



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: October 9, 2014
AGENDA DATE: October 14, 2014
PROJECT ADDRESS: 434 Conejo Road (MST2014-00066)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner
 Jo Anne La Conte, Assistant Planner

I. PROJECT DESCRIPTION

The 7,925 square-foot site is currently vacant and has frontage on both sides of Conejo Road. The previous residence was destroyed in the Tea Fire in November 2008. The proposed project involves the construction of a new two-story, 1,724 square foot, single-family residence with an attached 519 square foot, two-car garage, two second floor decks totaling 249 square feet and retaining walls. A total of 325 cubic yards of grading is proposed. The proposed development, which is in the Hillside Design District, is 79% of the maximum floor-to-lot area ratio (FAR).

The discretionary applications required for this project are:

1. A Front Setback Modification to allow new construction within the required 35-foot primary front setback along the Conejo Road frontage (SBMC § 28.15.060 and SBMC § 28.92.110);
2. A Front Setback Modification to allow new construction within the required 35-foot secondary front setback along the Conejo Road frontage (SBMC § 28.15.060 and SBMC § 28.92.110); and
3. An Interior Setback Modification to allow new construction within the required 15-foot interior setback to the north (SBMC § 28.15.060 and SBMC § 28.92.110).

Date Application Accepted: August 11, 2014

Date Action Required: November 6, 2014

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:	Alex Pujo	Property Owner:	Maria Lourdes Smith
Parcel Number:	019-061-012	Lot Area:	7,925 sq. ft.
General Plan:	Low Density Residential	Zoning:	A-1
Existing Use:	Vacant	Topography:	33% slope

Adjacent Land Uses:

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

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	None	1,724 sq. ft.
Garage	None	519 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 1,532 sf 19.2% Hardscape: 831 sf 10.5% Landscape: 5,571 sf 70.3%

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: .40 Proposed FAR: .32 = 79% of Max. Allowed FAR

IV. DISCUSSION

The proposed project involves the construction of a new single-family residence, attached two-car garage, second floor decks, and retaining walls. The prior two-story, single-family residence was destroyed in the Tea Fire and a building permit (BLD2007-01573) was obtained to demolish the dilapidated, detached, three-car garage in 2007.

In 1965, the property was zoned E-1, and the prior residence and garage conformed to the setback requirements which allowed for the garage to be located five feet from Conejo Road. In 1975, the property was rezoned to A-1 which required larger setbacks, and the project no longer met the required 35' front setbacks off of Conejo Road. In 2006, a Zoning Information Report (ZIR) for the property noted that original building permits for the structures on site never passed final inspection.

The proposed project has larger front setbacks from both street frontages facing Conejo Road than the previously existing house and garage. The applicant has requested setback modifications to allow the construction of the two-story residence and garage to encroach approximately 8.5 feet into the primary front setback facing Conejo Road, to allow approximately ten square feet of the residence to encroach approximately 3 feet into the secondary front setback facing Conejo Road and to allow the residence to encroach approximately 3 feet into the interior setback to the north. The existing lot is non-conforming

to lot size at 7,925 square feet, and with an estimated slope of 33%, is extremely undersized. A new lot in the A-1 zone with a slope of greater than 30% would require a minimum of three acres. The lot is further constrained by two 35' front setbacks and two 15' interior setbacks.

This project was reviewed by the Single Family Design Board (SFDB) on March 10, 2014 and April 7, 2014 (see attached Exhibit C). At the April 7, 2014 meeting the Board forwarded the project to the Staff Hearing Officer, making the finding that the proposed modifications are aesthetically appropriate.

Transportation Staff has reviewed the project and has determined that the driveway slope is acceptable and that due to the steep slope of driveway and potential visual difficulty exiting the site, a turnaround area is highly recommended to allow vehicles to exit in a front forward position. In addition, Transportation Engineering has reviewed the project and has determined that the walls as proposed provide adequate site visibility.

V. CEQA ENVIRONMENTAL DETERMINATION

The project site is located within an area mapped as the Prehistoric Sites and Watercourses Archaeological sensitivity area. An archaeological letter report, prepared by David Stone, concluded that it is unlikely that artifacts will be encountered during the proposed construction of the new residence. Staff recommends that the standard unanticipated archaeological discovery condition shall be reproduced on the plans prior to submittal for building permit.

The scope of work of the project is within the scope of the 2011 General Plan and the Program EIR analysis for the General Plan. The project is consistent with the development density designated and analyzed by the Program EIR, and potential project-specific environmental effects are addressed with existing development standards and regulations. Based on City Staff analysis, no further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183- Projects Consistent with the General Plan) and the CEQA Certificate of Determination (Exhibit H). City Council environmental findings adopted for the 2011 General Plan remains applicable for this project. A decision-maker finding that the project qualifies for the §15183 CEQA determination is required.

VI. FINDINGS AND CONDITIONS

The project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15183, based on the City staff analysis and the CEQA certificate of determination on file for this project.

The Staff Hearing Officer finds that the setback Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on this lot. The lot is significantly below the required minimum lot size for the A-1 Zone; the property has a steep overall slope of 33%, and is further constrained by two street frontages and the required setbacks. The proposed construction of the new residence and garage into the

front and interior setbacks allows for a rebuild of the previous development on site and is not anticipated to adversely impact the adjacent neighbors.

Said approval is subject to the following conditions:

1. The following language shall be added to the plans submitted for building permit:

“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.”

2. Compliance with Tier 3 Storm Water Management Program requirements must be shown on the plans prior to final approval by the Single Family Design Board.
3. The proposed walls ranging from approximately 3’8” in height to approximately 6’10” in height along the driveway shall either be permitted (a Minor Exception to the Fence Height Ordinance would be required) or reduced to comply with SBMC Section 28.87.170.
4. An encroachment permit shall be obtained from the Public Works Department for the proposed walls in the public right-of-way.
5. The turnaround area by the driveway shall not be used for the parking of vehicles.
6. The proposed counter, sink and refrigerator shall be removed from the first floor guest.
7. A Zoning Compliance Declaration shall be recorded for the property.

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Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated August 10, 2014
- C. SFDB Minutes dated March 10, 2014 and April 7, 2014

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**



PUJO & ASSOCIATES
ARCHITECTURE AND PLANNING

RECEIVED

AUG 11 2014

CITY OF SANTA BARBARA
PLANNING DIVISION

2425 Chapala Street • Santa Barbara, CA 93105 • (805) 962-3578 • www.pujo.net

August 10, 2014

Susan Reardon, Staff Hearing Officer
Community Development Department
630 Garden Street, Santa Barbara, California 93101

Re: 434 Conejo Road, APN 019-061-012
Modification request for encroachments into required setbacks.

Dear Ms. Reardon,

We request modifications into required setbacks for the construction of a 2-story, single family dwelling in the Riviera to replace a house destroyed in the 2008 Tea fire. We respectfully request the following modifications:

- Modification #1: 7' encroachment of the front of the structure into the main frontage yard for a 42' long, 2-story portion of the proposed structure.
- Modification #2: Encroachment into the secondary front yard of a small, triangular corner of the proposed residence, approximately 7 square feet. The maximum dimension of this encroachment is 22".
- Modification #3: 21" encroachment into the north interior yard for a 20' long, 2-story portion of the structure.

These modifications are needed to improve this property because of existing conditions –zoning, topography, parcel size and parcel shape- as described below.

The property is zoned A-1 and it is located south of Stanwood Drive with dual frontage on a bend of Conejo Road –the east and west boundaries face the street. The parcel is 7,925 sq. ft. and it is currently vacant. The topography of the neighborhood is steep, sloping down from west to east; the slope of the subject property is 33%.

The neighborhood consists of two-story residences. Most of the properties in this neighborhood were developed in the 1940's and 1950's, and it appears that none of them conform to current zoning regarding lot area, street frontage, front and interior yard setbacks.

The proposed design consists of a 2-story residence of approximately 1,800 square feet (net) and a 2-car garage. The building footprint is compact. In placing the structure on the site, setback considerations had to be balanced with topography and vehicular access needs. In order to minimize grading, the proposed house will be on the less

EXHIBIT B

steep portion of the site, consistent with the previously destroyed structure.

The size, topography and double street frontage of the subject property make it practically impossible to keep the building footprint outside of both 35' front yard setbacks. The main modification requested (modification #1) pertains to the encroachment of the proposed residence into the main frontage setback, which is 35' deep in this zone classification. Our proposed design will encroach less than 50% into the Conejo Road frontage than the replaced structure.

The 2nd modification requested is minimal in size (7 sq. ft.) for a single-story corner of the building, and it will be virtually invisible due to its location downhill from the secondary frontage. The need for this modification is the geometry of the lot and the need for a straight, practical layout for a structure that needs to be built on caissons due to soil conditions.

The 3rd modification requested is a 22" encroachment into the north interior yard, which is 15' deep in this zone. This encroachment is about 1/3 in size of the previous encroachment created by the destroyed structure. The neighboring residence to the north that was rebuilt last year encroaches several feet into the adjacent interior yard and it is located 6' higher than the 2nd story of our proposed building.

In summary, the modifications requested for this development are the product of particularly severe site constraints and consistent with neighborhood standards. Our proposed design is substantially more in compliance with current zoning than the structure it intends to replace. The Single Family Design Board has reviewed this project and found it compatible in character and scale with the surrounding neighborhood. As far as we know, there is no neighborhood concern generated by this project or the modifications requested.

Thank you for your assistance in processing this application. Please feel free to call me directly at 962-3578 if you need additional information.

Sincerely,

A handwritten signature in black ink that reads "H. Alexander Pujo". The signature is written in a cursive, flowing style with a large, stylized initial "H".

H. Alexander Pujo, Architect

c.: Drew and Lourdes Smith

CONCEPT REVIEW - NEW ITEM**4. 434 CONEJO RD****A-1 Zone**

(4:20) Assessor's Parcel Number: 019-061-012
Application Number: MST2014-00066
Owner: Maria Lourdes C. Smith
Applicant: The Fine Line

(Proposal to construct a new 1,724 square foot two-story single-family residence and attached 519 square foot two-car garage. Also proposed are two second floor decks totaling 249 square feet. A total of 325 cubic yards of grading is proposed. The proposed development total 2,500 square feet, located on a 7,900 square foot vacant lot within the Hillside Design District, is 79% of guideline floor-to-lot-area ratio (FAR).)

(Comments only. Project requires environmental assessment and Staff Hearing Officer review for requested zoning modifications.)

Actual time: 4:47 p.m.

Present: Dale Pekarek, Architect; Drew and Lourdes Smith, Owners; and Susan Riegle, Associate Planner.

Public comment opened at 4:59 p.m. As no one wished to speak, public comment was closed.

Motion: Continued two weeks to Full Board with comments:

- 1) Study the relationship and proportions of the columns, door, and windows at the front entry on the east elevation.
- 2) Study the dimensions of the windows and door relationships.
- 3) Study the neighborhood compatibility of the stone veneer compatibility with Santa Barbara's style.
- 4) Provide details of the metal railing and wood deck material.
- 5) Provide a detail of the overhang above the garage door.
- 6) Provide details of recessed windows.
- 7) Study the style of roof vents in relation to fire safety.
- 8) Clarify the details of the retaining walls on the plans.
- 9) Provide a conceptual landscape plan.
- 10) Specify driveway paving materials.
- 11) Use two-piece mission tile.
- 12) Provide a color board.

Action: Miller/James, 4/0/0. Motion carried. (Pierce, Woolery, and Zimmerman absent).

EXHIBIT C

CONCEPT REVIEW - CONTINUED**3. 434 CONEJO RD****A-1 Zone****(4:05)**

Assessor's Parcel Number: 019-061-012
Application Number: MST2014-00066
Owner: Maria Lourdes C. Smith
Architect: Alex Pujo

Proposal to construct a new 1,724 square foot two-story single-family residence and attached 519 square foot two-car garage. Also proposed are two second floor decks totaling 249 square feet. A total of 325 cubic yards of grading is proposed. The proposed development total 2,500 square feet, located on a 7,900 square foot vacant lot within the Hillside Design District, is 79% of guideline floor-to-lot-area ratio (FAR).

(Second Concept Review. Comments only. Requires Staff Hearing Officer review for requested zoning modifications. Project last reviewed on March 10, 2014.)

Actual time: 3:48 p.m.

Present: Alex Pujo, Architect; and Drew and Lourdes Smith, Owners.

Public comment opened at 3:58 p.m. As no one wished to speak, public comment was closed.

Motion: Continued indefinitely to Staff Hearing Officer for required modifications to return to Full Board with comments:

- 1) The modifications are aesthetically appropriate.
- 2) Provide additional details of windows.

Action: Pierce/Zimmerman, 4/1/0. Motion carried. (Miller opposed, James absent).