



# City of Santa Barbara

## Planning Division

### STAFF HEARING OFFICER MINUTES

SEPTEMBER 26, 2007

#### **CALL TO ORDER:**

Bettie Weiss, City Planner called the meeting to order at 1:02 p.m.

#### **STAFF PRESENT:**

Bettie Weiss, City Planner  
Roxanne Milazzo, Associate Planner  
Kathleen Kennedy, Assistant 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.  
No announcement or appeals.
- C. Comments from members of the public pertaining to items not on this agenda.  
No comments.

#### **II. PROJECTS:**

##### **ACTUAL TIME: 1:03 P.M.**

- A. **APPLICATION OF STEVE MORANDO FOR MELVILLE SAHYUN, 102 EAST PUEBLO STREET, APN 025-201-020, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2006-00451)**

The 35,000 square foot project site is located on the corner of Pueblo and Anacapa Streets. Current development on site consists of a 2,331 square foot dwelling with detached two-car garage, accessory structure, and a greenhouse. The proposed project involves a remodel and a 339 square foot first-floor and 570 square foot second-story addition. All parts of the addition will observe current yard requirements. A fountain is also proposed for the front yard facing Pueblo Street. The discretionary application required for the project is a Modification to allow the

fountain and alterations to portions of the building located within the front and interior yard setbacks (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](mailto:rmilazzo@SantaBarbaraCA.gov)

Steve Morando, Agent/Applicant; 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.

Ms. Weiss requested staff to clarify some questions regarding the odd-shaped lot and prior lot split.

Mr. Morando stated that the pond issue is no longer an issue as it will be outside the setback and the modification is no longer necessary.

The Public Hearing was opened at 1:08 p.m. and, as no one wished to speak, was closed at 1:09 p.m.

Ms. Weiss acknowledged a public comment letter received from Ms. Paula Westbury expressing her concern regarding the pond and additional building.

**ACTION:**

**Assigned Resolution No. 078-07**

Approves the project, making the findings that the Modification to make window and door changes to non-conforming portions of the existing residence are necessary to secure appropriate improvements and are consistent with the purpose and intent of the Ordinance.

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

**ACTUAL TIME: 1:10 P.M.**

**B. APPLICATION OF STEVE MORANDO FOR OSCAR PINTOR, 948 CARRILLO ROAD, APN 029-316-001, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2007-00339)**

The 2,666 square foot triangular-shaped project site is located on the corner of Carrillo Road and Alisos Street. Current development on site consists of a single-family residence. City records indicate that in one point in time there was a one-car carport on site. The carport was removed without benefit of permits and the applicants are requesting to maintain the parking space uncovered. There has also been a privacy wall installed along the front lot line and driveway without benefit of permits. The discretionary application required for this project are Modifications to permit the required parking space to remain uncovered (SBMC§ 28.90.100), and for a wall height in excess of 3 ½ feet when located along a front lot line or within the first 20 feet of a driveway (SBMC§28.87.170).

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  
Email: [rmilazzo@SantaBarbaraCA.gov](mailto:rmilazzo@SantaBarbaraCA.gov)

Steve Morando, Agent/Applicant; and Oscar Pintor, 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 1:11 p.m. and, as no one wished to speak, was closed at 1:12 p.m.

Ms. Weiss acknowledged a public comment letter received from Ms. Paula Westbury expressing her concern against demolition of the carport and protection of ancient Native American land.

Ms. Weiss also acknowledged a public comment letter received from Ms. Polly Pride expressing her concern regarding parking density issues and various complaints regarding claims of ordinance violations in the neighborhood.

Ms. Weiss requested the applicant to clarify some questions regarding egress from the property, hedge height and location, and parking issues.

Ms. Weiss expressed concern regarding added patio wall height for safe pedestrian and vehicular visibility near the driveway and parking on the site. Even though the

Transportation Division did not have an issue with the driveway or parking, Ms. Weiss suggested the applicant pull back a portion of the wall to ensure better visibility for egress from the property.

Staff clarified that the patio wall was on a grade and not an encroachment into the rear yard.

**ACTION:**

Continued to October 10, 2007.

**ACTUAL TIME: 1:30 P.M.**

**C. APPLICATION OF JACK BYERS FOR MICHAEL PAVELOFF, 510 WEST PUEBLO STREET, APN 025-080-020, C-0 MEDICAL OFFICE ZONE, GENERAL PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTIONAL (MST2007-00302)**

The 5,000 square foot project site is currently developed with a single-family residence. The proposed project involves the conversion of the existing structure to commercial use and the addition of four (4) parking spaces. The discretionary application required for this project is a Modification to allow conversion of the portions of the exiting building located within the required six-foot (6') interior yard setback (SBMC §28.51.060).

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](mailto:rmilazzo@SantaBarbaraCA.gov)

Jack Byers, Applicant; and Michael Paveloff, 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.

Ms. Weiss requested the applicant to clarify some questions regarding the ramp, parking lot design, the City's landscape standards, and the zoned setback.

The Public Hearing was opened at 1:35 p.m.

Mr. John Denver expressed concern regarding the requested modification on the window changes, and change of use, and received clarification on the allowed parking on the proposed project. He also read a submitted comment letter regarding various non-compliance issues including landscape growth

and plantings, vacancy issues of the property, and the size of the lot and conversion from single-family residence to commercial use despite previous reassurance from the prior property owner that the property would remain as a residence, and also received clarification on Ordinance standards on encroachments into the setback.

The Public Hearing was closed at 1:43 p.m.

Ms. Weiss acknowledged a public comment letter received from Ms. Paula Westbury expressing her concern regarding maintaining the current building as a residence, and preservation of landscape plantings, trees, and driveway.

Ms. Weiss expressed concern regarding observed shrubbery overgrowth impeding safe parking during her site visit to the project site, and standard back-up requirements including the overhang as addressed by Mr. Denver.

**ACTION:**

**Assigned Resolution No. 079-07**

Approves the project, making the findings that the Modification is necessary to secure an appropriate improvement, in that the existing house is being reused and the changes to the portions in the setback are minor, and that the project is consistent with the purpose and intent of the Zoning Ordinance in that non-conforming buildings are allowed to be improved. Approval is subject to the following conditions: 1) The applicant shall explore other methods for treating the west elevation of the building, and details of the landscaping along the property line. 2) Prior to the submittal for a building permit to convert the house to commercial use, the applicant must provide City staff with a report prepared by a Structural Engineer, which shows that the existing building can be re-used as proposed. If the building cannot be re-used or is demolished beyond what is shown on the plans, the interior yard Modification becomes null, i.e., if the building must be demolished, the justification for the Modification cannot be made.

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

**ACTUAL TIME: 2:07 P.M.**

**D. APPLICATION OF MATT BENWITT, 3834 LA CUMBRE HILLS LANE, APN 057-170-060, E-3 ONE-FAMILY RESIDENCE/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2007-00226)**

The 12,500 square foot project site is currently vacant. The proposed project involves the construction of a 2,500 square foot single-family residence with attached three-car garage. The discretionary applications required for this project are Modifications to allow garage space in excess of 500 square feet and wall heights in excess of 3 ½' when located within the first ten-feet of a front lot line or within the first twenty-feet along a driveway (SBMC §28.87.160 & 170).

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](mailto:rmilazzo@SantaBarbaraCA.gov)

Pete Ehlen, Agent/Applicant; and Matt Benwitt, 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.

Ms. Weiss requested clarification from the applicant on the decision by the Architectural Board of Review regarding conditions of the restoration and landscape plan, how the oversize garage addressed the street, and compatibility of the proposed project to the neighborhood, and parking density issues.

The Public Hearing was opened at 2:18. and, as no one wished to speak, was closed at 2:19 p.m.

Ms. Weiss acknowledged a public comment letter received from Ms. Paula Westbury expressing her concern regarding reducing new development, and preservation of trees, landscaping and house.

Ms. Weiss concurred with staff recommendation regarding the increased wall height.

**ACTION:**

**Assigned Resolution No. 080-07**

Approves the Modifications by making the findings that parking in excess of 500 square feet will secure an appropriate improvement by providing adequate parking for the demands of the family, reduces street parking, and meets the purpose and intent of the Ordinance; and that the wall height in excess of 3½ feet is necessary to secure an appropriate improvement by providing a level grade for the driveway without visibility obstructions to the right-of-way, with acknowledgement of the applicant that a minor enlargement of the garage size may be allowed under direction by the Architectural Board of Review.

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

**\*THE HEARING BRIEFLY RECESSED AT 2:22 P.M. AND RECONVENED AT 2:28 P.M.\***

**ACTUAL TIME: 2:28 P.M.**

**E. APPLICATION OF AM DESIGN & DRAFTING FOR FRANCISCO ESPINOSA, 814 ORANGE AVENUE, APN 037-024-007, R-3 MULTI-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2006-00437)**

The 5,625 square foot project site has frontage onto Orange and Wentworth Avenues. Current development on site consists of a single-family residence and two-car garage. The proposed project involves demolition of all existing development on site and the construction of a two-story duplex with a two-car garage and two uncovered spaces. The discretionary application required for this project is a Modification to allow the uncovered parking spaces to be located within the required interior yard setbacks. 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](mailto:rmilazzo@SantaBarbaraCA.gov)

Carlos Amaro, Applicant, 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.

Ms. Weiss requested the applicant to clarify some questions regarding the building setback, parking stall issues, over building, gate issue, and reduction of the overall massing of the building as addressed by the Architectural Board of Review.

The Public Hearing was opened at 2:36 p.m. and, as no one wished to speak, was closed at 2:37 p.m.

Ms. Weiss acknowledged a public comment letter received from Ms. Paula Westbury opposition to the proposed project, and expressing her concern regarding preservation of the trees, parking in the encroachment, house, garden, and garage.

**ACTION:** **Assigned Resolution No. 081-07**

Approves the project, making the findings that the Modification is consistent with the purposes and intent of the Zoning Ordinance in that open parking, not new floor area, is being located within the required interior yards and is necessary to secure an appropriate improvement on a 45 foot wide lot. Said approval is subject to the condition that the applicant salvage and reuse the stone blocks from the wall located along the front lot line.

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

**ACTUAL TIME: 2:39 P.M.**

**F. APPLICATION OF APRIL VERBANAC, AGENT FOR JEFFREY B. AND JOANNE P. LOCKWOOD, 1024 E. GUTIERREZ STREET, APN 031-372-006, R-2, TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS/ACRE (MST2006-00355)**

The project consists of a proposal to convert three existing detached, two-story residences to condominiums on an 11,250 square foot lot. The project was previously approved on March 11, 2004; however, the time required to record the Final Map has expired. Building permits have been issued for the work required under the prior approval and a Certificate of Occupancy has been issued.

The discretionary applications required for this project are:

1. Tentative Subdivision Map for a one-lot subdivision for the conversion of three residential units into condominium units (SBMC Chapter 27.07); and
2. Condominium Conversion Permit to convert three residential units into three (3) condominium units (SBMC Chapter 28.88).

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](mailto:kkennedy@SantaBarbaraCA.gov)

April Verbanac, Agent/Applicant; and Jeffrey Lockwood, Property Owner; and Steve McGuire, Applicant's attorney, present.

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

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

Ms. Weiss requested that the applicant clarify whether or not the existing tenants were notified of the proposal, and if there was any interest expressed by the tenants in purchasing condominiums.

Mr. Lockwood stated that the tenants were notified and that none of the tenants have expressed interest in purchasing a condominium.

The Public Hearing was opened at 2:46 p.m. and, as no one wished to speak, was closed at 2:47 p.m.

Ms. Weiss acknowledged a public comment letter received from Ms. Paula Westbury expressing her concern regarding the condominium conversion and requested that it be kept as apartments.

**ACTION:**

**Assigned Resolution No. 082-07**

Approves the project, making the findings for the Tentative Subdivision Map Condominium Conversion Permit contained in Planning Commission Resolution 013-04, and subject to the same Conditions of Approval in PC Resolution 013-04, with one new condition added regarding lowering the front hedge in conformance with the Zoning Ordinance prior to recordation, and subject to verification by staff.

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

**III. ADJOURNMENT**

Ms. Weiss adjourned the meeting at 2:49 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary