit Application/Issuance.** The following shall be finalized prior to, and/or submitted with, the application for any Building or Public Works permit:

1. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions and Conditions of Approval. Submit a copy of the notice to the Planning Division.

2. **Final Planning Commission Resolution Submittal.** The final Planning Commission Resolution shall be submitted, indicating how each condition is met with drawing sheet and/or note references to verify condition compliance. If the condition relates to a document submittal, describe the status of the submittal (e.g., Final Map submitted to Public Works Department for review), and attach documents as appropriate.

E. **Design Review.** The following items are subject to the review and approval of the Single Family Design Board (SFDB). SFDB shall not grant preliminary approval of the project until the following conditions have been satisfied.

1. **Tree Removal and Replacement.** All trees removed, except fruit trees and street trees approved for removal without replacement by the Parks Department, shall be replaced on-site on a one-for-one basis with minimum 24-inch box sized tree(s) of an appropriate species or like species.

2. **Tree Protection Measures.** The landscape plan shall include the following tree protection measures:

3. **Landscaping Under Trees.** Landscaping under the tree(s) shall be compatible with the preservation of the tree(s).

F. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.

1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Single family Design Board, outlined in Section E above.

2. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers (an area that allows for a minimum of 50 percent of the total capacity for recycling containers) shall be provided on the Real Property and screened from view from surrounding properties and the street.

3. **Technical Reports.** All recommendations of the structural engineer, geological, and soils reports, approved by the Building and Safety Division, shall be incorporated into the construction plans.

4. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner	Date	
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

G. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field for the duration of the project construction.

1. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill. Indicate on the plans the location of container for collection of demolition/construction materials.

2. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

New Year's Day ..... January 1st*
Martin Luther King's Birthday ..... 3rd Monday in January
Presidents' Day ..... 3rd Monday in February
Memorial Day ..... Last Monday in May
Independence Day ..... July 4th*
Labor Day ..... 1st Monday in September
Thanksgiving Day ..... 4th Thursday in November
Following Thanksgiving Day ..... Friday following Thanksgiving Day
Christmas Day ..... December 25th*

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

3. **Covered Truck Loads.** Trucks transporting fill material to and from the site shall be covered from the point of origin.

4. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.

5. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) telephone number, work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval.

6. **Graffiti Abatement Required.** Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed within 24 hours of notice by the Building and Safety Division may result in a Stop Work order being issued, or may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.

7. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

   If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains

are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

H. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

I. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses and costs of that independent defense.

NOTICE OF APPROVAL TIME LIMITS:

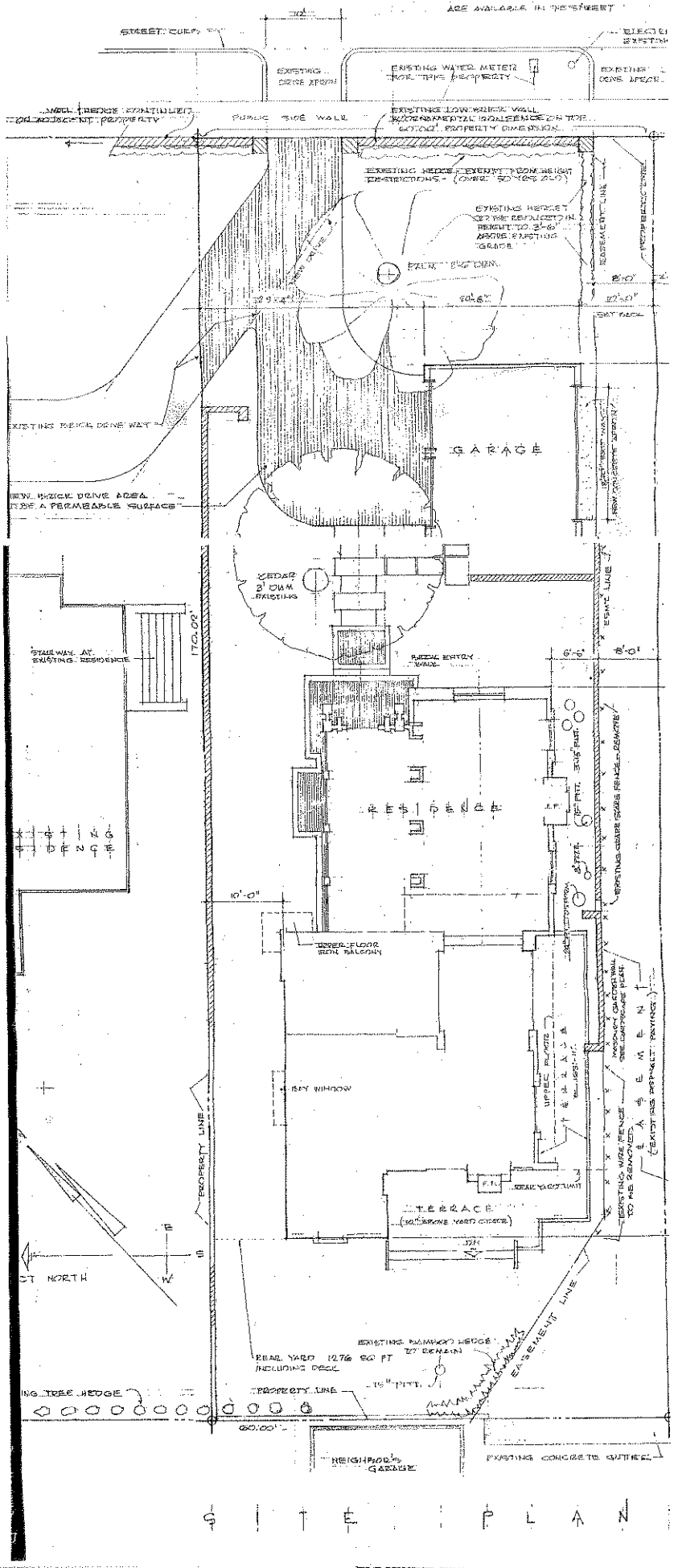
The Planning Commission's action approving the Modification shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or

2. A Building permit for the use authorized by the approval is issued within and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.

3. The approval has not been discontinued, abandoned or unused for a period of six months following the earlier of (a) an Issuance of a Certificate of Occupancy for the use, or (b) two (2) years from granting the approval.

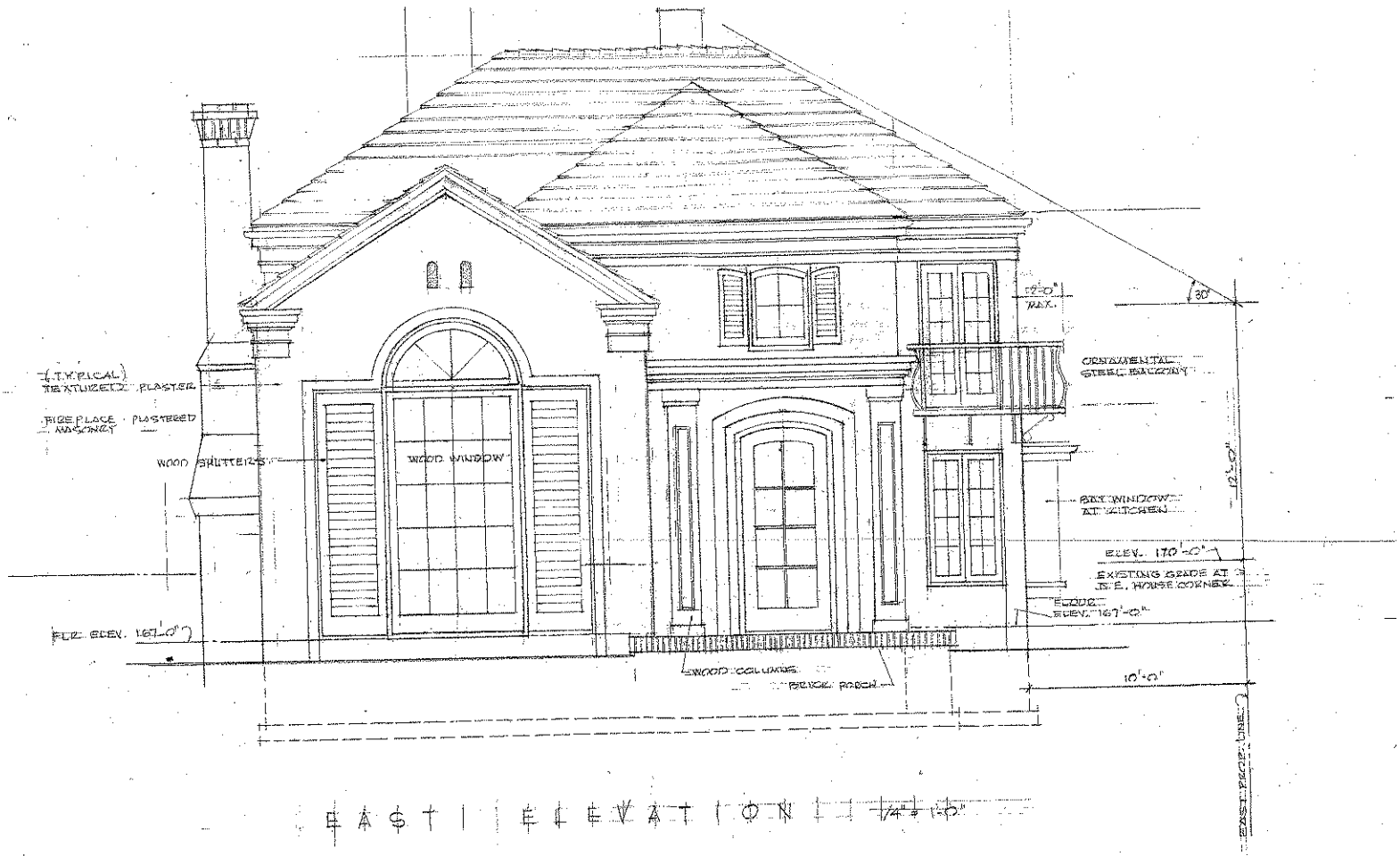
If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the discretionary applications, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the application, unless otherwise specified by state or federal law.



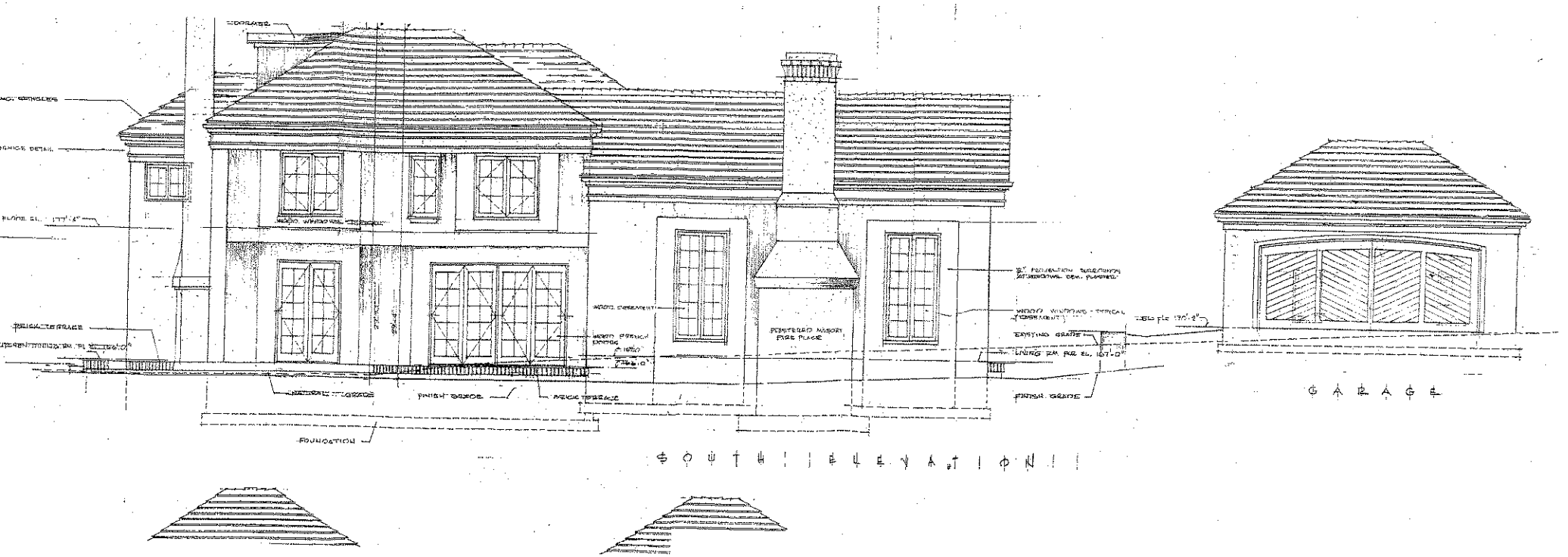
SITE PLAN

EXHIBIT B

WEST ELEVATION



EAST ELEVATION 1/4" = 1'-0"



SOUTH ELEVATION

Richard Suding
1731 Santa Barbara Street
Santa Barbara, CA 93101
Ph: 805-569-1854

RECEIVED
AUG 23 2007
CITY OF SANTA BARBARA
PLANNING DIVISION

August 16, 2007

Staff Hearing Officer
City of Santa Barbara
P. O. Box 1990
Santa Barbara, CA 93102-1990

Re: Modification Request for 1727 Santa Barbara Street
APN: 027-111-17; E-1 Zone
Modified height of proposed residence as required by F.A.R. design limitations

Dear Staff Hearing Officer:

I am seeking a modification for a new single family residence height requirement and need Planning Commission approval. On August 6, 2007 SFDB voted in support of the modification request for building height of 29' 6" instead of 25', following their second concept review of the project.

Pre-Application Reviews as follows:
ABR concept on May 21, 2007
SFDB concept on July 16 & August 6, 2007

Description of Project: The proposed single family residence is located in the upper east section and is in a neighborhood of primarily older, large homes. The adjacent 2 houses are each over 5,000 SF in size and exceed a height of 42 FT each. Many other nearby homes are also as large. We will not be negatively impacting the surrounding properties by a building height of 29' 6". Our proposed size of house is less than the maximum allowed for our lot size of 10,200 SF.

The design of a traditional French residence as proposed would be compatible with the neighborhood. We are not proposing an oversized or taller structure than already exists in the surrounding area. We feel strongly that the 25' height limit would not be in keeping with good design for this style. The roof height of 29' 6" is needed to follow this style of architecture. This height is still under the 30 FT maximum allowed by the municipal code in single family residential zones.

EXHIBIT C

The proposed residence would be compatible with the 20 closest homes in the neighborhood. The average size home in the 20 closest homes is 4,109 SF and the largest is 7,320 SF. The subject proposed house is 3,761 SF. Also, the average height of the existing 20 closest homes is 28', with the tallest two houses at 43', both next door to the subject.

The proposed 2nd story portion of the house will be set back from the front property line (at the sidewalk) approximately 110 FT. This is a greater distance than both adjacent houses for their 2nd story.

The physical position of this lot allows the project to be compatible with existing development within the neighborhood and complies with the net floor area standard. The F.A.R. numbers for the 20 closest houses range from 0.11 to 0.44; the comparative project F.A.R. number is 0.37; the maximum F.A.R. for this parcel size of 10,200 SF is 0.37.

The single family design guidelines state that projects over 85% of the maximum square footage "are more likely to pose neighborhood compatibility issues". However, careful design can produce projects that are compatible with surrounding neighborhood. We feel that our design and architecture of a traditional French house blends very well with the existing neighborhood mix of older homes that vary in style from early Victorian, turn-of-the-century Spanish and colonial revivals, and the 1920's & 1930's design. Our project will certainly blend in well with the whole upper east residential area.

Sincerely,

Richard Suding

ABR MINUTES MAY 21, 2007

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

3. 1727 SANTA BARBARA ST E-1 Zone

Assessor's Parcel Number: 027-111-017
Application Number: MST2006-00529
Owner: Richard A. Suding and Mary Gougeon Trust
Architect: John Gougeon

(Proposal to construct a new single-family residence on a vacant lot. Proposed is a 3,265 square foot two-story residence and a 466 square foot detached two-car garage on the 10,200 square foot lot. The proposal has a floor-to-lot-area ratio of 0.32.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND SINGLE FAMILY DESIGN BOARD APPROVAL.)

(4:11)
Present: Richard Suding and Mary Gougeon, Owners.

Public comment opened at 4:22 p.m. and, as no one wished to speak, public comment was closed.

Motion: Continued indefinitely to the Single Family Design Board with the following comments:

1) Show both natural grade and proposed grade per the Single Family Design Guidelines.
2) Show that the proposed new hedge height is per city standards and noted on the plans.
3) The Board finds that the existing front yard hedge is well maintained and understands that due to its historic age is exempt from height restrictions, applicant is to note this on the plans.
4) The design is appropriate for the neighborhood and will blend with the surrounding homes.
5) The Board appreciates saving the large specimen cedar tree.

Action: Sherry/Zink, 7/0/1. Motion carried. (Mosel abstained.)

SFDB MINUTES JULY 16, 2007

CONCEPT REVIEW – CONTINUED ITEM

1. 1727 SANTA BARBARA ST E-1 Zone

Assessor's Parcel Number: 027-111-017
Application Number: MST2006-00529
Owner: Richard A. Suding and Mary Gougeon Trust
Architect: John Gougeon

(Proposal to construct a new single-family residence on a vacant lot. Proposed is a 3,265 square foot two-story residence and a 466 square foot detached two-car garage on the

EXHIBIT D

10,200 square foot lot. The proposal has a site square footage of 3,731 and a floor-to-lot-area ratio of 0.37.)

(Second Concept Review. First review was at ABR.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT. THE PROPOSAL IS ABOVE 85% THE MAXIMUM SQUARE FOOTAGE OF 3,775.)

(3:13)
Present: Richard Suding, Architect; Philip Suding, Landscape Architect.

Public comment opened at 3:36 p.m. As no one wished to speak, public comment was closed.

Motion: Continued to the August 6, 2007, SFDB Full Board with the following comments:

1) A majority of the Board is in favor of the garage located in front; although several Board members feel the front yard garage is incompatible with the neighborhood.
2) Removal of the Palm tree is acceptable, recycle if possible.
3) The proposed roof is too high, lower to 25 feet maximum height.
4) Restudy the proportions of classical/traditional elements on the house to be more in human scale with the architecture.
5) Incorporate and outline a number of green elements.
6) Provide photographs of the 20 closest homes to allow evaluation that the architecture is compatible with the neighborhood.
7) The Board would like to see landscaping along the easement driveway, where the easement and wall come together, mitigate with landscaping in a creative way.
8) Verify the actual floor area ratios for consistency.
9) Redesign the roof to be a less than 5 foot attic or include that square footage in the floor area calculation.
10) Prior to the next hearing the applicant is to meet with the adjacent neighbor to the south to show plans and proposal.

Action: Zink/Bernstein, 7/0/0. Motion carried.

SFDB-CONCEPT REVIEW (CONT.)

1. 1727 SANTA BARBARA ST

E-1 Zone

Assessor's Parcel Number: 027-111-017
Application Number: MST2006-00529
Owner: Richard A. Suding and Mary Gougeon Trust
Architect: John Gougeon

(Proposal to construct a new single-family residence on a vacant lot. Proposed is a 3,265 square foot two-story residence and a 466 square foot detached two-car garage on the 10,200 square foot lot. The proposal has maximum building height of 29 feet, 6 inches and would result in a FAR of 0.32.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT. THE PROPOSAL IS ABOVE 85% MAXIMUM SQUARE FOOTAGE OF 3,209 SQUARE FEET. PLANNING COMMISSION APPROVAL OF A MODIFICATION FOR BUILDING HEIGHT IS REQUESTED.)

(3:11)

Present: John Gougeon, Architect; Richard Suding, Owner.

Staff comment: Mr. Limon reported that not less than five members of the Board are needed to vote in support of the modification.

Due to the lack of resubmitted plans, it was the consensus of the Board to discuss only the appropriateness of the height as it relates to compatibility of the neighborhood.

Motion: Continued indefinitely to the Planning Commission, and return to the Full Board with the following comments:

1) The 29 feet, 6 inch roof height is acceptable; the Board understands the attic space will not be habitable.
2) The height achieved in the design is compatible with the existing neighborhood design because the structure is located in a historical neighborhood and the house is of a historical design. In this instance the design is superior to a lower roof.
3) The applicant is to provide three sets of drawings when returning.

Action: Woolery/Deisler, 7/0/0. Motion carried.

Data for 20 Closest Houses
Re: Project at 1727 Santa Barbara Street

Location of Houses

Street	House #'s
Santa Barbara Street	1709, 1716, 1717, 1721, 1723, 1724, 1727, 1731, 1732 & 1807
E. Islay Street	105, 115, 118, 121, 125 & 205
Anacapa Street	1712, 1730 & 1734
E. Valerio Street	115

EXHIBIT E

20 CLOSEST HOUSES TO
1727 S.B. ST PROJECT.
PEDREGOSA
ROSSIER
ANACAPA
VALERIO
SANTA BARBARA
ISLAY
GARDEN
205
1807
115
121
125
205
1731
SUBJECT
1727
118
1721
1723
1717
1709
1734
1730
1712
115
DUPLEXES
1732
1724
LOT
1716
1716
LOT
DUPLEXES

Comparative Data of 20 Closest Houses

Values are in decreasing order. Number is subject property.

	Height in FT	F.A.R.	Bldg Size in Sq Ft Incl. Garages
	43'	0.44	
	43'	0.40	7,320
	35' estimate	0.37	6,118
	35'	0.37	5,701
	33'	0.35	5,660
	31' estimate	0.34	5,611
	30'	0.34	5,093
	30'	0.34	4,711
	30'	0.31	4,269
	29'	0.29	3,991
	27'	0.28	3,761
	25'	0.26	3,685
	25'	0.26	3,530
	25' estimate	0.26	3,522
	25' estimate	0.23	3,477
	25'	0.20	3,250
	24'	0.19	3,107
	20' estimate	0.16	2,679
	17'	0.15	2,558
	12'	0.11	2,054
			1,590
Average:	28'	0.28	4,109

1716 SANTA BARBARA ST.

1807 SANTA BARBARA ST.

PROJECT: R. SUDING
1727 SANTA BARBARA ST
NEIGHBORING PROPERTIES

1717 SANTA BARBARA ST.

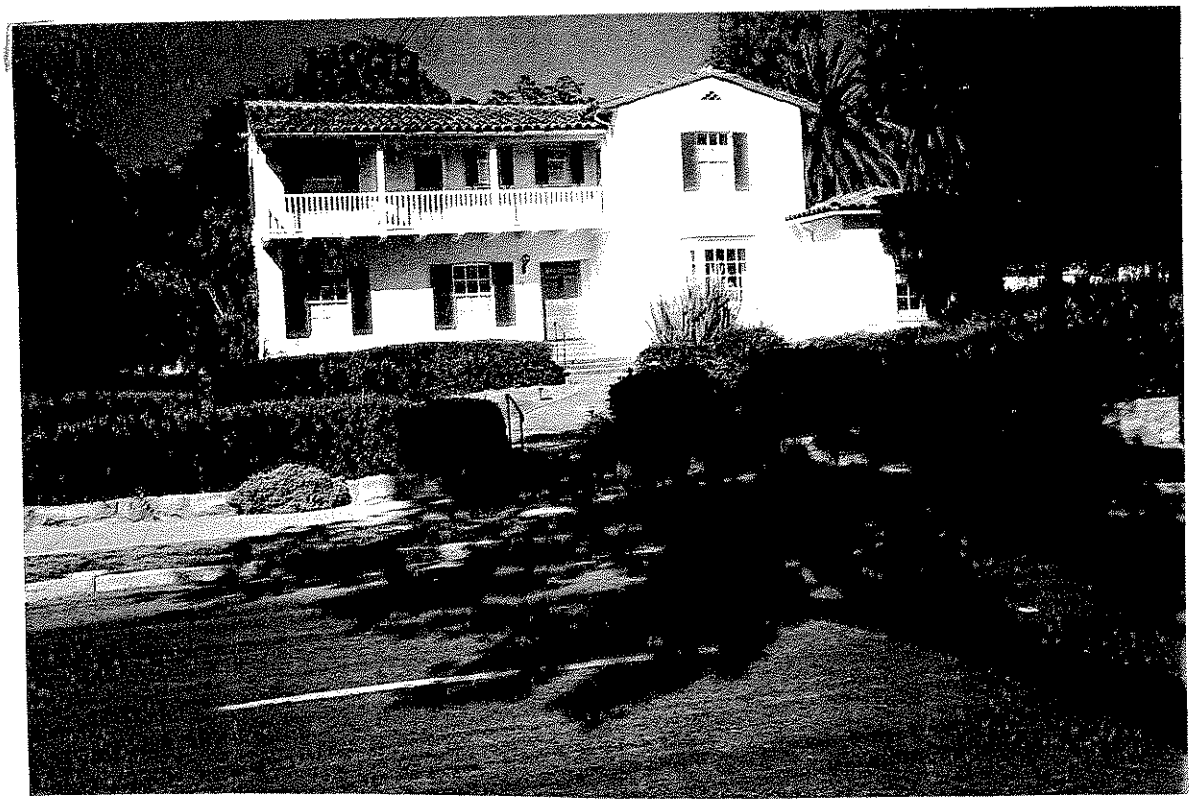
1709 SANTA BARBARA ST.

PROJECT: R. SUDING
1727 SANTA BARBARA ST
NEIGHBORING PROPERTIES

1721 SANTA BARBARA ST

PROJECT: R. SUDING
1727 SANTA BARBARA ST
NEIGHBORING PROPERTIES

1731 SANTA BARBARA ST.



1816 SANTA BARBARA ST.

PROJECT: R. SUDING
1727 SANTA BARBARA ST
NEIGHBORING PROPERTIES

F.A.R. Calculator

Instructions: Enter the information in the white boxes below. The spreadsheet will calculate the proposed FAR (floor area ratio), the 100% max FAR (per the Zoning Ordinance), and the 85% max FAR (per the Zoning Ordinance). The **Net Lot Area** does not include any Public Road Easements or Public Road Right-of-Way areas. The proposed **TOTAL Net Floor Area** must include the net floor area of all stories of all buildings. For further clarification on the definition of net floor area, please refer to the "Project Statistics Forms for Design Review Projects" handout.

ENTER Project Address:	1727 Santa Barbara St.
ENTER Zone ONLY from drop-down list:	E-1

ENTER Net Lot Area (in sq. ft.):	10,200
ENTER Proposed TOTAL Net Floor Area (in sq. ft.):	3,731

FLOOR AREA RATIO (FAR):	0.37	
Lot Size Range:	10,000 - 14,999 sq. ft.	
MAX FAR Calculation (in sq. ft.):	2,500 + (0.125 x lot size in sq. ft.)	REQUIRED**
100% MAX FAR:	0.37	REQUIRED**
100% MAX FAR (in sq. ft.):	3,775	
85% of MAX FAR (in sq. ft.):	3,209	REQUIRED**
Proposed TOTAL Net Floor Area (in sq. ft.):	3,731	

****PLEASE NOTE: If your project is located on a site with multiple or overlay zones, please contact Planning Staff to confirm whether the FAR limitations are "Required" or "Guideline".**

Acreage Conversion Calculator

ENTER Acreage to Convert to square footage:	1.00
Net Lot Area (in sq. ft.):	43,560