



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: November 6, 2014
AGENDA DATE: November 12, 2014
PROJECT ADDRESS: 398 W. Mountain Drive (MST2014-00439)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *Dyk*
 Jo Anne La Conte, Assistant Planner *JAL*

I. PROJECT DESCRIPTION

The 49,336 square foot site is currently developed with a 3,600 square foot single family residence with a detached 576 square foot two-car garage. The proposed project involves construction of a new 700 square foot four-car tandem garage with 300 square feet of detached accessory space contained within the same volume as the parking area of the garage, and a five foot high gate with pillars, lighting, and associated grading. This project will address violations identified in a Zoning Information Report (ZIR2014-00284).

The discretionary applications required for this project are:

1. A Modification to allow the total garage floor area to exceed the maximum allowable size of 750 square feet (SBMC § 28.87.160 and SBMC § 28.92.110); and
2. A Modification to allow the detached accessory building to be located within a front yard (SBMC § 28.87.170 and SBMC § 28.92.110).

Date Application Accepted: October 2, 2014 Date Action Required: December 30, 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:	Paul Zink	Property Owner:	Maria & Monte Wilson
Parcel Number:	019-012-017	Lot Area:	49,336 sq. ft.
General Plan:	Low Density Residential	Zoning:	A-1
Existing Use:	Single Family Residence	Topography:	34 % slope

Adjacent Land Uses:

North – Mountain Drive
 South – Las Tunas Rd.

East - Residential
 West - Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	3,600 sq. ft.	No Change
Garage	576 sq. ft.	1,276 sq. ft. (576 sq. ft. existing + 700 sq. ft. proposed)
Accessory Space	None.	300 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 5,176 sf 10.5% Hardscape: 9,000 sf 18.2% Landscape: 35,160 sf 71.3%

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.10 Proposed FAR: 0.10 = 103% of Max. Allowed FAR

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/Allowance	Existing	Proposed
Setbacks			
- Front	35 ft.	>35 ft. (Mountain & Las Tunas)	35 ft. (Mountain Dr.)
- Interior	15 ft.	<15 ft. (Non-Conforming)	No Change
- Rear	15 ft.	<15 ft. (Non-Conforming)	No Change
Building Height	30 ft.	<30 ft.	<30 ft.
Parking	2 covered	2 covered	6 covered
Open Yard	1,250 sq. ft.	>1,250 sq. ft.	>1,250 sq. ft.

V. DISCUSSION

The project was reviewed by the Single Family Design Board (SFDB) on September 22, 2014 and was forwarded to the Staff Hearing Officer (SHO) with comments. The proposed project involves construction of a new 700 square foot four-car tandem garage with 300 square feet of detached accessory contained within the same volume as the parking area of the garage, and a five foot high gate with pillars, lighting and associated grading. The proposed total development of 5,176 square feet on a 1.10 acre lot in the Hillside Design District is 103% of the guideline maximum floor-to-lot area ratio (FAR)

Covered Parking

The A-1 zone allows for a maximum of 750 square feet of covered parking (SBMC §28.87.160.D). The existing two-car garage on site is 576 square feet and the proposed garage is 700 square feet resulting in a net total of 1,276 square feet of covered parking, which exceeds the maximum allowed by 526 square feet. Because the current proposal is for greater than 750 square feet of covered parking, it requires modification approval to exceed the maximum allowable size. The proposed garage will be accessed from the existing paved driveway facing Mountain Drive. Staff is in support of the requested modification as the property is large, the grading required for the garage is minimal, the proposed garage will be obscured from view by dense landscaping, and the proposal will provide an enclosed garage to accommodate the property owner's car collection. In addition, the proposed garage is not anticipated to adversely impact the adjacent neighbors, as it complies with the setback requirements, or the visual openness of the street frontage.

Transportation staff has reviewed the project and can support the new gate with pillars and proposed garage as the tandem garage is considered "extra" parking beyond the existing/required parking (two-car garage).

Accessory Space

The Zoning Ordinance allows for a maximum of 500 square feet of accessory buildings (SBMC §28.87.160.C), other than garages on the lot. However, the Zoning Ordinance does not allow accessory buildings, except garages, in a front yard. Although the detached accessory space is located outside of the required 35' front setback facing Mountain Drive, it is located in the remaining front yard and therefore requires modification approval. The purpose of the accessory space is to provide space for the applicant to work on the vehicles that are stored in the garage, so a separated accessory building in a different location would not meet the applicant's requirements. Staff is in support of the proposal to allow the detached accessory space in the remaining front yard, as the property is site constrained due to the two front yards facing Mountain Drive and Las Tunas Road, the location of the current development on site, and the topography, which limit the areas where the combination of garage and workshop would be feasible. In addition, the proposal will result in minimal grading in a portion of the property that is fairly level.

Archaeological Sensitive Zone

The property is located within a mapped archaeologically sensitive zone but the area has been previously disturbed. Per a Phase 1 Archeological Report prepared in April of 2002, by David Stone, M.A., no prehistoric or historic archaeological cultural remains were identified and no further measures are necessary. However, the standard condition of approval regarding unanticipated archaeological resources for monitoring has been included in the highly unlikely event that cultural remains are encountered during construction.

Arborist Letter

The proposal does not include the removal of any trees from the property. However, there are existing Oak trees near the location of the proposed garage. The applicant has provided a letter dated October 1, 2014 from Peter J.H. Winn, Certified Arborist which includes recommendations for tree protection during construction. Therefore, a condition has been added that the recommendations for tree protection shall be included as part of this project.

VI. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Modification to allow a garage greater than 750 square feet is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed garage is appropriate because it will provide additional covered parking on the site that meets the setback requirements, and is not anticipated to adversely impact the adjacent neighbor's or the visual openness of the street frontage.

The Staff Hearing Officer finds that the Modification to allow detached accessory space to be located within the front yard is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed accessory space is appropriate because of the site constraints on site: the topography, the location of the existing house, and the lot's two front yards limit the areas where the combination of garage and workshop would be feasible, and because the project will result in minimal grading on a steeply sloped site.

Said approval is subject to the following conditions:

1. The height of the gate and pillars and any proposed lighting shall comply with the Zoning Ordinance requirements.
2. The letter dated October 1, 2014 from Peter J. H. Winn shall be added to the plans submitted for building permit, and the "Recommendations for Tree Protection during Construction" shall be implemented.
3. 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.”

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated October 7, 2014
- C. SFDB Minutes dated September 22, 2014
- D. Letter dated October 1, 2014 from Peter J.H. Winn, Certified Arborist

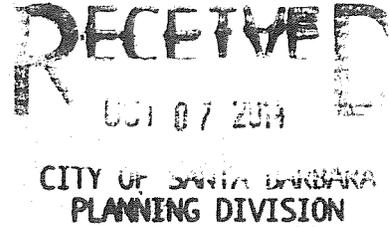
Contact/Case Planner: Jo Anne La Conte, jlaconte@santabarbaraca.gov
(JLaconte@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x**3320**

PAUL R. ZINK, AIA

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Santa Barbara, CA 93105
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prz@ZinkAIA.com

October 7, 2014

Planning Division
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102-1990



RE: Modification Application for 398 West Mountain Drive
APN: 019-012-017
Zoning A-1 / Riviera: Cielito
MST 2014-00439

Dear Planning Staff,

We are seeking two (2) modifications for this project. One is to allow more than the maximum 750 sf of garage area on a parcel in the A-1 Zone. The other is to allow an accessory area in front of the Main Residential Structure. We are proposing to build a detached 1,000 sf tandem garage with an auto lift allowing for the parking of four vehicles. The square footage of the proposed structure is divided into 700 sf for the garage function and 300 sf for the accessory area function. There is an existing detached 576 sf two car garage that will remain. The proposed total garage area on the property will be 1,276 sf with the ability to park six cars. The total accessory area on the property will be 300 sf. The client is a car collector and would like to have the additional garage area for the parking of his car collection. The project was reviewed at Single Family Design Board, SFDB, on September 22, 2014 with no negative impacts to the aesthetics. The SFDB did not have any concerns with the size, bulk, or scale of the proposed project voting 4:1 sending the project on to the Staff Hearing Officer.

The property is zoned A-1 Residential with residential properties on all four sides. The property has two street frontages. West Mountain Drive to the North and Las Tunas Road to the South. There are currently two existing structures on the property. One is the existing detached garage of 576 sf mentioned above. The other is the existing single story house of 3,600 sf net area. The proposed garage will bring the total number of structures on the property to three having a total area of 5,176 square feet which will be 103% of the Guideline FAR. The SFDB did not have a concern with the proposed project exceeding the Guideline FAR mainly because the proposed structure, as well as the existing structures, have little to no visual impact to the neighborhood or community.

The property is 49,336 sf or 1.133 acres in size. The entire parcel has an average lot slope of 34% according to the City Parcel Description. The project area of disturbance is 2,000 sf or .046 acres. The project area average slope is less than 10%. The location of the proposed structure is already fairly level and is currently being used for uncovered additional surface parking. There will not be a new driveway curb cut. The garage will be accessed off the existing paved driveway. There will be no trees removed as a part of this project. There will be minimal grading with less than 50 cubic yards of earth moved to create the building pad. There will be no new site retaining walls as

a part of this project. There will be 1,600 sf of new impervious area added to the existing site. The project will be designed to have post-construction storm water runoff complying with SWMP Tier 3 Standards. At the completion of the project, the property will have a lot coverage for buildings at 11.3%, for paving and patio areas at 18.2%, and for landscaping at 70.5%.

The property will have exterior wall lights as a part of the project. The fixture type has not been selected at this time. They will be selected to match the architectural style and will be placed in a way to not allow any light to trespass over the property line. The SFDB will review the location and the design style prior to giving the project Final Design Approval. There are three proposed skylights for this project and all three skylights are located on the uphill side of the roof to have zero effect to the community along Mountain Drive. There will be no odors or smoke created with this project. There will be no new noise associated with this project. The proposed garage is for the parking of specialized vehicles. There will be no repair or maintenance occurring on the property.

At this point we have not prepared any soils report or geotechnical reports for this project. There are some existing oak trees near the proposed garage location and we will hire an Arborist to prepare some Oak Tree Protection Requirements for this project. These will be a part of the project prior to requesting Project Design Approval from the SFDB. The project site is not located near a creek. There is an existing sandstone storm water drainage channel on the property to the East of the proposed project site. There will be no change to the existing drainage channel with this project. There are no designated recreational trails or easements traversing the project site.

The property is served by the City of Santa Barbara for water and sewer service. The new proposed building will have fire sprinklers. The proposed building will be designed to comply with the High Fire Construction standards. The proposed building will have a half bath and a shop sink. There are currently no bathroom facilities located on this portion of the property and the sewer connection from the main City line to the existing house is close by.

The proposed project will take approximately 3-4 months to construct. There is no demolition required for this project. The grading will be minimal as mentioned above. There will be 3-4 workers at the site at one time. The construction personal parking will occur on site. The staging area for the construction site will be located where the proposed driveway extension is located. There are no hazardous materials involved with this project.

We feel the Staff Hearing Officer will be able to make the findings to permit this modification since the proposed structure is acceptable to the Single Family Design Board in terms of the design as well as the size, bulk, and scale. The proposed project was reviewed with City Planning Staff and a Pre-Case file was created, PRE 2014-00734. In the Decisions/Conclusions portion it is stated that the modification request is supportable by Staff. Transportation Staff has reviewed the proposed project and is considering the tandem parking as 'extra' beyond the existing required parking on site and has support for the project.

If you have any questions please call 805-569-3909.

Sincerely,



Paul R, Zink, AIA

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

5. 398 W MOUNTAIN DR

A-1 Zone

(5:15) Assessor's Parcel Number: 019-012-017
Application Number: MST2014-00439
Owner: Maria and Monte Wilson
Architect: Paul Zink

(Proposal to construct a new 1,000 square foot, three-car, detached garage. The site is currently developed with an existing, 3,600 square foot, one-story, single-family residence, and an existing 576 square foot, detached, two-car garage which are to remain. The proposed total development of 5,176 square feet on a 1.10 acre lot in the Hillside Design District is 103% of the guideline maximum floor-to-lot area ratio (FAR). The proposal includes Staff Hearing Officer review for a requested zoning modification.)

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

Actual time: 5:49 p.m.

Present: Paul Zink, Architect.

Public comment opened at 5:56 p.m. As no one wished to speak, public comment was closed.

Motion: Continued indefinitely to Staff Hearing Officer to Full Board with comments:

- 1) Study eliminating the bathroom and any water source.
- 2) The aesthetics and architecture are appropriate.

Action: Miller/Bernstein, 4/1/0. Motion carried. (Sweeney opposed, Woolery/Zimmerman absent).



WESTREE

Peter Winn
P.O. Box 22702
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CA 93121
805-966-3239
Cont. Lic. #772299

RECEIVED
OCT 07 2014

CITY OF SANTA BARBARA
PLANNING DIVISION

October 1, 2014

Paul R Zinc AIA
779 Calabria Drive
Santa Barbara, CA 93105

RE: 398 West Mountain Drive garage and entry gate addition.

Dear Paul,

As you requested, I visited 398 West Mountain Drive with your plans to review any potential impact to the existing trees on the site from the proposed new garage & entry gate.

As far as the construction of the garage, there will be no impact to any of the existing Coast Live Oaks (*Quercus agrifolia*). All of these trees are located below an existing retaining wall. The wooden fence will be constructed within the drip line of these Oaks, provided the post holes are dug by hand and with some degree of flexibility in their location to avoid any major roots, there will be no impact from the fence either.

However, the sliding gate does encroach within the tree canopy of the two Oaks on the west side of the existing driveway. You are proposing a drop in grade to accommodate the gate when open. This will require cutting into the root zone. You will have to mitigate for this encroachment unless you can reconfigure the gate elsewhere.

To ensure no harm comes to any of the other trees on the site, I have enclosed a standard list of recommendations for you to follow.

RECOMMENDATIONS FOR TREE PROTECTION DURING CONSTRUCTION.

- Fence off all trees from construction at the critical root zone or where practical with 6' chain link or orange construction fence with metal stakes.
- No activities or storage of construction materials shall be allowed within the fenced areas unless approved by the project arborist.

EXHIBIT D

- Any root disturbance to any of the protected trees shall be done by hand and the project arborist alerted.
- All roots encountered shall be cut cleanly with a sharp saw to allow for new root regeneration, backfilled immediately or kept moist to prevent drying out and dying.
- Any tree affected by the construction process shall be deep-root fertilized to promote better health and vigor.
- Compaction of the root zone shall be avoided by spreading 3-4" of mulch. If necessary plywood or equivalent shall be placed on top.
- During hot, dry periods the foliage may need to be washed with high pressure water to remove construction dust.
- Project arborist shall be notified prior to any activities within the critical root zone.
- All trenching of utilities, irrigation and lighting shall not encroach within the critical root zone unless approved by the project Biologist or Arborist.
- Native or Specimen trees removed or damaged shall be mitigated, utilizing the current County recommendations of either 10:1-1gallon, or 5:1- 15gallon or 3:1 24"boxed trees.

Should you have any further questions or comments please do not hesitate to call my office at 805 966 3239.

Yours sincerely,



Peter J.H. Winn

I.S.A. Certified Arborist #921