



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: November 20, 2012
AGENDA DATE: November 28, 2012
PROJECT ADDRESS: 903 W. Mission Street (MST2009-00388)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *ALD for DYK*
 Kelly Brodison, Assistant Planner *KAB*

I. BACKGROUND

The approved project at the above-referenced address involves the construction of a 525 square foot second-story accessory dwelling unit above a new 623 square foot three-car garage. The approval also included the demolition of the existing 317 square foot non-conforming garage, and the construction of a 32 square foot first floor addition and a 25 square foot covered porch. The existing main residence was proposed to remain. The approved project resulted in an 876 square foot main residence, a 525 square foot new accessory dwelling unit and a new 623 square foot three-car garage.

On July 28, 2010, the Staff Hearing Officer approved two modifications: 1) to allow the new garage to encroach into the 20 foot front setback, and 2) to provide less than the required Common Open Yard area of 600 square feet. The Staff Hearing Officer made the finding that the modifications were appropriate for the subject lot and were necessary to secure appropriate improvements on the lot. Subsequently, the project received Preliminary Approval and Final Approval from the Architectural Board of Review (ABR). The ABR's Design Review approvals were appealed to City Council on two occasions, based on claims of neighborhood incompatibility. Those appeals were denied by the City Council. A building permit for the project was issued on July 19, 2012.

II. DISCUSSION

At the time of the Staff Hearing Officer approval and Design Review and Council reviews, the applicant was proposing to keep the existing house, proposing only an exterior remodel and the additions described above. During the preparation of working drawings and structural calculations, it was determined that the existing house and foundation were in disrepair, but it appeared that the foundation could be repaired and enhanced to meet current building codes. However, immediately prior to the start of construction, further investigation revealed that the building and foundation were in worse condition than previously thought. Although it is still possible to repair and enhance the foundation, the architect and structural engineer have

determined that it is safer, faster and more cost effective to replace them. Therefore, the applicant is now proposing to demolish the existing residence and rebuild the one-story portion of the home within the same building footprint. The new structure would be consistent with the ABR approval, with the same style of architecture and materials; therefore, no additional review by the ABR is required. However, the demolition of the existing house and replacement of the foundation and must be found to be in substantial conformance with the original Staff Hearing Officer approval.

III. SUBSTANTIAL CONFORMANCE DETERMINATION

The resultant residence and accessory dwelling would be the same project that was approved by the Staff Hearing Officer, the ABR, and the City Council on appeal. Because of the history of this project, Staff determined that the most appropriate way to process the Substantial Conformance Determination (SCD) request was to allow opportunity for public comment at a hearing before the Staff Hearing Officer. The proposed change would not affect the Modification that allowed the new garage to encroach into the front setback on Gillespie Street.

The main issue surrounding the change is the Modification to allow the required Common Open Yard to be less than 600 square feet. The Accessory Dwelling Unit provisions of the R-2 Zone require a minimum of 600 square feet of common open yard, either as a single area or as two areas of at least 300 square feet, with minimum dimensions of 10'x10'. The approved project provided one area of 300 square feet that met the minimum required dimensions, but because of the configuration of the existing house, the second area did not meet the minimum size or dimensions in a single area; two areas totaling more than 300 s.f. made up the second area.

The existing house is located on a corner lot with two front yards and is currently non-conforming to open yard requirements. Had the applicant known the extent of the repairs necessary to the structure and foundation at time of initial application, perhaps a proposal that met the common open yard standard could have been designed. However, given the constraints of the site: a small corner lot (5,000 s.f.) with two front setback requirements, staff is not sure that a code-compliant solution could be found without significantly reducing the size of the existing residence.

The Municipal Code definition of open yard is an area that provides usable outdoor living space and/or visual open space. The demolition and reconstruction of the existing residence within the same footprint would not further exacerbate the nonconforming open space on site. Although the project does meet the minimum 300 square feet of open yard in one location, two areas of 237 and 130 square feet, each meeting the 10'x10' minimum dimension, would be provided. Additionally, the project meets the requirements for the private outdoor living space for both units as well as provides areas for enjoyment of the yard. Therefore, staff previously determined that adequate open yard is being provided. Staff continues to find that the project provides adequate open yard area by providing three separate areas that add up to more than the required total of 600 square feet.

Staff's conclusion is that, at this point, a redesign to meet the 300 square foot common open yard standard in one area would require the project to undergo major changes and pose an unreasonable hardship and expense to the applicant.

The Staff Hearing Officer is requested to make a recommendation to the Community Development Director regarding the SCD request. The Community Development Director's decision is not appealable.

Exhibits:

- A. Site Plan (available at the Planning & Zoning Counter)
- B. Applicant's letter, dated November 5, 2012
- C. Letter from Structural Engineer, dated November 1, 2012

Contact/Case Planner: Kelly Brodison, Assistant Planner
kbrodison@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x**4531**



EXISTING STRUCTURAL CONDITIONS

November 5, 2012

City of Santa Barbara
330 Garden St.
Santa Barbara, CA 93101

Subject: Project #1006
903 W. Mission St.



We are requesting a Level 1 SHO Substantial Conformance Determination for the following revisions to the structural design of the existing single family residence at 903 W. Mission Street. We are proposing to completely demo the existing house and re-build it as approved by the Architectural Board of Review on August 23, 2011, utilizing Type-V wood framing supported on all new foundations.

Prior to the construction phase, AB design studio, inc. and the Contractor worked with the Structural Engineer and Owner to make a reasonable professional assessment that the existing framing and foundations of the residence be re-used based on the information that was available at the time. We then designed a remodel and retrofit that fit within the parameters of our assessment.

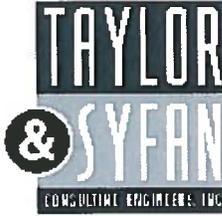
Since starting construction, further information about the existing foundations and framing of the house was made available. A careful evaluation of the existing framing and foundations was conducted by the Architect, Contractor, and Structural Engineer. The foundations were found to be substandard and cannot be repaired to not meet current code requirements. It is likely that most, if not all of the existing foundations would need to be replaced during the course of construction. This process of demoing and removing only small portions of the building at a time, along with surgically retrofitting the foundations and framing is less efficient than re-building. This piecemeal approach also increases construction costs.

In order to re-build the house to meet current code requirements in the most efficient manner, the foundation system will need to be replaced with all new Type-5 wood framing.

Please contact our office if you have any questions regarding the above mentioned request. Thank you for your consideration and support.

Sincerely,

Josh Blumer



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Southern California:

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Suite 201
Pasadena, CA 91106
(626)793.7438
(626)793.7439 fax

Existing Structural Conditions Memo #2

Date: November 1, 2012
Project: Ferguson Residence
903 West Mission
Santa Barbara, CA 93101
T&S Job No.: 12428

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**CITY OF SANTA BARBARA
PLANNING DIVISION**

As stated in my memo dated October 18, 2012 it has become evident that several substandard conditions exist in both the foundation system as well as in the framing system of this existing home. Currently the foundation system is under reinforced for lateral and vertical loading. It is also improperly embedded in the soil. The framing is of a size that does not meet current code standards for performance and deflections and is inadequately anchored to the existing concrete stemwalls.

In the approved set of structural plans, we show considerable underpinning requirements of the existing foundation system, including costly hold down retrofits. New floor joists would need to be placed or sistered to existing floor joists with a retrofit attachment detail at the existing stemwall foundation. Existing sill plates and member sizes at panel edges of shearwalls would all have to be torn out and upgraded to 3x minimum members sizes.

The general contractor has priced out both the option of providing the retrofit requirements as dictated in the Geotechnical Report as well as the structural plans provided by this office. In running a cost comparison analysis for the homeowner, the general contractor has found that the cost of retrofitting this home to conform to current code standards, as per the permitted set of plans, provides for an approximately 25% higher cost of construction than rebuilding the structure from the ground up with all new materials.

If you have any questions or concerns, please do not hesitate to contact our office. We thank you for your time and consideration.

Sincerely,

Michelle McCovey-Good
Principal / COO
Taylor & Syfan Consulting Engineers, Inc.