



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

OCTOBER 24, 2007

CALL TO ORDER:

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

STAFF PRESENT:

Bettie Weiss, City Planner
Jaime Limón, Senior 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.

Bettie Weiss, City Planner announced a continuance at staff's request of Item III. F, 623 E. Ortega Street for re-noticing to the November 7, 2007 meeting, and that there shall be only discussion of the item and no action taken today.

- B. Announcements and appeals.
No announcements 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 SUZANNE ELLEDGE PLANNING & PERMITTING SERVICES FOR MARGARET MEAD, 333 W. COTA STREET, APN 037-152-001, R-4 ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2007-00132)

The project site is located on the corner of Cota and Castillo Streets. Current development on site consists of a tri-plex and detached four-car garage. The proposed project involves the expansion of the upstairs studio apartment to a one-bedroom unit by converting an existing, non-habitable attic space into a bedroom with bath.

The discretionary applications required for the project are Modifications to permit:

1. The expanded unit to provide only one (1) of the required two (2) parking spaces (SBMC §28.90.100); and,
2. Parking to be located within the required front yard setback facing Castillo Street (SBMC §28.21.060 & 28.28.90.001); and,
3. A hedge, located along both front lot lines, to exceed the maximum allowable height of 3 ½' (SBMC §28.87.170).

This item was heard by the Staff Hearing Officer on August 1, 2007 and continued to this date to allow the applicant an opportunity to redesign.

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

Trish Allen, Agent/Applicant; and Margaret Mead, Property Owner, present.

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

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

The Public Hearing was opened at 1:18 p.m. and, as no one wished to speak, was closed at 1:19 p.m.

Ms. Weiss clarified previously approved and conditioned permanent screening fence location, and expressed concern regarding the location of the over-height hedge along the front lot line area to screen an outdoor living area. She requested Mr. Limón to clarify the previous consideration and partial approval he gave the proposed project at the August 1st meeting when he substituted as Staff Hearing Officer.

Mr. Limón clarified that at the previous hearing he believed the applicant provided sufficient reason for him to approve the private outdoor living area as a desirable amenity on the site. He believed that it was a compromise to approve the outdoor living space, in exchange for not supporting the hedge/wall height modification for the entire length of both street frontages. Although at the September 10th meeting, the Architectural Board of Review (ABR) supported the use of a wall and hedge to enclose the outdoor living area, staff's view from a zoning perspective is that past and future maintenance of the hedge can become a problem, and the proposal to screen the entire lawn and frontage area creates a conflict with the Zoning Ordinance.

Ms. Weiss commented that on her site visit, she observed that most frontages were fully visible and that she did not observe that over-height hedges were particularly prevalent in the neighborhood. She explained that even though the City has previously approved front yard modifications due to lot area constraints for properties with two front yards, the purpose and intent of the Zoning Ordinance is to

reduce the limited height allowance for front yard fences, walls, screens, vegetation and hedges to maintain safe visibility at corner intersections and an open feeling in front yards. Due to the freeway proximity, a sound barrier wall/fence to reduce sound impacts is also a reasonable objective. She stated she concurred with Mr. Limón's previous action on this issue, but feels that some compromise such as the suggested partial hedge should be possible to accommodate the applicant and yet adhere to the Ordinance requirements.

ACTION:

Assigned Resolution No. 087-07

Partially approves the hedge/wall modification along Castillo Street to exceed the maximum allowable height of 3½ feet. Said approval is subject to the conditions that: 1) The over-height of the wall/fence/screen/hedge or vegetation along the front property line on Castillo Street does not exceed a combined height of 42-inches of existing stone wall and 42-inches of new wall and plantings commencing 12 feet south of the property corner. 2) The Applicant return to the Architectural Board of Review having studied the wall construction and plant material, with the direction that the Landscape Architect confirm that the chosen plant material or species conforms to the allowed heights and does not exceed the maximum 3½ feet height requirement along the front property line on Cota Street.

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

ACTUAL TIME: 1:32 P.M.

B. APPLICATION OF JOHN HARLEY, 731 COOK AVENUE, APN 043-244-002, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2007-00393)

The 5,000 square foot project site is currently developed with a single-family residence and detached garage. The proposed project involves the addition of a parapet to the garage roof. The discretionary application required for this project is a Modification to allow alterations to the front portion of the garage that is located within the required interior yard setback (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

John Harley, Applicant and Property Owner, present.

Ms. Weiss announced that she read the Staff Report and photographs for the proposed project and also drove by the site and through the surrounding neighborhood.

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

Ms. Weiss stated that she believes the requested modification does not negatively impact any adjacent neighbors or surrounding neighborhood.

The Public Hearing was opened at 1:36 p.m. and, as no one wished to speak, was closed at 1:37 p.m.

ACTION: **Assigned Resolution No. 088-07**

Approves the project making the findings that the Modification is consistent with the purposes and intent of the Ordinance in that it does not provide additional floor area within the setback and is necessary to secure an appropriate improvement for privacy to the occupants of the residence. Said approval is subject to the removal of any outstanding zoning violations on site.

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

ACTUAL TIME: 1:38 P.M.

C. APPLICATION OF DEMIAN MINJAREZ FOR HELEN BIRD, 3306 CALLE NOGUERA, APN 053-245-006, E-2 ONE-FAMILY RESIDENCE/SD-1 & SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2007-00287)

The 12,500 square foot project site is located on the corner of Calle Noguera and San Roque Road. Current development on site consists of a single-family residence, detached garage, and detached accessory space. The proposed project involves 390 square feet of first floor additions to the residence. The discretionary application required for the project is a Modification to permit alterations within both front yard setbacks and the 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 15305.

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

Helen Bird, 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, Associate Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 1:42 p.m. and, as no one wished to speak, was closed at 1:43 p.m.

Ms. Weiss stated she concurred with staff's recommendation in all respects and requested applicant restudy their front yard request in order to observe the required 40-foot front yard setback requirement for extra large front yard setbacks in the San Roque neighborhood.

ACTION:

Assigned Resolution No. 089-07

Approves the requests for the kitchen and master bath expansion, making the findings that the Modification are necessary to provide appropriate floor plan improvements that meet the purpose and intent of the Ordinance by being in locations that do not appear to encroach, and denies the enclosure request for the front foyer addition in that it is not an appropriate improvement.

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

ACTUAL TIME: 1:48 P.M.

D. APPLICATION OF T-MOBILE FOR THOMAS THOMPSON, 3230 STATE STREET, APN 053-332-030, C-2 COMMERCIAL/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2006-00574)

The 15,000 square foot project site has frontage on both State Street and Calle Alamo. Existing development on site consists of a commercial building. The proposed project involves a new unmanned wireless communication facility. The proposal consists of a panel antenna installation, demolition of an existing storage area, and the construction of a new eight-foot (8') high uncovered block wall equipment enclosure area. The discretionary application required for this project is a Modification to permit the alterations/installations to be located within both twenty-foot (20') front yard setbacks (SBMC §28.45.008).

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

Amy Peña, Consultant/Agent for T-Mobile, present.

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

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

Ms. Weiss commented that the presently proposed project results in less encroachment and that she observed the ABR was working closely with the applicant. She concurred with staff that the cupola and chimney didn't appear to pose a concern and expressed appreciation that the new proposed structure and enclosure will be replaced with a new structure, enclosures, and landscaping. She

also concurred that the proposed project was an aesthetic improvement and enhancement in reduction of existing encroachment.

The Public Hearing was opened at 1:53 p.m. and, as no one wished to speak, was closed at 1:54 p.m.

Ms. Weiss requested the applicant to clarify the location of the sidewalks and rear road right-of-way as the Public Works may have their own conditions and requirements for vegetation and landscaping. Staff confirmed that the previous project also showed that the curb established the rear property line.

ACTION:

Assigned Resolution No. 090-07

Approves the project, making the required findings that the Modification is necessary to secure an appropriate improvement of a permitted use on this site and that the purpose and intent of the Ordinance is being met by utilizing existing building area and the back portion of the lot as a rear yard, with the condition that the applicant receive input from the Public Works Department regarding vegetation and landscaping.

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

ACTUAL TIME: 1:58 P.M.

E. APPLICATION OF CEARNAL ANDRULAITIS, LLP, FOR BEACH MOTEL PARTNERS, 28 W. CABRILLO BLVD, APN 033-102-002, HRC-1 HOTEL & RELATED COMMERCE/R-4 HOTEL-MOTEL-MULTIPLE RESIDENCE/SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: HOTEL & RELATED COMMERCE (MST2007-00276)

The proposed project involves conversion of an existing 1,812 square foot hotel conference room to a guest spa and 668 square feet of exterior improvements including a new Jacuzzi spa and privacy wall at an exiting patio at the Harbor View Inn.

The discretionary application required for this project are Modifications to permit:

1. A privacy wall, hedge, fence and gate to exceed the maximum required 3 ½' in height when located within ten-feet (10') of a front lot line (SBMC § 28.87.170); and,
2. A Jacuzzi to be located within fifteen-feet (15') of a front lot line (SBMC §28.87.060); and,
3. The installation of a new door to a portion of the building located with the required thirty-foot (30') front yard setback (SBMC §28.21.085)

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

Brie Medley, Applicant/Agent for Cearnal Andrulaitis representing West Beach Hotels; and Mark Romasonto representing Beach Motel Partners, present.

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

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

Ms. Weiss requested the applicant to clarify the R-4 zoned Jacuzzi portion of the site with height limitations compared to the rest of the fenced in area along Chapala Street which has no height limitation; and inquired about consistency with residential property safety standards regarding the iron gate and hedge vegetation enclosing the Jacuzzi within the front yard, and the raised patio with raised fencing to be shown on the plans.

Ms. Weiss concurred with the decision by the Historic Landmark Commission regarding the solid fencing providing pedestrian interest, public value and art, and commented she did not think it necessary to include the ceramic mural tile. She also clarified that any action by this hearing would only apply to the Chapala Street frontage where the property is zoned R-4.

The Public Hearing was opened at 2:07 p.m. and, as no one wished to speak, was closed at 2:08 p.m.

ACTION:

Assigned Resolution No. 091-07

Approves the project, making the findings that the Modifications being requested are necessary to secure an appropriate improvement of spa facilities for the hotel, and are consistent with the purpose and intent of the Ordinance, because there would be adequate separation from the spa and the street.

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 2:12 P.M., AND RECONVENED AT 2:19 P.M. ***

*** DISCUSSION ONLY: THE FOLLOWING ITEM WAS CONTINUED AT STAFF'S REQUEST TO THE
NOVEMBER 7TH MEETING.***

ACTUAL TIME: 2:19 P.M.

**F. APPLICATION OF JESSICA GRANT, PENFIELD & SMITH, AGENT FOR
AARON GOLDSCHMIDT AND JAMES JOHNSON, 623 E. ORTEGA
STREET, APN 031-103-014, R-3, LIMITED MULTIPLE-FAMILY
RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL,
12 UNITS/ACRE (MST2007-00125)**

The project consists of a proposal to convert an existing three unit apartment building into three condominium units on a 7,000 square foot lot. Six uncovered parking spaces currently exist onsite. A new attached three-car carport with roof deck is proposed.

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

Jessica Grant, Agent/Planner of Penfield & Smith Engineers, Inc.; and Brian Nelson, Architect of Penfield & Smith Engineers, Inc., 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, and mentioned the postponement of the project to the November 7th meeting due to recent additional modification requests.

Ms. Weiss requested the applicant to clarify some questions regarding existing standards on the plans showing the adjusted building footprint, paving, and landscaping. She commented that Condition Item D-1 regarding neighborhood noticing seemed to be unnecessary given the minor amount of construction activity expected for the requested modifications.

Ms. Weiss expressed concern regarding the allowed encroachment of the trellis.

The Public Hearing was opened at 2:29 p.m. and, as no one wished to speak, was closed at 2:30 p.m.

Staff clarified for the applicant that the required standard for additional storage is access from the parking area (including Unit B and C) to be included with the proposed project.

Ms. Weiss concurred with staff that the modification was necessary for the small reduction of open space.

Ms. Weiss commented that she believed that the proposed project represents more attainable housing, and is consistent with condominium conversion standards and housing element policy, which calls for a wider range of housing opportunities for a slightly higher density neighborhood.

Ms. Weiss concurred with the decision by the Architectural Board of Review regarding improved aesthetic impact of the proposed project to the surrounding neighborhood.

ACTUAL TIME: 2:38 P.M.

G. APPLICATION OF ON DESIGN LLC, ARCHITECT, FOR JAIME AND ROBIN MELGOZA, 1115 QUINIENTOS STREET, APN 017-141-014, R-2, TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS/ACRE (MST2005-00609)

The project consists of a proposal for three (3) two-story, detached residential condominium units with attached two-car garages. The 11,275 square foot lot is currently vacant and has an access easement across the adjacent parcel. The discretionary application required for this project is a Tentative Subdivision Map for a one-lot subdivision to create three residential condominium units (SBMC Chapter 27.07 & 27.13).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 (New construction of small structures) and 15315 (Minor land divisions).

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

Justin Van Mullem Agent/Applicant from On-Design Architects; Robin Melgoza, Property Owner, and Steve Foley, Senior Planner I for the Transportation Division, present.

Ms. Weiss announced that she read the Staff Report and visited the site for the proposed project, and observed the story poles on-site and developments of the surrounding neighborhood.

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

Ms. Weiss requested the applicant to clarify some questions regarding the garage, parking, and landscape plan. Mr. Van Mullem confirmed that the proposed three additional parking spaces are intended only for interim and temporary parking.

The Public Hearing was opened at 2:50 p.m.

Ms. Gisela Wright expressed concern regarding parking habits, patterns, and density of the proposed project on the adjoining properties.

The Public Hearing was closed at 2:55 p.m.

Ms. Weiss expressed concern regarding insufficient parking planned for the present parking demand. Staff concurred that there seems to be insufficient planned parking depth for maneuverability.

Mr. Foley explained that the additional parking plan was not approved by the Transportation Division as the additional parking spaces require multi-movement maneuvering instead of the required one-movement maneuver required by Ordinance. A waiver is necessary to identify these as official "parking spaces" and Ms. Weiss suggested that they should be parking spaces and part of the common space.

ACTION:

Assigned Resolution No. 092-07

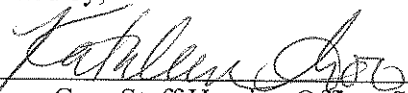
Approves the Tentative Subdivision Map and Condominium Conversion Permit, making the findings outlined in Section VII of the Staff Report, and subject to the amended Conditions of Approval in Exhibit A: 1) Additional Item A.6.c) Required Private Covenants - Three (3) common uncovered parking spaces shall be maintained for visitor use; and 2) Item E.1., Additional Design Review Requirement - Prior to receiving final approval, the plan shall include the removal of the paving within the front yard setback of the adjacent parcel.

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 3:10 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary