

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE:

February 12, 2015

AGENDA DATE:

February 18, 2015

PROJECT ADDRESS: 224 Los Aguajes Avenue (MST2014-00405)

TO:

Susan Reardon, Senior Planner, Staff Hearing Officer

FROM:

Planning Division, (805) 564-5470

Danny Kato, Senior Planner

Jo Anne La Conte, Assistant Planner 94

T. PROJECT DESCRIPTION

The 3,242 square-foot site is developed with an 839 square foot, one-story single-family residence, a detached 165 square foot one-car garage and a shed. The proposal is to construct an 82 square foot one-story addition and a 544 square feet second-story addition to the dwelling and to construct a 28 square foot addition to the garage, which will attach the residence to the garage. The proposal also includes demolition of a shed, a porch canopy and portions of a concrete patio, one new uncovered tandem parking space, new upper and lower level patios and a 378 square foot roof deck.

The discretionary applications required for this project are:

- 1. Interior Setback Modification to allow the addition to the garage and the tandem uncovered parking space to be located within the required six-foot interior setback to the west (SBMC § 28.21.060 and SBMC § 28.92.110); and
- 2. <u>Interior Setback Modification</u> to allow an addition and alterations to a non-conforming residence located within the required six-foot interior setback to the east (SBMC §28.21.060 and SBMC § 28.92.110).

Date Application Accepted: December 15, 2015 Date Action Required: March 16, 2015

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:

Don Gragg

Property Owner: Arne Richard Pedersen

Parcel Number: 033-032-007

Lot Area:

3,242 sq. ft.

> General Plan: Zoning: R-4/SD-3 Existing Use: Single Family Residence Topography: 1% slope

Adjacent Land Uses:

North – Parking Lot/Commercial
South – Single Family Residence

East - Commercial
West – Parking Lot

B. PROJECT STATISTICS

 Existing
 Proposed

 Living Area
 839 q. ft.
 + 626 sq. ft. = 1,465 sq. ft.

 Garage
 165 sq. ft.
 +28 sq. ft. = 193 sq. ft.

 Accessory Space
 "As-Built" Shed 50 sq. ft.
 0 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 1,221 sf 38% Hardscape: 1,368 sf 42% Landscape: 653 sf 20%

IV. DISCUSSION

The project was reviewed by the Historic Landmarks Commission (HLC) on September 10, 2014 and November 19, 2014 and was forwarded to the Staff Hearing Officer (SHO) with generally positive comments. There are some design issues that will need to be resolved prior to HLC approval of the project.

The proposal is to construct an 82 square foot one-story addition and a 544 square feet second-story addition to the dwelling and to construct a 28 square foot addition to the garage, which will attach the residence to the garage. The proposal also includes demolition of an "as-built" shed, a porch canopy and portions of a concrete patio and one new uncovered tandem parking space, new upper and lower level patios and a 378 square foot roof deck.

East Interior Setback Modification

The existing dwelling is non-conforming to the required six foot interior setback to the east, as it is located approximately two feet from the interior property line. The proposed second-story addition to the dwelling will meet the required six-foot interior setback. However, the proposed second-story addition will result in a change to the basic exterior characteristic of the one-story non-conforming dwelling and therefore requires modification approval.

West Interior Setback Modification

The existing one-car garage is non-conforming to the required six foot interior setback to the west as it is located approximately one foot from the interior property line. The proposed project will extend the front of the garage by approximately 28 square feet and in-line with the one foot non-conforming interior setback. The proposal also includes one new uncovered

tandem parking space that will be located approximately six inches from the interior property line.

Modification Support

Staff is in support of the proposal as the second-story addition will conform to the required six-foot interior setback, the proposed garage expansion is in-line with the existing garage and the tandem uncovered parking space and expanded garage will provide the required parking for the site, the proposal meets the Secretary of the Interior's Standards for Rehabilitation and will not have a negative impact on the resource and because the adjacent parcel to the West side of the property is developed with a parking lot and the proposal is not anticipated to adversely impact the adjacent neighbor's or the visual openness of the street frontage.

Parking

The required parking for a single family residence is two covered parking spaces that may be provided in a garage or carport. The existing parking on site is non-conforming with one covered parking space in a garage, and the proposed project will add more than 50% of floor area to the dwelling. Santa Barbara Municipal Code (SBMC) Section 28.90.001.B states in pertinent part that if an enlargement is more than 50% of the existing floor area, then parking shall be brought up to current standards for the entire lot. However, as the proposal is less than 85% of the floor to lot area ratio (FAR), per SBMC Section 28.90.100.G. the required parking may be provided in one covered and one uncovered space subject to the conditions contained therein. Therefore, the applicant is proposing to expand the garage to provide a one-car garage that conforms to required interior dimensions and to provide one tandem uncovered paring space to satisfy the parking requirement for the proposed development.

Transportation staff has reviewed the proposal for the garage extension and uncovered tandem parking space and are in support of the proposal as it will result in a conforming one-car and as the uncovered tandem parking space in front of the garage allows for the continuation of the existing parking configuration without complete redesign or removal of the existing dwelling. The Planning Commission recommended approval of the tandem parking configuration to Transportation staff at a lunch meeting on February 5, 2015.

Coastal Review

The project is located in the Non-Appealable Jurisdiction of the Coastal Zone and requires Coastal review. The project as proposed will qualify for a Coastal Exemption.

Environmental Review

The property is on the City's List of Potential Historic Resources and was found to be eligible as a Structure of Merit. An Historic Structures Report was reviewed and approved for the property by the HLC. In addition, the City Historian has reviewed the proposal and has determined that the project meets the Secretary of the Interior's Standards for Rehabilitation and will not have a negative impact on the resource.

The project site is located within an area mapped as Hispanic Archaeological, American City Archaeological and Early 20th Century Archaeological (1900-1920) sensitivity areas.. An archaeological letter report, prepared by David Stone, M.A., RPA, dated January 14, 2015, concluded that it is unlikely that artifacts will be encountered during the proposed construction but recommends that the standard unanticipated archaeological discovery condition be included. Therefore, staff has included a condition that the standard unanticipated archaeological discovery condition shall be reproduced on the plans prior to submittal for building permit.

V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Interior Setback Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The addition to the dwelling is appropriate because it will meet the required six foot interior setback and will meet the Secretary of the Interior's standards for rehabilitation and will not have a negative impact on the resource. In addition, the garage and the tandem parking space are appropriate because they will provide the required parking for the property, will allow for a minor expansion to the garage in-line with the existing garage, and the proposal is not anticipated to adversely impact the adjacent neighbor 's or the visual openness of the street frontage.

Said approval is subject to the following conditions:

- 1. The boat and trailer located on the driveway shall be removed from the front and interior setbacks and shall not block access to the required parking area.
- 2. The vehicle parked in the required front setback shall be removed from the front setback.
- 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 December 2, 2014
- C. HLC Minutes dated September 10, 2014 & November 19, 2014

Contact/Case Planner: Jo Anne La Conte, Assistant Planner (JLaconte@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101

Phone: (805) 564-5470 x3320

SANTA BARBARA DESIGN & BUILD

Santa Barbara Design & Build 730 Anacapa Street Santa Barbara, CA 93101

December 2, 2014

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

DEC 15 2014

CITY OF SANTA BARBARA PLANNING DIVISION

Re: Modification Request for 224 Los Aguajes St.

Dear Staff Hearing Officer:

There is an existing 896 sf one story Spanish colonial revival house and a 190 sf detached garage constructed in 1928. There is also a 50 sf shed on the property. All three encroach into the interior setbacks. The house on the easterly side of the property encroaches by approximately 2'-6", the detached garage encroaches both the western and northern setbacks by approximately 6'. The shed on the westerly side encroaches approximately 5'. The house and garage are permitted according to the City building files, however the shed is not.

The proposal includes the removal of a nonconforming wooden shed, portion of concrete patio and porch canopy in back of the house and the removal of windows and doors on the north elevation in order to accommodate an addition. Also included in the proposal is the renovation of the kitchen, addition of a 99 sf stair and 107 sf porch canopy to the back of the house, addition of a 636 sf second story family room and bedroom, a 133 sf roof deck and finally the addition of 37 sf to the front of the existing garage in order to lengthen it to 20' per code.

We are requesting two modifications. The first modification being requested is for the existing nonconforming house encroaching into the easterly setback and to allow for a second story addition to be added to it. Note that the new addition will meet the required setback requirements.

The second modification request is for the existing nonconforming garage encroaching into the westerly setback and to allow for us to extend the existing garage by 3'-7" in order to have the length required by code.

The benefits of allowing for a second story addition onto the nonconforming house is that it will not only provide additional livable space for the owner but will be able to maintain the footprint and charming details of the existing house. The benefits of allowing for the addition onto the garage is that it will now meet the length required by code and provide for better off street parking.

Sincerely.

Michelle Lang, AIA

Santa Barbara Design & Build

ichille Long.

Public comment opened at 3:28 p.m. and, as no one wished to speak, it was closed.

Motion: Continued indefinitely to allow time for the preparation of a (Phase 2) focused

historic structures/sites report to evaluate the impacts of the proposed project on the

historic resource.

Action: La Voie/Mahan, 9/0/0. Motion carried.

MISCELLANEOUS ACTION ITEM

6. **224 LOS AGUAJES AVE**

R-4/SD-3 Zone

(3:00) Assessor's Parcel Number:

033-032-007

Application Number:

MST2014-00405

Owner:

Arne Richard Pedersen

Applicant:

Michelle Lang

Contractor:

Santa Barbara Design & Build

(Proposal to construct a total of 654 square feet of one- and two-story additions to an existing, one-story, 839 square foot, single-family residence, and an existing, detached, 165 square foot one-car garage, located on a 3,242 square foot lot in the Non-Appealable Jurisdiction of the Coastal Zone. The proposed 654 square feet of additions includes a new 544 square foot second-story addition, and the proposed one-story additions include 82 square feet to the existing residence and 28 square feet to the existing garage. The proposed one-story additions will attach the residence to the one-car garage. The proposal includes one new uncovered tandem parking space, a total of 589 square feet of ground level patios, 177 square feet of second level patios, and a 378 square foot roof deck. The project also includes the removal of a wooden shed, and portions of a concrete patio and porch canopy at the rear of the house. Staff Hearing Officer review is requested for zoning modifications.)

(Consider adding the building to the City's List of Potential Historic Resources.)

Actual time: 3:40

3:40 p.m.

Present:

Don Gragg and Michelle Land, Designers, Santa Barbara Design & Build

Public comment opened at 3:45 p.m. and, as no one wished to speak, it was closed.

Motion: To add the property located at 224 Los Aguajes Avenue to the City's List of

Potential Historic Resources.

Action: Murray/Winick, 9/0/0. Motion carried.

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING / HISTORIC STRUCTURES REPORT

7. **224 LOS AGUAJES AVE** R-4/SD-3 Zone

(3:03) Assessor's Parcel Number: 033-032-007

Application Number: MST2014-00405

Owner: Arne Richard Pedersen

Applicant: Michelle Lang

Contractor: Santa Barbara Design & Build

(Proposal to construct a total of 654 square feet of one- and two-story additions to an existing, one-story, 839 square foot, single-family residence, and an existing, detached, 165 square foot one-car garage, located on a 3,242 square foot lot in the Non-Appealable Jurisdiction of the Coastal Zone. The proposed 654 square feet of additions includes a new 544 square foot second-story addition, and the proposed one-story additions include 82 square feet to the existing residence and 28 square feet to the existing garage. The proposed one-story additions will attach the residence to the one-car garage. The proposal includes one new uncovered tandem parking space, a total of 589 square feet of ground level patios, 177 square feet of second level patios, and a 378 square foot roof deck. The project also includes the removal of a wooden shed, and portions of a concrete patio and porch canopy at the rear of the house. Staff Hearing Officer review is requested for zoning modifications.)

Actual time: 3:45 p.m.

Present: Michelle Lang and Don Gragg, Santa Barbara Design & Build

JoAnne LaConte, Assistant Planner, Planning Division

a. HSSR (Review of a Historic Sites/Structures Report prepared by Alexandra Cole.)

<u>Staff comments:</u> Nicole Hernández, Urban Historian, stated that the building was found eligible as a Structure of Merit under Criterion D of City Criteria. Staff agrees with the report that the project meets the Secretary of the Interior's Standards for Rehabilitation and will not have a negative impact on the resource meeting the CEQA guidelines.

Public comment opened at 3:47 p.m.

Kellam de Forest, local resident, questioned whether the property is within the proposed West Beach Historic District. He commented that the addition will compromise the original one-story building. [Staff responded that it is not part of the proposed historic district.]

Public comment closed at 3:48 p.m.

Motion: Continued indefinitely to allow the report preparer to revise the report, taking in consideration the Commission comments:

- 1. On page 6, second paragraph, Charles Osborne Craig should be corrected to James Osborne Craig.
- 2. On Sheet A-1 of the plans, correct the asterisk site reference so that it is not shown in the parking lot.
- 3. Correct the language on page 11, first paragraph, for criterion D to state "of the City Structure of Merit criteria", rather than "Landmark."

Action: La Voie/Drury, 9/0/0. Motion carried.

b. Project Concept Review (Comments only; project requires environmental assessment and Staff Hearing Officer review for requested zoning modifications.)

Public comment opened at 4:01 p.m.

Kellam de Forest, local resident, commented that the addition completely changes the building and it loses its historic integrity although the proposal is a nice design.

Public comment closed at 4:02 p.m.

Motion: **Continued indefinitely with comments:**

- 1. The applicant was commended for retaining a significant portion of the original structure.
- 2. The requested modifications are supportable.
- 3. The concept of a second story addition is supportable.
- 4. Modify the design to be more compatible with the original structure both in design and scale.

Action:

La Voie/Orías, 9/0/0. Motion carried.

IN-PROGRESS REVIEW

8. 1330 CHAPALA ST C-2 Zone

(3:40)Assessor's Parcel Number:

039-131-001

Application Number:

MST2013-00169

Owner: Architect: Metropolit Theatres Corporation Peikert + RRM Design Group

Business Name:

Arlington Village

(Proposal for a new, three-story, 41'-5" tall mixed-use development on a 91,000 square foot parcel located at the corner of W. Sola and Chapala Streets. The project will comprise 33 residential apartments (totaling 28,049 square feet) and two commercial units (895 square feet). The new building will total 61,456 square feet, including a 665 square foot exercise room and a 13,884 square foot partially below-grade parking garage. The parking garage will contain 42 spaces, and a surface lot will contain 49 spaces for a total of 91 spaces, with 33 spaces allocated to the residential units, two spaces allocated to the commercial units and 56 spaces allocated to the Arlington theatre. Also proposed is the removal of nine mature trees, with six mature palm trees to be relocated on site. Grading excavation will total 3,400 cubic yards. A detached trash enclosure for the theater is proposed to replace an existing trash enclosure and will be constructed near the northwest corner of the Arlington theatre. A waiver of parking lot interior planter requirements is requested. This parcel is within the 10% Parking Zone of Benefit and contains a designated Structure of Merit: "Arlington Hotel Garden Arch.")

The project requires compliance with Findings and Conditions of (In-Progress Review. Resolution No. 13-091, adopted by City Council on December 10, 2013. The project was last reviewed by HLC on August 27, 2014.)

Actual time: 4:27 p.m.

Motion: Continued indefinitely with comments:

- 1. Appreciation was expressed for the owner's stewardship of the home.
- 2. The project's mass, bulk and scale are appropriate.
- 3. Solve the architecture to be more in keeping with the existing building's Eastlake Style and simplifying it in the process.
- 4. Provide an earth tone color palette reflecting what would have been used prior to the 1920s for this building style.
- 5. Extend walls on the addition to maintain a square, steep pitched roof cantilevering out over bay windows typical of the Eastlake Style.

Action:

Winick/La Voie, 7/0/0. (Murray/Shallanberger absent.) Motion carried.

CONCEPT REVIEW - CONTINUED / HISTORIC STRUCTURES REPORT

9. **224 LOS AGUAJES AVE**

R-4/SD-3 Zone

(3:50) Assessor's Parcel Number: 033-032-007

MST2014-00405

Application Number: Owner:

Arne Richard Pedersen

Applicant:

Michelle Lang

Contractor:

Santa Barbara Design & Build

(Proposal to construct a total of 654 square feet of one- and two-story additions to an existing, one-story, 839 square foot, single-family residence, and an existing, detached, 165 square foot one-car garage, located on a 3,242 square foot lot in the Non-Appealable Jurisdiction of the Coastal Zone. The proposed 654 square feet of additions includes a new 544 square foot second-story addition, and the proposed one-story additions include 82 square feet to the existing residence and 28 square feet to the existing garage. The proposed one-story additions will attach the residence to the one-car garage. The proposal includes one new uncovered tandem parking space, a total of 589 square feet of ground level patios, 177 square feet of second level patios, and a 378 square foot roof deck. The project also includes the removal of a wooden shed, and portions of a concrete patio and porch canopy at the rear of the house. Staff Hearing Officer review is requested for zoning modifications.)

Present:

Alexandra Cole, Historical Consultant

Michelle Lang and Don Gragg, Santa Barbara Design & Build

a. HSSR (Review of a Historic Structures/Sites Report prepared by Alexandra Cole.)

Actual Time: 4:50 p.m. and again at 5:10 p.m.

<u>Staff comments:</u> Nicole Hernández, Urban Historian, stated that Staff agrees with the report that the project meets the Secretary of the Interior's Standards for Rehabilitation and will not have a negative impact on the resource meeting the CEQA Guidelines.

Public comment opened at 4:50 p.m. and, as no one wished to speak, it was closed.

Motion:

To accept the report with requested amendments.

Action:

Winick/Orías, 7/0/0. (Murray/Shallanberger absent.) Motion carried.

b. Second Concept Review (Comments only; project requires environmental assessment and Staff Hearing Officer review for requested zoning modifications. This project was last reviewed by HLC on September 10, 2014.)

Actual Time: 4:53 p.m.

Public comment opened at 5:01 p.m. and, as no one wished to speak, it was closed.

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

- 1. The proposed modifications are aesthetically appropriate. The proposed modifications do not pose consistency issues with El Pueblo Viejo Design Guidelines or the Neighborhood Preservation Ordinance.
- 2. The applicant was commended for undertaking the home's restoration.
- 3. Return the handrail to a step design.
- 4. Batter the chimney, replicating the existing batter.
- 5. Change the west elevation, second floor balcony door to a door and sidelights.

Action:

La Voie/Mahan, 7/0/0. (Murray/Shallanberger absent.) Motion carried.

CONCEPT REVIEW (CONTINUED)

10. 33 W VICTORIA ST

C-2 Zone

(4:40) Assessor's Parcel Number:

039-181-001

Application Number:

SGN2014-00109

Owner:

Vic Luria-New, LLC

Applicant:

Jason Currie

Business Name:

Ensemble Theatre Company

(Concept review for a new sign program for the Ensemble Theatre Company consisting of four (4) new wall mounted flag signs (totaling 60 square feet), two (2) 4.5 square foot poster spaces mounted to walls (totaling 9 square feet), and one large 130 square foot poster case at the rear of the building, all of the above referenced signs are proposed to have inter-changeable text for specific venue events. Two (2) additional 5 square foot pole mounted signs are also proposed (totaling 10 square feet). There is an existing 3 square foot hanging sign to remain. The total proposed new signage proposed is 209 square feet, and a total of 212 square feet of total site signage. Maximum square footage allowed is 90 square feet. Exceptions are requested to allow the application to exceed the maximum site square footage, and to request pole signs. The linear building frontage is 136 feet.)

(Exception findings are required.)

This item was postponed to December 17, 2014, at the applicant's request.