



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

AUGUST 29, 2007

CALL TO ORDER:

Bettie Weiss, City Planner called the meeting to order at 1:04 p.m.

STAFF PRESENT:

Bettie Weiss, City Planner
Jan Hubbell, Senior Planner
Danny Kato, Senior Planner - absent
Roxanne Milazzo, Associate Planner
Kathleen Goo, Staff Hearing Officer Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
No requests.
- B. Announcements and appeals.
Ms. Milazzo announced a pending appeal to the October 11, 2007 Planning Commission regarding 1596 Oramas Road.
- C. Comments from members of the public pertaining to items not on this agenda.
No comments.

II. PROJECTS:

ACTUAL TIME: 1:06 P.M.

- A. **APPLICATION OF CATHERINE DUNBAR FOR DAVID GUAJARDO, 1724 VILLA, APN 043-182-016, R-2 ZONE, GENERAL PLAN DESIGNATION: 12 UNITS/ACRE (MST2007-00286).**

The 5,000 square foot site is currently developed with a single-family residence, detached garage, and a detached "as-built" accessory structure. The proposed project involves connecting the accessory structure to the residence. Portions of the accessory structure currently located within interior yards will be removed. The discretionary application required for the project is Modification to provide less than the required 1,250 square foot open yard area (SBMC§28.18.060).

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

Catherine Dunbar, Applicant; and David Guajardo, Property Owner, present.

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

Roxanne Milazzo, Assistant Planner, gave the Staff presentation and recommendation and staff's request for recordation of a Zoning Compliance Declaration.

The Public Hearing was opened at 1:11 p.m.

Ms. Patricia Casso expressed concern regarding parking density issues and received confirmation that proposed project will be a single-family residence with improvements including recordation of a Zoning Compliance Declaration against the property title applicable to all future subsequent property owners.

Ms. Jackie Ellis expressed concern regarding parking density issues, detached "as-built" accessory structure, safety, and privacy issues of the proposed project.

The Public Hearing was closed at 1:19 p.m.

Ms. Weiss requested the applicant to clarify some questions regarding non-conformity, the requested permitted shed and "as-built" accessory structure.

Ms. Weiss expressed concern regarding the request for reduction of the open yard, a need for enforcement staff, and the applicant to establish a time limit to clean-up the shade structure and clear out the setback. She expressed concern with the extent of the open yard modification as proposed and suggested the applicant modify the foot print of the proposed project.

ACTION:

Continued two weeks to the September 12, 2007 meeting.

ACTUAL TIME: 1:31 P.M.

B. APPLICATION OF RUSS BANKO FOR THE PREZELIN FAMILY TRUST, 1281 FERRELO ROAD, APN 029-271-004, E-1 ZONE, GENERAL PLAN DESIGNATION: 3 UNITS/ACRE (MST2007-00161)

The 10,000 square foot project site is currently developed with a single-family residence and attached garage. The proposed project involves legalization of the under-story which has been converted to habitable space. The discretionary application required for this project is a Modification to permit new habitable space within the required front yard setback, (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

Russ Banko, Applicant, present.

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

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

The Public Hearing was opened at 1:34 p.m. and, as no one wished to speak, was closed at 1:35 p.m.

Ms. Weiss acknowledged receiving a correspondence letter from a neighbor which requested assurance that the proposed project would not be a multi-unit residence.

ACTION:

Assigned Resolution No. 069-07

Approves the project, making the findings that the Modification is necessary to secure an appropriate improvement on site while meeting the purpose and intent of the Ordinance by permitting legalization of the “as-built” habitable space which is compatible to the existing development on site, without impact to the adjacent neighbors, by utilizing existing underfloor area with only minimal exterior changes. Said approval would be subject to the removal of three “as-built” accessory structures and the recordation of a Zoning Compliance Declaration.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

ACTUAL TIME: 1:37 P.M.

C. APPLICATION OF PETER BECKER ARCHITECT FOR CHRISTINE GARVEY, 904 CAMINO VIEJO, APN 015-060-048, A-2 ZONE, GENERAL PLAN DESIGNATION: 2 UNITS/ACRE, (MST2006-00652)

The 6.6 acre site is currently developed with a 4,600 square foot single-family residence, detached two-car garage, a 266 square foot pool cabana, and a 917 square foot lath house. The proposed project involves conversion of the existing garage to habitable space and the construction of an attached two-car garage for the residence. The discretionary application required for the project is a Modification to permit accessory space in excess of 500 square feet (SBMC§28.87.160).

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

Peter Becker, Applicant; and Christine Garvey, Property Owner, present.

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

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

The Public Hearing was opened at 1:34 p.m.

Ms. Paula Westbury expressed concern against building any new structures and excavation, and preservation of the trees of the proposed project.

The Public Hearing was closed at 1:41 p.m.

ACTION: Assigned Resolution No. 070-07

Approves the project by making the findings that the Modification to allow accessory in excess of 500 square feet consisting of: a) a 917 square foot lath house; b) 500 square foot detached garage conversion; and c) 266 square foot pool house, is necessary to secure an appropriate improvement which is not out of scale with the size of the lot, and that the purpose and intent of the Ordinance to limit the amount of accessory space in appropriate proportion to a lot of this size.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

ACTUAL TIME: 1:44 P.M.

D. APPLICATION OF SARAH HAMMETT, 2234 CHAPALA STREET, APN 025-191-001, E-3 ONE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2007-00303)

The 7,000 square foot project site is located on the corner of Chapala and West Pueblo streets. Current development on site consists of a single-family residence and a detached two-care garage. The proposed project involves a remodel to all structures on site. No new square footage is proposed. The discretionary application required for this project is a Modification to allow a window change to the front of the house to be located within a required front yard (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

Applicant was unable to attend the hearing.

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

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

The Public Hearing was opened at 1:45 p.m. and, as no one wished to speak, was closed at 1:46 p.m.

ACTION: Assigned Resolution No. 071-07

Approves the project as submitted by making the findings that the Modification is necessary to provide an appropriate improvement within a second front yard and that it meets the purpose and intent of the Ordinance by resulting in alterations, not floor area within the required yard.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

**** THE HEARING RECESSED AT 1: 48P.M., AND RECOVERED AT 1:58 P.M. ****

ACTUAL TIME: 1:59 P.M.

E. APPLICATION OF BRENT DANIELS, AGENT FOR CYNTHIA HOWARD, 226 & 232 EUCALYPTUS HILL DRIVE, 015-050-017 AND 015-050-018, A-2, ONE-FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, TWO UNITS PER ACRE (MST2004-00349)

The proposed project involves a lot line adjustment between two parcels (2.82 and 2.75 acres in size) by realigning the dividing lot line from a north-south direction to an east-west direction, and resulting in two parcels of 2.47 acres (Parcel 1, upper parcel) and 3.10 acres (Parcel 2, lower parcel). Parcel 1 would have an average slope of 21.3% and Parcel 2 would have an average slope of 22.5%, both parcels sloping north to south. An existing single-family residence, greenhouse foundation, and hardscape driveway would be removed and two new single-family residences are proposed on each parcel. Parcel 1 would include a 6,129 square foot residence with an attached 743 square foot garage, and a 1,517 square foot residence with a 320 square foot garage, and a detached 430 square foot garage. Parcel 2 would include a 3,927 square foot residence with an a 747 square foot attached garage, and a 1,786 square foot residence with a 352 square foot subterranean garage. The project site is currently accessed from Eucalyptus Hill Drive, a private road, by an existing unimproved driveway which extends to the southern portion of the properties. This driveway would be improved to facilitate access to the proposed lower parcel, via an easement though the upper parcel. An existing driveway on the eastern property is proposed to be expanded to provide for a circular driveway to the upper parcel for a total of three curb cuts. The applicant also proposes two bioswale storm water retention areas totaling 900 square feet for Parcel 1 and 600 square feet for Parcel 2. The total grading quantities proposed for the development of both parcels include 3,090 cubic yards of cut and 2,830 cubic yards of fill.

The discretionary applications required for this project are:

1. A Lot Line Adjustment to allow adjustment of the property line between two existing parcels (SBMC § 27.40 and Government Code §66412);
2. Street Frontage Modifications to allow less than the required 100 feet of frontage on a public street for each parcel (SBMC § 28.92.026.A.2); and
3. Performance Standard Permits to allow an additional dwelling unit on each parcel (SBMC § 28.93.030.E).

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

Case Planner: Irma Unzueta, Project Planner
Email: iunzueta@santabarbaraca.gov

Brent Daniels, Applicant; and Robin Donaldson, Project Architect from Shubin & Donaldson, present.

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

Jan Hubbell, Senior Planner, gave the Staff presentation, project past history, and staff's recommendation.

Ms. Weiss acknowledged receiving a letter from Triad/Homes Associates, a civil engineering firm hired by the applicant, which responded to public comments on drainage issues as part of the public review of the Draft Mitigated Negative Declaration document. Both Irma Unzueta, the case planner, and the environmental analyst reviewed the letter and concur with its responses to public comment. Ms. Weiss stated that she believed that the issues mentioned in the letter have been address by the applicant.

Ms. Weiss requested the applicant to clarify some questions regarding detention, retention, and impervious surfaces in relation to storm drain run-off from the site in both pre- and post-construction.

Mr. Daniels explained issues regarding drainage and erosion control measures and explained run-off and over-flow retention plans into the storm drain and to Woodland Drive, including small additional run-off berms directing sheet flow to the surface street run-off on Woodland Drive.

Mr. Daniels stated that project studies are based upon conservative estimates.

The Public Hearing was opened at 2:40 p.m.

The following people opposed the proposed project:

1. Mr. Tony Vassallo read into the record Mr. Leon Olson's general statement of support and comment regarding a possible drainage easement over his adjacent property and subsequent drainage impacts.
2. Ms. June Sochel commented on grading amounts, drainage impact and system maintenance for the area, and requested an independent engineering review.
3. Mr. Ernie Solomon (prior 08/18/07 submitted letter), commented on Woodland Drive stormwater run-off which pools at the end of the street, and the "process" indemnity for potentially adverse negative drainage impacts.
4. Mr. Tony Visallo (prior 08/28/07 & 08/29/07 submitted letters) commented on notification, lot configurations and adjustment, drainage impacts and redesign before Negative Declaration and time frames for CEQA, water flows, fire zone, parcel map, and Environmental Impact Report (EIR).
5. Ms. Paula Westbury commented on her preference for no new construction and preservation of open space.
6. Mr. John Manning commented on lot-line lots limiting development of surrounding slopes and environmental assessment or Environmental Impact Report (EIR).
7. Mr. Chris Flynn commented on lack of consistency of the surrounding soil absorption rate commented on drainage and run-off retention.

8. Mr. Marcus Crahan commented on drainage, run-off, and parcel map accuracy on lot-line adjustments.
9. Mr. L.R. Greenwald commented on regarding his new ownership 865 Woodland Drive and alleged non-notification of potential negative impacts to his new property.

The Public Hearing was closed at 3:39 p.m.

Chris Hansen, Building. Inspector/Plan Check Supervisor, reported on 25-year storm water flow requirements of the project location including pooling water, bottom-out conditions, and time-lag to surface flow street run-off. Ms. Hubbell addressed public noticing concerns.

Ms. Weiss expressed additional concerns regarding development patterns, lot-line adjustment (and not parcel map), grading, accessory structure requirements, and tree removal and preservation efforts.

Ms. Weiss acknowledged neighborhood concerns regarding tree removal, erosion, grading, drainage, and storm water run-off.

ACTION:

Continued two weeks to the September 12, 2007 meeting, with direction to City staff to research Permit Streamlining Act limitations or possible conditioning to the Planning Commission, and for the Applicant to address neighborhood concerns.

III. ADJOURNMENT

Ms. Weiss adjourned the meeting at 4:29 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary