



City of Santa Barbara Planning Division

STAFF HEARING OFFICER MINUTES

DECEMBER 6, 2006

CALL TO ORDER:

Bettie Weiss, City Planner called the meeting to order at 1:01 p.m.

STAFF PRESENT:

Bettie Weiss, City Planner
Danny Kato, Senior Planner
Roxanne Milazzo, Associate Planner
Jan Hubbell, Senior Planner
Allison De Busk, Associate Planner
Kathleen Kennedy, Assistant Planner
JoAnne LaConte, Assistant Planner
Rob Dayton, Supervising Transportation Planner
Chelsey Swanson, Assistant Planner
Gabriela Feliciano, Commission Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
None.
- B. Announcements and appeals.
Bettie Weiss, City Planner, announced two pending appeals:
 - 1) City Council: Century 21 at 3408 State Street.
 - 2) Planning Commission: 606 Calle Granada.
- C. Comments from members of the public pertaining to items not on this agenda.
Public comment opened at 1:02 p.m. and, as no one wished to speak, it was closed.

II. PROJECTS:

ACTUAL TIME: 1:03 P.M.

A. APPLICATION OF JOSEPH H. STEUER FOR CLINT LEFLER AND PATRICIA STURM, 1221 CHINO STREET, APN: 039-141-010, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 2 UNITS PER ACRE (MST2003-00858)

The proposal is a request to extend the expiration date of the Tentative Maps approved by the Planning Commission on October 14, 2004. **A two-year extension is requested pursuant to SBMC, §27.07.110.** The project approved by the Planning Commission included the subdivision of a 15,000 square foot lot into two lots with two condominium units on each lot. The project approved by the Planning Commission resulted in one net new condominium unit, and the conversion of three existing units to condominiums.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305 for the extension of time limits on an approved project where circumstances have not changed.

Case Planner: Allison De Busk, Associate Planner
Email: adebusk@SantaBarbaraCA.gov

Clint Lefler, Owner, present.

Ms. Weiss waived the Staff presentation.

The Public Hearing was opened at 1:04 p.m. and, as no one wished to speak, it was closed.

ACTION:

Assigned Resolution No. 083-06

Approved a two-year time extension, to October 14, 2008, for the Tentative Maps and Condominium Conversion Permit, subject to the original conditions of approval shown in Planning Commission Resolution of Approval No. 047-04, dated October 14, 2004.

ACTUAL TIME: 1:05 P.M.

B. APPLICATION OF PETE EHLEN FOR RUN 17, LLC, 404 GARDEN STREET, APN 031-281-016, M-1 LIGHT MANUFACTURING ZONE, GENERAL PLAN DESIGNATION: INDUSTRIAL (MST2006-00240)

The 2,546 square foot lot is currently vacant. The proposed project involves a 984 square foot commercial building with three (3) parking spaces. The discretionary application required for this project is a Modification to provide three (3) instead of the required four (4) parking spaces (SBMC §28.90.100). The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Pete Ehlen, Owner and Architect, present.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Ms. Weiss announced that she read the Staff Report recommendation for the proposed project and is familiar with the site.

Ms. Weiss inquired as to what is being identified as *accessible* in the project's plans. Mr. Ehlen responded that, in a commercial building with less than five spaces, parking does not need to be identified with signage, but handicap *access* must still be provided.

Ms. Weiss inquired as to the driveway gate. Mr. Ehlen responded that the gate will be placed as a security measure and would be opened by remote control.

Ms. Weiss asked if the Transportation Department has been consulted, since the site is small and near a busy intersection, as to the best location of the driveway. Mr. Ehlen responded that, to maintain distance between driveways, it does not make a difference what side the driveway is placed at and commented that there are no immediate plans to share the driveway with the adjacent property.

The Public Hearing was opened at 1:12 p.m. and, as no one wished to speak, it was closed.

ACTION: **Assigned Resolution No. 084-06**
Approved the project, making the findings that the Modification is consistent with the purpose and intent of the zoning ordinance and will not cause an increase in the demand for parking space in the immediate area.

Ms. Weiss announced the ten calendar day appeal period.

ACTUAL TIME: 1:13 P.M.

C. APPLICATION OF HUGH TWIBELL FOR RHODEY & CYNTHIA MOXLEY, 404 ALAMEDA PADRE SERRA, APN 019-340-014, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2006-00502)

The 12,676 square foot lot is currently developed with a single family residence and attached garage. The proposed project involves 84 square feet of first floor addition to the residence, three new patio areas, and a spa. The discretionary application required for this project is a Modification to allow the improvements to be located within the required open yard area (SBMC §28.15.060). The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

Case Planner: Roxanne Milazzo, Associate Planner

Email: rmilazzo@SantaBarbaraCA.gov

Hugh Twibell, Architect, present.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Ms. Weiss announced that she read the Staff Report recommendation for the proposed project and also visited the site.

The Public Hearing was opened at 1:16 p.m. and, as no one wished to speak, it was closed.

ACTION:

Assigned Resolution No. 085-06

Approved the project, making the findings that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.

Ms. Weiss announced the ten calendar day appeal period.

The Staff Hearing Officer announced a break at 1:18 p.m. The hearing reconvened at 1:27 p.m.

ACTUAL TIME: 1:27 P.M.

D. APPLICATION OF JOAQUIN ORNELAS FOR RAUL GUTIERREZ, 3002 PASEO DEL REFUGIO, APN 053-201-008, E-3 ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2005-00696)

The 7,500 square foot project site is located on the corner of Paseo del Refugio and Lugar del Consuelo. The proposed project involves demolition of all existing structures on site and the construction of a new 2,900 square foot 2-story single family residence with detached two-car garage. The discretionary application required for the project are Modifications to permit less than the required 1,250 square foot open yard and to permit non-conforming portions of the residence, located within both front yard setbacks, to be rebuilt with minor alterations (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Roxanne Milazzo, Associate Planner

Email: rmilazzo@SantaBarbaraCA.gov

Joaquin Ornelas, Architect, present.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Ms. Weiss confirmed with the applicant that the plans represent the elevations as approved by the Architectural Board of Review (ABR). She also asked about the applicant's involvement with the neighbors in the design review process. Mr. Ornelas responded that originally an ABR notification was sent to the neighbors. He spoke with two of the neighbors that attended the first ABR meeting, but no one attended any follow-up meetings. The applicant also had a discussion with the neighbor next door and his privacy concerns were minimized.

Ms. Weiss announced that she read the Staff Report recommendation for the proposed project and also visited the site.

The Public Hearing was opened at 1:37 p.m.

1. Mark Swank, neighbor, expressed concern that the size of the structure is too large in comparison to the existing neighborhood.
2. Margaret Grace, neighbor, commented that the building is out of character with the neighborhood. She suggested shrinking the building and not encroaching it into the setback space.

3. Bruce McIver, neighbor, expressed concern that the front door has been changed on the plans so that it use to be on Consuelo and is now shown on Paseo del Refugio. He stated that there are few large homes in the entire neighborhood and considers the wave of large buildings as a new trend. He submitted a letter signed by 14 nearby neighbors objecting to the project. He mentioned he would have objected as well when the project was heard by the ABR, but stated that neighbors within the 300 foot distance were not given the opportunity to share their concerns. Mr. McIver submitted a note that was entered in to the record from Ms. Ruth who expressed concern about huge homes being built in small lots.
4. John Mealy, neighbor, agreed with the comments already made by Mr. McIver.
5. Isabelle Greene, neighbor, read a letter she drafted into the record and expressed concern that the project is out of scale with its surroundings and considers that the project requires a larger parcel.

The Public Hearing was closed at 2:03 p.m.

Ms. Weiss stated the windows are not a big concern since the applicant is removing an old encroachment from the front yard. As to the design issue of the front door, Ms. Weiss stated it does not have to stay where it was historically and considers the new door location and design as street-friendly.

Ms. Weiss clarified that, because this is a corner lot, both sides facing the streets are currently considered the front yard. Ms. Weiss explained that the applicant can be advised in two different directions: 1) compliance with the current code, or 2) compliance with what the Staff is proposing be a new standard for the open yard on a corner lot. This would establish a clear front yard with a 50-foot frontage and the secondary front lot line, for purposes of open yard, requiring 10-foot set back. Ms. Weiss stated that, in order to avoid an open yard modification, the footprint of the building would have to be reduced and reviewed by ABR.

Ms. Weiss addressed the neighbors' concerns that the building is too large.

ACTION:

Continued indefinitely with the comment that the applicant is given direction to increase the open yard, which is likely to result in a building design change that would require the plans to return to ABR for review.

ACTUAL TIME: 2:20 P.M.

E. APPLICATION OF WILLIAM LA VOIE FOR ERIC & MARTEE ANDRESEN, 560 ARROYO AVENUE, APN 035-241-020, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2003-00822)

The 8,500 square foot lot is currently developed with a 1,800 square foot single family residence and attached one-car garage. The proposed project involves 380 square feet of main level addition, expansion of the garage to a two-car garage, 532 square feet of rear decks with 300 square feet of storage below. The discretionary application required for this project is a Modification to permit the garage expansion within the required thirty-foot (30') front and ten-foot (10') interior setback0073 (SBMC §28.15.060).The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Roxanne Milazzo, Associate Planner

Email: rmilazzo@SantaBarbaraCA.gov

William La Voie, Architect; and Stacey Wilson, Assistant Transportation Planner, present.

Ms. Weiss announced that she read the Staff Report recommendation for the proposed project and also visited the site.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Ms. Weiss expressed concern about the building wall that is too close to the property line and the height that does not give much room for stepping.

Mr. Kato suggested an uncovered parking space in the setback with perhaps a higher block wall to shield the noise from the neighbors. Mr. La Voie agreed to explore the possibility of a pergola-type carport or an uncovered parking space as suggested.

Ms. Weiss noted into the record two letters received from the public:

1. Darrell Hays, resident at 935 Isleta Avenue.
2. Betty Kramer Duncan, resident at 546 Arroyo Avenue.

ACTION:

Continued to January 31, 2007, for applicant to revise the drawings and return to the Architectural Board of Review.

ACTUAL TIME: 2:41 P.M.

F. APPLICATION OF TRISH ALLEN, SUZANNE ELLEDGE PLANNING & PERMITTING SERVICES, INC., AGENT FOR EL ENCANTO, INC., EL ENCANTO HOTEL AND GARDEN VILLAS, 1900 LASUEN ROAD, APN 019-170-022, R-2/4.0/R-H: TWO FAMILY RESIDENTIAL/ 4 UNITS PER ACRE/ RESORT-RESIDENTIAL HOTEL ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 3 UNITS/ACRE (MST99-00305)

The project consists of a proposal for an eighty square foot addition to Cottage 11 located at the El Encanto Hotel. The existing building currently encroaches into the 30 foot interior yard setback and the proposed addition would cause a portion of the building to encroach further into the interior yard setback.

The discretionary application required for this project is a Modification to allow an encroachment into the interior yard setback (SBMC§28.27.050).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines, Section 15301, Existing Facilities.

Case Planner: Kathleen Kennedy, Associate Planner
Email: kkennedy@SantaBarbaraCA.gov

Trish Allen, SEPPS Planner, present.

Kathleen Kennedy, Assistant Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 2:47 p.m. and, as no one wished to speak, it was closed.

Ms. Weiss announced that she read the Staff Report recommendation for the proposed project and also visited the site.

ACTION: **Assigned Resolution No. 086-06**
Approved the modification to allow the encroachment into the interior yard setback as it is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposal would enable the reconstruction of the east wall of the building in a manner that would preserve the existing historic features on the building, would improve the soil quality on a portion of the site, and would not negatively impact the adjacent neighbors because it would be setback more than the Zoning Ordinance requirement of the adjacent property and there is adequately screening by existing and proposed vegetation along the property line.

Ms. Weiss announced the ten calendar day appeal period.

The Staff Hearing Officer announced a break at 2:52 p.m. The hearing reconvened at 2:57 p.m.

ACTUAL TIME: 2:58 P.M.

G. APPLICATION OF SUZANNE ELLEDGE PERMIT PROCESSING, TIFFANY CAMPBELL, AGENT FOR PUEBLO VIEJO PROPERTIES, 128-138 EAST CANON PERDIDO STREET AND 825-833 SANTA BARBARA STREET, APN: 031-011-004, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: OFFICES AND MAJOR PUBLIC AND INSTITUTIONAL (MST2003-00243)

The project consists of alterations to an existing mixed-use complex, consisting of one and two-story buildings, for "as-built" changes including conversion of two existing residential units into four units, converting the existing 15 residential garages to a laundry room, residential storage and commercial square footage which will include alterations to the existing garage doors, and Development Plan approval to allow 1,434 square feet of new non-residential floor area for the conversion of the garages. Modifications are requested to eliminate the existing residential parking and to provide no additional parking for the converted commercial square footage, to allow bonus density for the two "as-built" residential units, a floor area modification to allow the "as-built" residential units to be less than 400 square feet, a modification of private outdoor living space to allow one of the new residential units to have no outdoor living space and a modification of private outdoor living space to allow one of the new residential units to have private outdoor living space that does not meet the required six foot minimum dimension .

The discretionary applications required for this project are:

1. A Modification of the residential parking requirements to allow no parking spaces instead of the required number of parking spaces for the existing and proposed residences and of the nonresidential parking requirements to allow no parking spaces instead of the required number of parking spaces for the conversion of the residential garages to nonresidential storage space (SBMC §28.90);
2. A lot area Modification for bonus density to allow two additional residential units for a total of 17 residential units, on a lot in the C-2 Zone (SBMC §28.21.080& 28.87.400);
3. A Modification of floor area regulations to allow the two new residential units to have less than 400 square feet of useable floor area (SBMC §28.87.150 & 28.92.026);
4. A Modification of private outdoor living space regulations to allow one of the new residential units to have no private outdoor living space instead of

the required 72 square feet of private outdoor living space (SBMC §28.21.081);

5. A Modification of private outdoor living space regulations to allow one of the residential units to have private outdoor living space that does not meet the required six foot minimum dimension (SBMC §28.21.081); and
6. Development Plan Approval for 1,434 square feet of new non-residential floor area, converted from existing residential garage space (SBMC §28.87.300).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 (Existing Facilities).

Case Planner: Jo Anne LaConte, Assistant Planner

Email: jlaconte@SantaBarbaraCA.gov

Tiffany Campbell, Agent; Rex Ruskauff, Architect; Trey Penner, Applicant Representing Ownership, present.

Jo Anne LaConte, Assistant Planner, gave the Staff presentation and recommendation.

Ms. Weiss announced that she read the Staff Report recommendation for the proposed project and also visited the site and surrounding neighborhood.

The Public Hearing was opened at 3:09 p.m.

Jarrell Jackman, Executive Director of the Santa Barbara Trust for Historic Preservation, expressed concern as to the relief being provided for the variety of parking and asked if the Presidio State Park General Plan for parking was considered as to a solution for the parking situation. He mentioned there is a possibility of making the parking lot across the street available since it is currently owned by the State and administered by the Trust.

The Public Hearing was closed at 3:12 p.m.

Ms. Weiss noted into the record a letter received from the public:

Sheila Lodge, Citizen's Planning Association, expressed concern about losing all of the on-site parking and suggested that at least two be made available for bicycles, motorcycles and other alternative transportation.

Ms. Weiss mentioned that there is a record that the building construction was done illegally and went against the City's standards. The property is also over the current density requirements. One of the positive aspects is that the building provides mixed-use living for people downtown.

Ms. Weiss mentioned that there are new City requirements as to the displacement of residents when their rental homes are being converted or eliminated.

Parking Modification

Ms. Weiss expressed concern about the loss of parking. Rob Dayton, Supervising Transportation Planner, stated that Transportation Staff agrees with the proposal and considered how safety concerns could be eliminated in its evaluation.

Mr. Dayton stated that the loading zone on the Santa Barbara Street side is to be eliminated and a loading area will be created on the Canon Perdido driveway as a safety element.

Ms. Weiss asked whether the Health Department had been consulted as what could be placed in the storage areas. Mr. Penner responded that that issue has already been addressed by the Health Department.

Ms. Weiss inquired as to alternative designs that could provide some parking while still providing the proposed storage.

ACTION:

Assigned Resolution No. 087-06

Approval of the lot area Modification of the purposes of restoring the original residential density of 15 units making the finding that it is consistent with the purpose and intent of the Zoning Ordinance and necessary to secure appropriate improvements.

Denial of the remainder of the application with the comment that although the Staff Hearing Officer supports the parking Modifications in concept, she cannot make the findings for the project as currently proposed.

Ms. Weiss announced the ten calendar day appeal period.

ACTUAL TIME: 4:31 P.M.

H. APPLICATION OF LAURA BRIDLEY, AGENT FOR ALISON AND LANCE KRONBERG, OWNERS, 924 PHILINDA AVENUE, APN 029-313-002, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, TWELVE UNITS/ ACRE (MST2005-00778)

The project consists of converting four existing three-bedroom apartments to four condominiums. An existing carport would be converted into a four-car garage and one new one-car garage would be constructed. A total of five covered spaces and three uncovered spaces would be provided. Several other exterior improvements are

proposed, including a new trash enclosure, patio area, retaining wall, and new second-story deck.

The discretionary applications required for this project are:

1. Tentative Subdivision Map for a one-lot subdivision to create four (4) condominium units (SBMC §27.07); and
2. Condominium Conversion Permit to convert four (4) existing residential units to four (4) condominium units (SBMC §28.88).

Staff has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15301, Existing Facilities, for the division of existing multiple-family residences into common interest ownership.

Case Planner: Chelsey Swanson, Assistant Planner
Email: cswanson@SantaBarbaraCA.gov

Laura Bridley, Agent; Dave Jones, Architect; Lanze and Alison Kronberg, Owners, present.

Chelsey Swanson, Assistant Planner, gave the Staff presentation and recommendation.

Ms. Weiss announced that she read the Staff Report recommendation for the proposed project and also visited the site.

The Public Hearing was opened at 4:46 p.m. and, as no one wished to speak, it was closed.

ACTION: **Assigned Resolution No. 088-06**
Approved the project, which conforms to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood and the project meets the intent of the Condominium Conversion Ordinance, making the findings outlined in Section VII of the Staff Report and subject to the conditions of approval.

APPLICATION OF LAURA BRIDLEY, AGENT FOR ROSARIO AND LINDA PERRY, OWNERS, 930 PHILINDA AVENUE, APN 029-313-001, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, TWELVE UNITS/ ACRE (MST2005-00823)

The project consists of converting four existing three-bedroom apartments to four condominiums. An existing carport would be converted into a four-car garage and one new one-car garage would be constructed. A total of five covered spaces and three uncovered spaces would be provided. Several other exterior improvements are

proposed, including a new trash enclosure, patio area, retaining wall, and new second-story deck.

The discretionary applications required for this project are:

1. Modification to allow a fountain to be located within the rear yard setback (SBMC 28.21.060 and 28.92.110);
2. Tentative Subdivision Map for a one-lot subdivision to create four (4) condominium units (SBMC §27.07); and
3. Condominium Conversion Permit to convert four (4) existing residential units to four (4) condominium units (SBMC §28.88).

Staff has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15301, Existing Facilities, for the division of existing multiple-family residences into common interest ownership.

Case Planner: Chelsey Swanson, Assistant Planner

Email: cswanson@SantaBarbaraCA.gov

ACTION:

Assigned Resolution No. 089-06

Approved the project, which conforms to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood and the project meets the intent of the Condominium Conversion Ordinance, making the findings outlined in Section VII of the Staff Report and subject to the conditions of approval.

Ms. Weiss announced the ten calendar day appeal period.

III. ADJOURNMENT

Ms. Weiss adjourned the meeting at 4:46 p.m.

Submitted by,

Deana McMillion, Administrative/Clerical Supervisor for Gabriela Feliciano, Recording Secretary