



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

OCTOBER 10, 2007

CALL TO ORDER:

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

STAFF PRESENT:

Bettie Weiss, City Planner
Roxanne Milazzo, Associate Planner
Suzanne Johnston, Assistant Planner
Jake Jacobus, Urban Historian
Kathleen Goo, Staff Hearing Officer Secretary

BOARD/COMMISSION/COMMITTEE MEMBERS PRESENT:

William La Voie, Historic Landmarks Commissioner

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

No requests. Announcements and appeals.

Ms. Weiss announced an upcoming suspension review by the Planning Commission on November 15, 2007 regarding 814 Orange Avenue which was previously heard at the September 26th Hearing. Another item for Planning Commission appeal review is a denial of a performance standard permit and lot line adjustment for Eucalyptus Hill Drive, but a date has not been set for the appeal review at this time.

- C. Comments from members of the public pertaining to items not on this agenda.

No comments.

II. PROJECTS:

THE FOLLOWING ITEM WAS HEARD OUT OF AGENDA ORDER.

ACTUAL TIME: 1:25 P.M.

A. 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 Planner
Email: rmilazzo@SantaBarbaraCA.gov

Steve Morando, 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 removal of portions of the retaining wall (2½ feet off either end) and over-height hedge as it pertains to vehicular and pedestrian safe visibility issues, and the location of the wrought iron fence.

Ms. Weiss concurred with staff's request for the applicant to remove the over-height hedge.

The Public Hearing was opened at 1:31 p.m. and, as no one wished to speak, was closed at 1:32 p.m.

ACTION:

Assigned Resolution No. 084-07

Approves the project by making the required findings that the Modification to not provide a covered parking space on site and to allow an over-height wall are necessary to secure an appropriate improvement, and meets the purpose and intent of the Ordinance, by providing outdoor living space without creating a public safety issue.

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

THE FOLLOWING ITEM WAS HEARD OUT OF AGENDA ORDER.

ACTUAL TIME: 1:02 P.M.

B. APPLICATION OF RAY KETZEL FOR MR. & MRS. NICK TOMPKINS, 911 LAGUNA STREET, APN 029-301-012, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: OFFICE AND RESIDENTIAL (MST2007-00210)

The 5,000 square foot project site is currently developed with two single-family residences and a detached garage. All existing structures will be demolished as a part of this project. The proposed project involves the construction of a new two-story single-family residence with an attached two-car garage.

The discretionary application required for this project is a Modification to allow the new garage to be located within the required front and interior yard setbacks (SBMC § 28.21.060).

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

Doug Beard, Architect/Applicant; and Mr. & Mrs. Nick Tompkins, Property Owners, 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 design approach and how it evolved to how it is currently; elevation, grading, and fencing; dimension; proper setback allowance for the garage; minimal plate height and roof pitch, height of the foliage; and asked if the building width lined up with the width of the adjoining property; and if any consideration in the concept development had been given to the El Caserío neighborhood area.

Ms. Weiss concurred with the Historic Landmarks Commission's eventual, and generally favorable, assessment of the current design.

The applicant verified that a photographic survey was submitted.

The Public Hearing was opened at 1:12 p.m.

Mr. Brooks Hansen, 925-E. Garden Street, submitted some neighborhood photographs for consideration, and expressed concern regarding the preservation of his private view and asked to meet with the applicant to study the pertinent information and review the project site before the item returns for review by the Historic Landmarks Commission.

Mr. Kellam De Forest expressed concern regarding consideration given the El Caserío area on plate heights for preservation of the private view shed for the neighborhood.

The Public Hearing was closed at 1:23 p.m.

ACTION:

Assigned Resolution No. 083-07

Approves the project by making the findings that the Modification for the garage is necessary to secure an appropriate improvement by providing two covered parking spaces on site, and meets the purpose and intent of the Ordinance in that it allows expansion of the existing garage location to bring parking up to code. Said approval is subject to the requirement that the tree protection measures as identified in Peter Winn's letter dated May 3, 2007, be followed during the course of construction. Said approval is also subject to the condition that the applicant meet with the adjacent neighbor to discuss items of concern so that a full report can be made to the Historic Landmarks Commission.

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

ACTUAL TIME: 1:34 P.M.

C. APPLICATION OF SCOTT BRANCH FOR LAURA SHAFER, 816 WEST MICHELTORANA STREET, APN 043-242-013, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 12 UNITS/ACRE (MST2007-00363)

The 5,000 square foot project site is currently developed with a single-family residence, detached one-car garage, and a 100 square foot accessory building. The proposed project involves a 116 square foot first floor addition to the residence. The discretionary application required for this project is a Modification to permit the addition to be located within the required interior and open yard areas (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

Scott Branch, Applicant; and Laura Shafer, 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 storage shed location, but found the improvement an appropriate outdoor use and storage of a temporary structure regardless of its location.

The Public Hearing was opened at 1:38 p.m. and, as no one wished to speak, was closed at 1:39 p.m.

ACTION:

Assigned Resolution No. 085-07

Approves the project, making the findings that the Modification is necessary to secure an appropriate improvement, provides uniformity of improvement, and that the purpose and intent of the Zoning Ordinance is being met in that an adequate open yard area is still being maintained.

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

ACTUAL TIME: 1:40 P.M.

**D. APPLICATION OF BRYAN MURPHY FOR DARIO PINI,
1335 MISSION RIDGE ROAD, APN 019-210-005, E-1 ONE-FAMILY
RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 1
UNIT PER ACRE (MST2006-00285)**

The 17,000 square foot project site is currently developed with a single-family residence. The proposed project involves the legalization of "as-built" construction, expired building permits, and new additions to the residence. The discretionary application required for the project is a Modification to permit new construction 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

Bryan Murphy, Applicant; and Dario Pini, 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 expressed concern regarding archive plans for previously approved library encroachment permits at the front of the property for the library area as it pertains to past setback area boundaries. Ms. Weiss also asked if the support posts were shown as necessary structural elements, if any alternatives to the support posts had been considered which did not obstruct the parking area, and requested the applicant address concerns regarding parking in the front yard.

The Public Hearing was opened at 1:55 p.m.

Mr. Kellam De Forest expressed concern regarding the public view from the streetscape of the proposed project.

The Public Hearing was closed at 1:57 p.m.

Ms. Weiss concurred with staff's assessment and the applicant's rationale regarding changes and improvements within the existing building footprint on a hillside lot to prevent spill down a hillside area, particularly given the fact that the building was constructed before the 30-foot standard requirement, and the development generally respects the historic development pattern. The expansion of the structure seems to be an architectural improvement and creates a cohesive and internally circulating single-family home.

Ms. Weiss cautioned the applicant that it is not the purview of this to issue zoning corrections, such as bathroom or door locations, and that any action by this Hearing pertains to the size of the building footprint, the basic zoning, and the architecture.

Ms. Weiss concurred with previous comments by the Architectural Board of Review (Board) regarding concerns for the streetscape and an appropriate architectural design. She also expressed the desire that the Board work as closely as possible with the applicant on addressing incorporation of the newly proposed architectural elements, such as the tower element within the front yard setback and the rock arch structure which, in her opinion, is unnecessary and not an appropriate improvement given the traditional feel of the roadway.

Mr. Jake Jacobus, Associate Planner/Urban Historian, verified that the original 1920's structure has had too many previous alterations and was determined that it would not be deemed a Historic Landmark nor Structure of Merit-worthy.

The applicant clarified that the architectural element of the tower adds an essential vertical element and was part of the original ABR reviewed 1982 permit and they

are only proposing it remain as it was originally approved with the habitable floor removed which will currently be addressed for review.

Mr. Don Irelan, Senior Real Property Agent, clarified that the previously approved original 1981 wall/window encroachment did not pose an obvious obstruction to vehicles, utilities, or pedestrians at the time since an encroachment application was initiated but never finalized. Mr. Irelan verified that an encroachment permit application is pending to acknowledge all of the remaining encroachments for approval to City Council action and recommendation. His recommendation would be to submit it for a Council decision, and proposed that if denied, then it wouldn't be recorded; and if approved, it would not be recorded until all final information had been obtained as the encroachment permit is a revocable document.

Ms. Weiss commented that the storage on the property should be cleaned up and therefore, it shall not be included in the approval of the proposed modification. Further, since an interior yard modification was not included in this requested modification, the applicant shall return for an interior yard modification.

ACTION:

Assigned Resolution No. 086-07

Approves the project by making the findings that the Modification outside the right-of-way, and within the front yard setback is necessary to secure an appropriate improvement, which will result in a unified and cohesive design both in terms of aesthetics and function, and that it meets the purpose and intent of the Zoning Ordinance to allow additions that are at the back of the house. Said approval does not include the storage on the property.

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 2:21 P.M. AND RECONVENED AT 2:24 P.M.

ACTUAL TIME: 2:25 P.M.

E. APPLICATION OF LISA PLOWMAN, AGENT, FOR ADAME TRUST, 710 ANACAPA STREET, 031-081-013, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCE AND OFFICE (MST2006-00312)

The project consists of a new 4,031 square foot, two and one-half story, 34.6 foot tall mixed-use development including the preservation of 577 square feet of an existing 1,562 square foot mixed-use structure on the City's List of Potential Historic Resources (Myers Cottage). The project will include relocation of the existing structure (which will become a commercial condominium) nine feet to the west, new construction at ground level to provide two residential condominium units (one, two-bedroom unit and one, three-bedroom unit), three covered residential parking spaces, and one uncovered accessible commercial parking space. A portion of the existing stone site wall will be preserved in place and a portion along the driveway will be rebuilt.

The discretionary applications required for this project are:

1. A Modification is required to allow a three-story residential structure to encroach into the required interior yard setback. (SBMC §28.45.008);
2. A Modification is required to allow a three-story residential structure to encroach into the required rear yard setback. (SBMC §28.21.060); and
3. A Modification to allow the distance between buildings to be reduced to 10' (SBMC §28.21.070); and
4. A Tentative Subdivision Map for a one-lot subdivision to create two (2) residential and one commercial condominium units (SBMC §27.07 and §27.13)

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: Suzanne Johnston, Assistant Planner

Email: sjohnston@SantaBarbaraCa.gov

Detlev Peikert, Agent/Applicant; and Carlos Adame, Property Owner, Don Irelan, Senior Real Property Agent for the City of Santa Barbara, present.

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

Suzanne Johnston, Assistant Planner, gave the Staff presentation and recommendation.

As the Historic Structures Report was completed prior to development of the current design concept, Ms. Weiss requested clarification from Mr. Bill La Voie, Historic Landmarks Commissioner on some questions regarding the September 10, 2006

Staff Report regarding the City's General Plan Policy, consistency, and Environmental Review since the HLC was not in full agreement with some of the Report's conclusions. The plan is for retention of the building relocated 9 feet forward and proposed as a commercial condominium. Given the amount of necessary alteration, restoration, and reconstruction impact involved for a new location, setbacks, and separation of the buildings, Ms. Weiss requested clarification of the amount of impact and the Commission's recommendations.

Mr. La Voie clarified that given the determination of the significant actual value of the building, the HLC wanted to retain the building in its present appearance and the applicant has complied in their current proposal. The Commission's concern also encompassed the house, its relationship to the sidewalk, and the new building as a stand-alone structure which resulted in the compromise on the relocation of the building. The Commission supports what has been accomplished so far on the project, but what was not clarified to the Commission was the issue of how much of the building will be restored or salvaged and the viability of the existing structure.

As the HLC is interested in seeing the structure designated at the landmark level, Ms. Weiss requested clarification on the Commission's view regarding the amount of reconstruction, use of existing materials or new materials on a building that the HLC thinks should be a landmark, i.e., how much reconstruction or use of materials can occur yet still keep the HLC, independent historian, and City staff able to determine that it will not be of significant impact.

Mr. Jacobus clarified that in a similar project, a restoration plan was requested to provide the level of detail required which also gave an exact plan for the historian to follow to monitor the demolition and restoration work to assist in determining how much of the historic value of the building could be saved which helped avoid any miscommunications or misunderstandings. He recommends a similar detailed restoration plan for the current project since it has many character-defining features (i.e., very wide-board novelty siding, original windows, trim and barge boards, etc.) which should be saved on a truly historic building.

Mr. La Voie clarified that the Commission would like to see a restored building to preserve as much of the exterior skin as can be salvaged, and what cannot be salvaged should be replaced in kind; which is sometimes be contrary to Secretary of the Interior standards, but very much in keeping with what the Commission would like to see happen.

Mr. Peikert commented that it was previously believed that that the structure would not ascend to landmark status. His client proposes the restoration can support Structure of Merit designation.

Ms. Weiss commented that at subsequent HLC meetings, the Commission should rule on another designation as a Landmark or Structure of Merit.

Mr. Peikert addressed a correction of the Staff Report project description on the actual height of the mixed-use development to be 34.6 feet, and not 42-feet, which

staff explained was a difference in "perceived height" from the sidewalk and actual height from grade to the rooftop of the building.

Staff indicated that the modification into side interior yard was necessary in part due to the need for vehicle maneuverability for the garage. Ms. Weiss commented on the critical element of setback suitability and that she viewed the modification into the side interior yard as an encroachment of living area into the side yard setback. Ms. Weiss also requested the applicant to clarify the restrooms indicated on the floor plan between the historic structure and the new building which seemed to add to the length of encroachment into the rear yard and the distance between buildings modification. It was noted that the revision of the south elevation was done per HLC direction.

The Public Hearing was opened at 2:56 p.m.

Ms. Pamela Boehr expressed concern regarding the proposal to convert a residential historical building to commercial use, resultant crowding, the floor-to-lot-area ratio over 70% being too high, and violation of all setbacks front, side and rear, and requested redesign of the proposed project to meet El Pueblo Viejo District guidelines.

Mr. Kellam De Forest expressed concern regarding Structure of Merit and Landmark status designation, and the setback modification requests of the proposed project.

The Public Hearing was closed at 3:05 p.m.

Ms. Weiss stated that it was important to clarify that both HLC & SHO perceived that the positioning of the new building relative to the historic structure, the distance between the structures, and height above the structure did not have an adverse or significant impact on the historic structure which addressed the distance, overall height, and location.

Mr. La Voie commented that the HLC wanted as much landscaping in front of the building as possible and a minimum of hard surface, but the modification request on the distance between buildings (a 15 foot zoning requirement) was not addressed by the Commission. Even though story poles were not part of the project at the time, the Commission felt that project would be improved with significant vertical landscaping and trees or green barrier between (or behind) the two buildings.

Ms. Weiss concurred with staff to delete from the Conditions of Approval Sections E-4 (Tenant Displacement Assistance Ordinance Compliance) and F-4 (Commercial Dumpsters); to condition Mr. Jacobus' restoration and detailed reconstruction planning prior to final approval, and directed staff to re-phrase the Modification findings and Conditions without the basis of unreasonable hardship. Further, in her opinion, the environmental assessment is not complete, given that the project has not been analyzed through a Historic Structures Report.

ACTION:

Continued to the November 7th Staff Hearing meeting in order to secure comment from the Historic Landmarks Commission regarding the issues discussed at this hearing.

III. ADJOURNMENT

Ms. Weiss adjourned the meeting at 3:47 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary

