



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** February 29, 2012  
**AGENDA DATE:** March 7, 2012  
**PROJECT ADDRESS:** 101 N. Salinas Street (MST2011-00010)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Renee Brooke, AICP, Senior Planner *RLB*  
 Jo Anne La Conte, Assistant Planner *JALC*

### I. PROJECT DESCRIPTION

The 6,399 square-foot site is currently developed with 1,013 square foot single family residence with a basement below. The proposed project includes construction of a new 475 square-foot detached two-car garage with a 475 square-foot residential dwelling unit above, one new uncovered parking space, a new driveway and landscaping. The project also includes alterations to the existing 1,013 square-foot single family residence, including converting 540 square feet of basement to habitable space and enclosing 97 square feet of an existing upper story deck.

The discretionary applications required for this project are:

1. A Modification to convert a portion of the basement area to habitable space within the required 15-foot front setback on Mason Street (SBMC §28.18.060 and §28.92.110);
2. A Modification to allow new construction within the required open yard (SBMC §28.18.060 and §28.92.110), and;
3. A Modification to allow three parking spaces instead of the four parking spaces required (SBMC §28.90.100 & §28.92.110)

Date Application Accepted: February 6, 2012

Date Action Required: May 4, 2012

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to conditions.

**III. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant:	Bree Medley	Property Owner:	Jennifer Marie Checchio
Parcel Number:	017-073-012	Lot Area:	6,399 sq. ft.
General Plan:	Medium Density Residential	Zoning:	R-2
Existing Use:	Single Family Residence	Topography:	9.9%

Adjacent Land Uses:

North – Residential	East - Residential
South – Residential	West - Residential

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	Unit 1 - 1,013 sq. ft. Unit 2 – None Currently	1,650 sq. ft. 475 sq. ft.
Garage	None	475 sq. ft.

**C. PROPOSED LOT AREA COVERAGE**

Building: 1,640 sf 26%      Hardscape: 925 sf 14%      Landscape: 3832 sf 60%

**IV. BACKGROUND**

The existing development on site consists of a 1,013 square foot single family residence with a basement below and one uncovered parking space. The number of parking spaces for the existing development is non-conforming with one uncovered space; the Zoning Ordinance requires two covered parking spaces for the existing unit on the lot.

**V. DISCUSSION**

The property is zoned R-2 and with a lot size of 6,399 square feet, the property may be developed with two units. The proposed project involves constructing a new 475 square foot dwelling unit with a 475 square foot two-car garage below, one uncovered parking space, a new driveway and landscaping. The project also includes alterations to the existing 1,013 square-foot single family residence, including converting 540 square feet of basement to habitable space and enclosing a portion (approximately 97 square feet) of the existing upper story deck.

The project was heard at the Architectural Board of Review (ABR) on October 17, 2011, and December 12, 2011 and was forwarded to the Staff Hearing Officer with comments.

### **FRONT SETBACK**

The property has two front yards facing Salinas and Mason Streets. The existing single family residence on site has a basement below. The project includes 30 cubic yards of grading under the main building footprint to allow 540 square foot of existing basement area to be converted to habitable space, of which approximately 60 square feet is located in the required 15 foot front setback facing Mason Street. It is staff's opinion that the requested encroachment is minor and will allow for re-use of the existing structure without anticipated impacts to the neighbors.

### **OPEN YARD**

The project site is located on a corner and has two front yards, with the secondary front yard facing Mason Street. The Zoning Ordinance requires 1,250 square feet of open yard area, which may be provided in multiple areas with minimum dimensions of 20 feet by 20 feet and allows for up to 850 square feet of the open yard area to be provided in the remaining front yard. In addition, on lots with multiple front yards, the Ordinance allows an open yard to include area in a secondary front yard as long as the open yard observes a 10' front setback from the front lot line.

The site currently conforms to the open yard area requirements. As proposed, the project would not provide any area that meets the minimum 20' x 20' unobstructed dimensions for open yard area. However, the proposal includes replacing an existing upper level "deck" for which staff could not locate any permits on file. The proposed deck is not an allowed encroachment into the required open yard area; however, a patio cover is allowed to occupy up to 20% of the open yard area. Therefore, staff recommends a condition to either remove the deck entirely or replace it with a patio cover in order to provide approximately 1,000 square feet of open yard area that meets the minimum 20' x 20' dimensions. In addition, staff recommends conditions to reduce the garage to the minimum size requirements (400 net sq. ft.) and to reduce the size of the stairway and trash receptacle area in order to increase the open yard area for the project. If the garage, stairway and trash receptacle area are reduced to the minimum size requirements, approximately 120 square feet of additional open yard area may be provided, bringing the total open yard to approximately 1,120 square feet.

Staff can support the requested open yard modification with the recommended conditions because of the site constraints associated with the two front yards and the retention of the existing residence on site.

### **PARKING**

The property is non-conforming to the parking requirements with one uncovered parking space. Since the single family residence is being enlarged by more than 50% of the existing net floor area on-site, parking is required to be brought up to current standards. The required parking for the proposed project is two covered and two uncovered parking spaces. The applicant is proposing to provide three parking spaces (two covered and one uncovered) instead of the four parking spaces required.

In order to approve a Modification to provide less than the required parking for a project, the Staff Hearing Officer (SHO) must make a finding that the parking demand for the project is being met with the number of spaces provided. Transportation staff has reviewed the project and can support the parking modification for the new second unit based on the following: 1) it is a rental unit and Census data indicates the average vehicle ownership for rental units in Santa Barbara is less than 1.5 vehicles; 2) The size of the unit is only 475 square feet, which also supports a lesser demand; 3) the site is located on a transit line (MTD Line 2); and 4) the site is five blocks to Milpas Street and commercial amenities. Because the project meets its parking demand, Staff supports the Modification request.

Transportation staff has reviewed the new parking and has commented that a new City Standard driveway with a maximum width of 20' will be required and that the existing driveway may need to be demolished and completely replaced within the right-of-way.

## **VI. FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on the lot. The proposed changes to the existing residence will allow for expansion of the residence within the existing building footprint within no anticipated impacts to adjacent properties. The open yard area, as conditioned, fulfills the intent of the requirement and allows the site to be developed in a manner that preserves the existing development on site. The project will not cause an increase in the demand for parking space or loading space in the immediate area, as the three parking spaces proposed will meet the parking demand for the existing single-family residence and a minimally sized second unit.

Said approval is subject to the following conditions:

1. The stairway, landing, and trash receptacle area shall be the minimum size necessary to meet code requirements in order to minimize encroachments into the open yard area.
2. The size of the proposed two-car garage shall be reduced so that it does not exceed 400 net square feet total, with 20 foot by 20 foot minimum unobstructed interior dimensions.
3. The proposed counter and kitchen sink shall be removed from the lower level of the existing single family residence.
4. The upper deck proposed to be rebuilt shall be removed from the scope of the project.
5. The hedges shall be reduced to 3 ½ feet in height within 10' of either side of a driveway for a distance of 20' back from the front lot line.

6. The proposed driveway width shall be reduced subject to the review and approval by the Public Works Department.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated November 3, 2011
- C. ABR Minutes dated October 17, 2011 & December 12, 2011

Contact/Case Planner: Jo Anne La Conte, Assistant Planner  
(jlaconte@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x**3320**



BREE MEDLEY DESIGNS

NOVEMBER 3, 2011

STAFF HEARING OFFICER  
CITY OF SANTA BARBARA  
P.O. Box 1990  
SANTA BARBARA, CA 93102-1990

RECEIVED  
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CITY OF SANTA BARBARA  
PLANNING DIVISION

**RE: MODIFICATION REQUEST FOR 101 N. SALINAS ST. 017-073-012; R-2 ZONE**

DEAR STAFF HEARING OFFICER:

THERE IS AN EXISTING HOUSE (1,013 SF), WITH A NON-HABITABLE BASEMENT (540 SF), ATTACHED 2<sup>ND</sup> FLOOR COVERED PORCH (97 SF) AND AN ATTACHED LEGAL NON-CONFORMING ONE-CAR CARPORT ON THE PROPERTY. THE HOUSE CURRENTLY ENCROACHES INTO THE SECONDARY FRONT YARD SETBACK BY FIVE FEET ON THE SOUTH-EASTERLY SIDE OF THE PROPERTY AND ONE FOOT INTO THE INTERIOR YARD SETBACK ON THE NORTH-WESTERLY SIDE OF THE PROPERTY. THE HOUSE HAS PERMITS ACCORDING TO THE CITY BUILDING FILES, HOWEVER THE CARPORT SEEMS TO HAVE BEEN BUILT IN LIEU OF A ONE-CAR GARAGE. THE PROPOSAL IS TO ENCLOSE THE 2<sup>ND</sup> FLOOR COVERED PORCH AND BUILD INTERIOR STAIRS TO THE BASEMENT, DROP THE BASEMENT FLOOR 18" IN ORDER TO MAKE THE SPACE HABITABLE, REMOVE (1) OF (2) EXTERIOR STAIRS TO THE CURRENT 2<sup>ND</sup> FLOOR PORCH, REMOVE ALL PAVING ASSOCIATED WITH THE CARPORT AND REBUILD THE STRUCTURE OF THE CARPORT AS A 2<sup>ND</sup> FLOOR UNCOVERED DECK. WE ARE ALSO PROPOSING BUILDING A DETACHED 2-CAR GARAGE (475 SF) WITH A SECOND STORY ACCESSORY DWELLING UNIT (475 SF) AND CREATE AN ADDITIONAL UNCOVERED PARKING SPOT.

THREE MODIFICATIONS ARE BEING REQUESTED:

THE FIRST MODIFICATION BEING REQUESTED IS TO ALLOW EXISTING BASEMENT TO BE ALTERED AS IT ENCROACHES FIVE FEET INTO THE REQUIRED FIFTEEN-FOOT SECONDARY FRONT YARD SETBACK AND ONE FOOT INTO THE INTERIOR YARD SETBACK. DROPPING THE FLOOR 18" ALLOWS THE CURRENT SPACE WHICH CURRENTLY HAS A 6'-8" HEAD HEIGHT TO BE CONVERTED TO A USABLE SPACE WITHIN THE HOME. WE FEEL THIS MODIFICATION SHOULD BE APPROVED, AS THE OTHER OPTION FOR ADDING HABITABLE SPACE TO THE EXISTING RESIDENCE WOULD BE TO DO A SECOND STORY ADDITION, WHICH IS IN DIRECT CONFLICT WITH THE DESIGN GUIDELINES TO MINIMIZE SIZE, BULK AND SCALE.

THE SECOND MODIFICATION BEING REQUESTED IS THE REDUCTION TO THE PARKING REQUIREMENT. THE ORDINANCE REQUIRES (2) COVERED AND (2) UNCOVERED PARKING SPACES FOR A SFD AND AN ACCESSORY RESIDENTIAL UNIT. THE LOT ITSELF DOES NOT HAVE ENOUGH SPACE TO ACHIEVE THE REQUIRED PARKING. WITH (2) FRONT YARD SETBACKS. WE ARE LIMITED TO THE AMOUNT OF SPACE USABLE ON THE LOT. THIS MODIFICATION HAS BEEN REVIEWED BY TRANSPORTATION AND HAS BEEN DETERMINED TO BE ACCEPTABLE AS PARKING DEMAND IS LESS DUE TO THE SIZE OF THE COMBINED HABITABLE SPACES AS WELL AS THE FACT THAT THE EXISTING HOUSE AND THE ADDITIONAL ACCESSORY RESIDENTIAL UNIT ONLY COMBINE TO HAVE 3 BEDROOMS TOTAL.

THE THIRD MODIFICATION BEING REQUESTED IS A REDUCTION TO THE OPEN YARD REQUIREMENT. THE ORDINANCE REQUIRES 1,250 SF OF OPEN YARD FOR THE (2) RESIDENTIAL UNITS. WE HAVE PROVIDED 1,100 SF OF OPEN YARD. WE FEEL THAT THIS MODIFICATION SHOULD BE CONSIDERED ACCEPTABLE AS WE ARE WORKING WITHIN THE CONFINES OF A LOT THAT HAS TWO FRONT YARD SETBACKS, THUS MINIMIZING THE USABLE SPACE ON THE PROPERTY. IF WE WERE WORKING WITH A STANDARD LOT, WE WOULD HAVE AN ADDITIONAL 275 SF OF OPEN YARD SPACE, THUSLY FULFILLING

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**EXHIBIT B**



## BREE MEDLEY DESIGNS

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OUR REQUIREMENTS. WE REVIEWED THE POSSIBILITY OF ATTACHING THE GARAGE AND ACCESSORY RESIDENTIAL UNIT TO MAXIMIZE THE OPEN YARD SPACE, HOWEVER WE FELT THAT IT COMPROMISED THE OVERALL AESTHETIC OF THE EXISTING RESIDENCE AND WORKED AGAINST THE DESIGN GUIDELINES OF MINIMIZING BULK AND MASSING.

WE FEEL THAT ALL OF THE REQUESTED MODIFICATIONS ARE WITHIN REASON AND LEND THEMSELVES TO MAKING A MUCH MORE SUCCESSFUL PROJECT AND SOMETHING THAT IS MORE COMPATIBLE WITH THE SURROUNDING RESIDENTIAL NEIGHBORHOOD.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Bree Medley".

BREE MEDLEY  
*BREE MEDLEY DESIGN*

# ARCHITECTURAL BOARD OF REVIEW

## MINUTES

**Monday, October 17, 2011 630 Garden Street: David Gebhard Public Meeting Room 3:00 P.M.**

### **CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING**

**2. 101 N SALINAS ST R-2 Zone**

**(3:40)** Assessor's Parcel Number: 017-073-012  
Application Number: MST2011-00010  
Owner: Jennifer Marie Checchio  
Designer: Bree Medley

(Proposal for a new detached residential dwelling unit and conversion of the basement of the existing dwelling to habitable space. The proposed two-story structure consists of a 530 square foot unit above a 530 square foot two-car garage. The 540 square foot basement under the existing 1,013 square foot single-family residence would be lowered to create new habitable space. A new uncovered parking space, new driveway, and landscaping are proposed on the 6,399 square foot lot. Staff Hearing Officer review of zoning modifications for parking, open yard area, and new habitable space within the front setback is requested.)

**(Comments only; project requires environmental assessment and Staff Hearing Officer review of modifications.)**

Actual time: 3:48  
Present: Bree Medley, Designer.

Public comment was opened at 3:59 p.m.

Elvira Tafoya, adjacent neighbor: concerned that the unit could be a rental, and inadequate parking.  
Bill Jones, adjacent property owner: concerned about street parking, requested clarification of setback.  
Beth Jones, adjacent property owner: requested clarification of the stairs located within the setback.

Public comment was closed at 4:11 p.m.

Motion: Continued indefinitely to the Full Board with the following comments:  
1) The proposed zoning modifications pose no negative aesthetic impacts.  
2) Provide a site plan showing neighboring structures and adjacent window locations.  
3) Provide context photos of adjacent buildings and the surrounding neighborhood.  
4) Show tree locations on site plan; include existing, proposed new, and any to be removed.  
5) Show accurate set backs on the site plan.  
6) Restudy the orientation of the new second-floor unit with an entry that addresses the street.  
7) Provide composite elevations showing both buildings in relation to each other.

Action: Rivera/ Mosel, 6/0/0. Motion carried.

# ARCHITECTURAL BOARD OF REVIEW

## MINUTES

Monday, December 12, 2011      630 Garden Street: David Gebhard Public Meeting Room

3:00 P.M.

### CONCEPT REVIEW - CONTINUED ITEM

**4. 101 N SALINAS ST**

**R-2 Zone**

**(4:40)**      Assessor's Parcel Number:    017-073-012  
Application Number:            MST2011-00010  
Owner:                                Jennifer Marie Checchio  
Designer:                            Bree Medley

(Proposal for a new detached residential dwelling unit and conversion of the basement of the existing dwelling to habitable space. The proposed two-story structure consists of a 530 square foot unit above a 530 square foot two-car garage. The 540 square foot basement under the existing 1,013 square foot single-family residence would be lowered to create new habitable space. A new uncovered parking space, new driveway, and landscaping are proposed on the 6,399 square foot lot. Staff Hearing Officer review of zoning modifications for parking, open yard area, and new habitable space within the front setback is requested.)

**(Comments only; project requires environmental assessment and Staff Hearing Officer review of zoning modifications.)**

Actual time:    5:03

Present:        Bree Medley, Designer.

Public comment was opened at 5:10 p.m.

Beth Jones, adjacent property owner, asked about proposed citrus trees, window concerns have been addressed.

Public comment was closed at 5:11 p.m.

Motion:        Continued indefinitely to the Staff Hearing Officer with the following comments:

- 1) The project design is supported.
- 2) The Board looks forward to further design of the paving and adjacent landscape area, and architectural detailing and articulation of the second floor porch and landing elements.
- 3) The proposed modifications have no negative aesthetic impacts.

Action:        Rivera/Sherry, 6/0/0. Motion carried.