



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: July 18, 2013
AGENDA DATE: July 24, 2013
PROJECT ADDRESS: 18 S. Voluntario Street (MST2012-00098)

TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Suzanne Riegle, Assistant Planner *(SR)*

I. PROJECT DESCRIPTION

The 7,779 square-foot site is developed with a one-story, 854 square foot, single-family residence. The proposed project involves construction of a 789 square foot, second story addition, a 64 square foot second story deck, and 558 square-foot, first floor addition, a 199 square foot trellis, and a 317 square foot, detached, two-car carport. The proposal also includes a minor interior remodel, and a new driveway and turnaround area. The proposed construction will result in 2,202 square foot, two-story residence with a detached two-car carport.

The discretionary application required for this project is a Modification to allow conforming alterations and additions that will change the basic exterior characteristics of the existing one-story residence that is non-conforming to the required 20-foot front and six-foot interior setbacks (SBMC § 28.18.060, 28.87.030.D, and SBMC § 28.92.110).

Date Application Accepted: 4/11/13

Date Action Required: 7/11/13

II. RECOMMENDATION

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

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Robert E. Mills	Property Owner:	Susan Arcidiacono
Parcel Number:	017-172-006	Lot Area:	7,779 s.f.
General Plan:	Medium Density Residential 12 du/ac	Zoning:	R-2
Existing Use:	Residential	Topography:	1% avg. slope

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	854 s.f.	+1,347 = 2,201 s.f.
Carport	N/A	+ 317 s.f.

C. PROPOSED LOT AREA COVERAGE

Building: 2,066 s.f. 26% Hardscape: 1,984 s.f. 26% Landscape: 3728 s.f. 48%

IV. DISCUSSION

The proposed project involves conforming additions to a residence that is non-conforming to the required setbacks. The existing residence encroaches 2' – 8" into the required six-foot interior setback. The proposed carport is located three-feet from the northerly interior property line as allowed by SBMC § 28.21.060.B. The requested Modification is to allow a conforming addition to a structure that is non-conforming to the required setbacks. The proposed additions will alter the character of the non-conforming residence by enlarging the existing footprint and constructing a new second story. The development is constrained by the narrow, 45-foot width of the lot and the minimum driveway width of ten-foot driveway to access the proposed carport. Without demolishing, the existing non-conforming portion of the residence and completing a significant remodel it would be difficult to construct an addition that would conform to both the twenty-foot front and six-foot interior setbacks. The proposed first and second-story additions comply with the required setbacks. The allowance of the existing non-conforming portions of the building to remain is not anticipated to impact adjacent neighbors adversely. Therefore, staff can support the Modification.

Due to the location of the proposed addition, alterations to the existing roof structure will likely be required; however, the applicant does not anticipate that the alterations will occur within the required twenty-foot front and six-foot interior setbacks. The retention of non-conforming walls is a significant factor in Staff's support of the requested Modification and, as staff has verified with the applicant that the northwest and southwest elevation walls of the existing residence will not be demolished as part of this project. Since a complete demolition of the affected walls would allow for a project design that meets the setback requirements, Staff recommends a condition that the Modifications become null and void if additional demolition, beyond that shown on approved plans, is completed in the field.

During the Environmental Review process, the applicant submitted a Phase 1 Archaeological Letter Resources Report prepared by David Stone for the project site. The report was reviewed and accepted by the Historic Landmarks Commission on June 5, 2013. The report indicated that the potential to encounter unknown but potentially significant subsurface prehistoric remains is considered very unlikely. Staff has recommended a condition in the event that unanticipated archaeological remains are encountered.

The Single Family Design Board reviewed this project on March 26 and September 10, 2012, and the Board found that the requested modification is aesthetically appropriate and does not

pose consistency issues with the Single Family Residence Design Guidelines. The Board made a number of comments related to the refinement of project details.

V. FINDINGS AND CONDITION

The Staff Hearing Officer finds that the Modification to allow alterations to a legal non-conforming building are consistent with the purposes and intent of the Zoning Ordinance and necessary to secure an appropriate improvement on the lot. The proposed additions and alterations are appropriate because the proposed additions will conform to all setback requirements, the addition is an appropriate improvement for a single-family residence, and is not anticipated to impact the adjacent neighbors adversely. The Modification is necessary to allow the existing, nonconforming portions of the building to remain, as proposed.

Said approval is subject to following conditions:

1. If the non-conforming portions of the building are demolished beyond what is shown on the Staff Hearing Officer approved plans, then the construction of the project shall be halted, and the Modifications will become null and void.
2. "Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization."

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Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated March 7, 2013
- C. SFDB Minutes

Contact/Case Planner: Suzanne Riegle, Assistant Planner
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Toluca Lake, CA 91602
818.209.1257

RECEIVED

JUN 20 2013

**CITY OF SANTA BARBARA
PLANNING DIVISION**

March 7, 2013

Staff Hearing Officer
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102-1990

RE: Modification Request for 18 S. Voluntario St., Santa Barbara, CA 93013; APN #017-172-006; R2 Zone

Dear Staff Hearing Officer:

1. There is an existing single-story house (800 net square feet) on the property. The house encroaches into the interior setback three feet on the northerly side of the property. The house was built in 1922. The proposal is to build a first story addition of 522 square feet and a second story addition of 733 square feet with a second story deck of 94 square feet and a trellis/patio of 261 square feet. All additions will comply with current building codes.
2. The modification is being requested to allow the existing house to continue to encroach 3 feet into the interior yard setback. The proposed additions will comply with all current building codes. The encroachment will allow the additions to be built as designed and reviewed by the Single Family Design Board on September 10, 2012.
3. The major benefit of allowing the existing house to continue to encroach into the required setback is that it allows the homeowner to continue using the existing two bedrooms & bathroom without having to redesign the entire existing house or the proposed addition (which addition does comply with current code).

Sincerely,



Robert E. Mills



Susan M. Arcidiacono
Property Owner

Mills Investments
10061 Riverside Drive, Suite 812
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EXHIBIT B



DESIGN REVIEW ACTIVITIES SUMMARY

18 S VOLUNTARIO ST (MST2012-00098)

R-ADDN

Proposal to construct a new 525 square foot one-story addition and a new 733 square foot two-story addition to an existing one-story, 800 square foot, single-family residence located on a 7,650 square foot lot. Also proposed is a new 282 square foot detached two-car carport, and a 94 square foot second-floor deck. The proposed 2,342 square foot total is 76% of the guideline floor-to-lot area ratio (FAR). The project includes Staff Hearing Officer review for a requested zoning modification.

Status: Pending

DISP

Date 3

SFDB-Concept Review (New) - PH

CONT

03/26/12

(Comments only; project requires Environmental Assessment and Staff Hearing Officer review for a requested zoning modification.)

(4:57)

Present: Robert Mills, Applicant.

Public comment opened at 5:02 p.m. As no one wished to speak, public comment was closed.

Motion: Continued indefinitely to Full Board with comments:

- 1) Restudy the proposed carport location and driveway turnaround and open yard requirements.
 - 2) The architecture of the second floor addition does not engage the original house and looks out of place.
 - a. Restudy the second-floor floor plan layout and room dimensions, recognizing a need to develop a building envelope that addresses the solar ordinance.
 - b. Study the south and east elevation window locations and proportions of the openings; particularly in the kitchen area.
 - 3) Return with better elevation graphics to differentiate between existing and new. Remove cross-hatching.
 - 4) Restudy the window selections and divisions of divided lights in window openings.
 - 5) Restudy the size and dimensions of the covered porch on south elevation.
 - 6) Reconfigure the new addition on first floor to engage the second floor in a more compatible way.
 - 7) Restudy the adequacy of the design of the carport and show on the elevations how its architecture and detailing is compatible with the architecture of the house.
 - 8) Study the colors and return with information.
 - 9) Provide photos to neighbors' windows and site section details of window locations in relation to the adjacent buildings for neighborhood privacy issues.
 - 10) Provide a landscape plan with planting details, locations, hedge height, gate or fence, and paving and drainage details.
- Action: Sweeney/Woolery, 5/0/0. Motion carried. (Zimmerman absent).

SFDB-Concept Review (Cont.)

CONT

09/10/12

(Second concept review. Comments only; project requires environmental assessment and Staff Hearing Officer review for a requested zoning modification. The project was last reviewed by the SFDB on March 26, 2012.)

Actual time: 4:33

Present: Robert Mills, Applicant; and Susan Arcidiacono, Owner.

Public comment opened at 4:42 p.m. and, with no one wishing to speak, was closed.

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

- 1) The proposed modification is aesthetically appropriate and does not pose consistency issues with the Single Family Residence Design Guidelines.
 - 2) The proposed landscape plan is acceptable.
 - 3) Provide better quality details of the carport design.
 - 4) Provide details of the trellis and how it connects to the house. Provide details and elevations of the additional trellis over the spa; concern was expressed regarding the width of the proposed trellis materials.
 - 5) The proposed stucco element around the front outdoor deck that engages the existing stucco element is acceptable.
 - 6) Study using corbels and elements from the front of the house to augment the design.
 - 7) Provide a color and materials board and include existing colors.
 - 8) Include the location of attic vents on the elevations and provide details.
 - 9) Provide gutter and downspout details.
 - 10) Provide cut sheets and details of the proposed driveway grid system.
- Action: Zimmerman/Sweeney, 7/0/0. Motion carried.

HLC-Archaeology Report**APVD****06/05/13**

(Review of Phase I Archaeological Resources Report prepared by David Stone of Dudek.)

Actual time: 2:15 p.m.

Staff comment: Susan Gantz, Planning Technician, state that Dr. Glassow reviewed the report and concluded that the archaeological investigation supports the report's conclusions and recommendations that, because the potential of the proposed or future residential project to encounter unknown but potentially significant subsurface prehistoric remains is considered very unlikely, the standard condition regarding the discovery of unanticipated archaeological resources applies to the project and shall be reproduced on the plans prior to final design review approval.

Public comment opened at 2:16 p.m. and, as no one wished to speak, public comment was closed.

Receipt of a letter from Paula Westbury expressing opposition was acknowledged.

Motion: To accept the report as presented.

Action: La Voie/Orias, 7/0/0. (Boucher/Murray absent). Motion carried.

Phase I Arch Res Rpt dated May 2013 prepared by David Stone, Dudek, was accepted as presented.