



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: April 7, 2016
AGENDA DATE: April 13, 2016
PROJECT ADDRESS: 1735 Bath Street (MST2015-00590)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Jo Anne La Conte, Assistant Planner *JAL*

I. PROJECT DESCRIPTION

The 5,289 square-foot site is currently developed with a 1,273 square foot one-story single family dwelling, a detached 170 square foot one-car garage and an "as-built" fence and trellis. The proposed project involves demolition of the existing garage, as-built" fence and trellis, construction of a new 218 square foot one-car garage, a 49 square foot first floor addition, a 576 square foot second-story addition and a new three foot high fence on top of an existing 30 inch high stone wall that will result in a five foot six inch high cumulative wall/fence height. The project will address violations in a Zoning Information Report (ZIR2015-00063). The proposed total of 2,116 square feet of development on a 5,289 square foot lot is 84% of the maximum guideline floor to lot area ratio (FAR). The project requires an Administrative Height exception for the over height wall/fence and for an over height hedge and wall at the property. This residence has been added to the City's List of Potential Historic Resources.

The discretionary applications required for this project is a Front Setback Modification to allow a conforming second-story addition that will change the basic exterior characteristics of the existing residence that is nonconforming to the required 10-foot front setback (SBMC § 28.87.030 and SBMC § 28.92.110).

Date Application Accepted: March 10, 2016

Date Action Required: June 8, 2016

II. RECOMMENDATION

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

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Lisa Stidd-Silver	Property Owner:	Joyce Peneau & Antoine Shabazz
Parcel Number:	027-082-007	Lot Area:	5,289 sq. ft.
General Plan:	Medium High Density Residential (15-27 du/acre)	Zoning:	R-4
Existing Use:	Single Family Residence	Topography:	7% slope

Adjacent Land Uses:

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

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,273 sq. ft.	+625 = 1,898 sq. ft.
Garage	170 sq. ft.	281 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 1,540 sf 29% Hardscape: 245 sf 5% Landscape: 3,504 sf 66%

IV. DISCUSSION

The proposal includes construction of a new 218 square foot one-car garage, a 49 square foot first floor addition, a 576 square foot second-story addition and a new three foot high fence on top of an existing 30 inch high stone wall that will result in a five foot six inch high cumulative wall/fence height.. The project requires an Administrative Height exception for the over height wall/fence and for an over height hedge and wall at the property. Therefore, a condition has been included that an Administrative Height exception shall be obtained for the over height wall, fence and hedge. The proposed garage will meet the setback requirements.

The existing dwelling is non-conforming to the required 10-foot secondary front setback facing Islay Street, as it is located approximately eight feet six inches from the front property line. The proposed additions to the dwelling will meet the required 10-foot front 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. Staff supports the request for the Front Setback Modification as the proposed additions are conforming to the required setbacks, will meet the Secretary of Interior's standards for rehabilitation and will not have a negative impact on the Historic resource.

The project was reviewed by the Historic Landmarks Commission (HLC) on December 16, 2015 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.

Parking

The required parking for a single family residence today is two covered parking spaces that may be provided in a garage or carport. However, the existing parking on site is non-conforming with one covered parking space in a garage, and because the proposed project will not add more than 50% of floor area to the dwelling, the parking may remain at one-covered parking space.

V. ENVIRONMENTAL REVIEW

The structure was added to the City's Potential Historic Resources List by the HLC on December 16, 2015. The City Historian has reviewed the project and has stated that a Historic Structures/Site Report is not necessary at this time, as the construction of the additions do not have a negative impact to the potential historic significance of the building. A staff evaluation was submitted to the HLC members that reviewed how the proposal met the criteria required to meet the Secretary of the Interior's Standards for Rehabilitation. Should the project significantly change, a Historic Structures Report may be required.

The project site located within an area mapped as a Prehistoric Watercourse Buffer, American City Archaeological and Early 20th Century Archaeological (1900-1920) sensitivity areas. An Archaeological Letter report prepared by David Stone, MA, RPA dated February 10, 2016 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 at building permit submittal.

VI. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Front Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The additions to the dwelling are appropriate because they will meet the required setbacks, will meet the Secretary of the Interior's standards for rehabilitation and will not have a negative impact on the resource.

Said approval is subject to the following conditions:

1. An Administrative Height Exception shall be obtained for the over height fence/wall combination and for the over height hedge/wall combination at the property.
2. 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 January 14, 2016
- C. HLC Minutes dated December 16, 2015
- D. Memorandum to HLC from the City Urban Historian dated 12-16-15

Contact/Case Planner: Jo Anne La Conte, Assistant Planner
(JLaconte@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x3320

Lisa Stidd Silver/DMHA Architects
503-347-1963
Owner's agent to
Tony Shabazz & Joyce Peneau
1735 Bath Street
Santa Barbara, CA 93105

January 14, 2016

Staff Hearing Officer
City of Santa Barbara
PO Box 1990
Santa Barbara, CA 93102-1990

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CITY OF SANTA BARBARA
PLANNING DIVISION

Re: Modification Request for 1735 Bath Street; APN 027-082-007; Land Use Zone – R-4

Dear Staff Hearing Officer:

There is an existing house (1,342 SF) and a detached one-car garage. A portion of the house, a permitted sunroom, is encroaching into the 10' secondary front yard setback (North side - it's a corner lot) by 2'-7 ¾". The garage is encroaching into the 6' side setback on the South Side by approx. 4'-7". There is a freestanding entry trellis/gate and fence along the northern side of property off of Islay Street which was not permitted. There is also a hedge that runs along the Northerly property line which exceeds the maximum height allowed. The proposal is to remove the non-permitted structures, to submit for an Admin. Review of Minor Exceptions to allow for the hedge to remain as is, to re-build in a conforming location, the one-car garage, and finally to add 49 SF (net) at the main level of the home for a new stair element to access a new 576 SF (net) second level master suite. The second story addition is situated at the rear portion of the home on the west and south sides so as to allow for the historic presence of the home to stay intact and the form still strong. The property has been approved at the December 16th HLC hearing as part of the City's Historic Structures/Sites List. The project also received positive comments from HLC in our concept hearing on the same day regarding everything described above.

The modification being requested is for the one front (secondary) setback along Islay Street to allow for a conforming second story addition to be built within the legal setbacks on the property. The second floor master suite will be a much needed addition to this small home for the current owners, which currently has (2) small bedrooms on the main level and (1) bath which serves as both a powder room and the primary bath for all.

The major benefit of receiving this modification is that the sun room adds to the historic quality of the home, with an attached trellis system which appears to be part of the original structure. The owners want to keep this part of the home intact and with all of the other requirements for parking and outdoor

EXHIBIT B

living space requirements, the modification is needed to accomplish added square footage. We believe that we have been very sensitive in our approach to the addition and that it will be an asset to the neighborhood.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Stidd-Silver', written in a cursive style.

Lisa Stidd-Silver
DMHA Architects

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The ten-day appeal period was announced.

**** THE COMMISSION RECESSED FROM 3:43 P.M. TO 3:54 P.M. ****

MISCELLANEOUS ACTION ITEM

**4. CITY'S POTENTIAL HISTORIC STRUCTURES/SITES LIST
1735 BATH ST**

R-4 Zone

(3:10) Assessor's Parcel Number: 027-082-007

Owner: Joyce Peneau & Antoine Shabazz

(Hold a Public Hearing to consider adding the Craftsman-style house constructed in 1916 to the City's List of Potential Historic Resources. The structure is eligible as a Structure of Merit.)

Actual time: 3:54 p.m.

Present: Lisa Stidd-Silver, DMHA

Staff comments: Ms. Hernández stated that she has reviewed the qualifications of the structure, finding it eligible as a Structure of Merit under Criteria A and D, and recommends that the Commission make a motion to add it to the Potential Historic Resources List.

Public comment opened at 3:57 p.m.

Chair Suding acknowledged e-mailed comments of concern from Virginia Rehling.

Public comment closed at 3:59 p.m.

Commissioner comments: Commissioner Shallenberger pointed out that staff evaluations guide Structure of Merit designations; the owner's desire is not the only consideration.

Motion: To add the structure located at 1735 Bath Street to the City's Potential Historic Resources List.

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

The ten-day appeal period was announced.

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CONCEPT REVIEW – NEW ITEM: PUBLIC HEARING

5. 1735 BATH ST

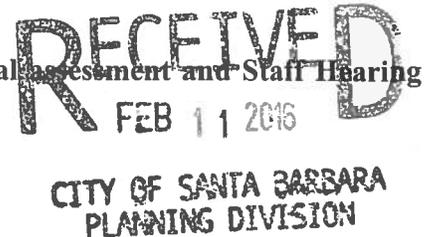
R-4 Zone

(3:15)

Assessor’s Parcel Number: 027-082-007
 Application Number: MST2015-00590
 Owner: Joyce Peneau & Antoine Shabazz
 Applicant: Lisa Stidd-Silver
 Architect: Ed de Vicente

(Proposal for a 493 square foot second-story master bedroom addition and a 48 square foot first-floor addition to an existing 1,273 square foot single-family residence. An existing 170 square foot one-car garage will be demolished and replaced with a new 187 square foot garage for a total of one covered parking space onsite. An “as-built” fence and trellis will be demolished. This project addresses violations in Zoning Inspection Report [ZIR2015-00063]. The total of 2,001 square feet of development on a 5,289 square foot lot is 80% of the maximum guideline floor-to-lot area ratio [FAR]. A front setback modification is requested for allowing an addition resulting in changes to the basic exterior characteristics of an existing non-conforming building. This residence will be added to the City’s List of Potential Historic Resources.)

(Concept review; comments only. Project requires environmental assessment and Staff Hearing Officer review.)



Actual time: 4:03 p.m.

Present: Lisa Stidd-Silver, DMHA

Staff comments:

1. Ms. Hernández stated that she has prepared a staff evaluation of the addition. The project meets evaluation design guidelines, so she does not require a Historic Structures/Sites report, though the HLC may request one.
2. Ms. Kaufman stated that the project requires a modification because the second-story addition changes the basic exterior characteristics of the non-conforming building, as the existing residence encroaches into the front setback. Although the addition is out of the setback, it changes the basic exterior characteristics.

Public comment opened at 4:09 p.m.

Kellam de Forest wondered about the impact of a second-story addition to the neighborhood.

Public comment closed at 4:10 p.m.

Commissioner comments:

1. Commissioner Shallenberger would like to see additional information about heights and building cross-sections. He applauded the use of lower plate heights on the second floor. He also suggested that the base of the north elevation may be making the stair tower so prominent.
2. Commissioner La Voie expressed that the design is too different from the existing building. The roof form needs to be modulated to be more like the original. There are too many window types, and the treatment of the windows relative to corners needs to be more consistent with the historical characteristics of the period.
3. Commissioner Murray stated that the hipped roof style is characteristic of the neighborhood; the proposal is too different and will attract notice. The addition should be more cohesive.

4. Commissioner Winick stated that the stair tower needs restudy; it is calling too much attention to itself and competing with the house.
5. Commissioner Mahan explained that the Craftsman style has architectural discipline. The proposed addition is more whimsical and is therefore incompatible. He also expressed concern about the impact of the south elevation on the neighboring single-story homes.
6. Chair Suding requested a streetscape section for a better perspective of the relationship between the elevations and the adjacent properties.
7. Commissioner Drury stated that the north side of the house needs to have a more disciplined approach.

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

1. The Commission does not require a Historic Structures/Sites Report.
2. The Commission finds that the modification and proposed addition are aesthetically appropriate and appropriate in massing and height, with certain design changes discussed by the Commission. The proposed modification does not pose consistency issues with the HLC guidelines.
3. The Commission finds the hedge height acceptable, as it is consistent with the neighborhood.
4. The proposal utilizes the examples for appropriate additions illustrated in the recently completed Historic Resource Design Guidelines. With adjustments, it will be more compatible with the existing resource.

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

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City of Santa Barbara
Planning Division

Memorandum

DATE: December 16, 2015

TO: Historic Landmark Commission

FROM: Nicole Hernandez, City Urban Historian

SUBJECT: Staff Evaluation of addition to a building eligible as a Structure of Merit

ADDRESS: 1735 Bath Street

The Urban Historian evaluates small projects to historic resources by first determining if a project is following the list of guidelines for additions that incorporate historic preservation principles set forth in the Secretary of Interior's Standards for the Treatment of Historic Properties. The purpose of this staff evaluation is to assist the Historic Landmarks Commission in the review of a project when no Historic Structures/Sites Report (HSSR) has been prepared and in order to appropriately guide applicants towards avoiding project impacts. The Historic Landmarks Commission may confirm staff's conclusions regarding compliance with the listed guidelines at the time of project review; or may require other design changes; or a more detailed HSSR to be prepared.

Property: The house was surveyed in 1980 and found to be constructed in 1916 in the Craftsman style. The house retains a majority of its character defining elements including its wide overhanging eaves, original wood, Craftsman style windows, square, tapered columns on brick piers and hipped roof. The house contributes to the visual and physical integrity of the neighborhood that has a combination of Victorian and Craftsman style homes and as the type of residence typically found in the City's modestly scaled residential neighborhoods during the early twentieth century.

Project: Proposal to add a 667 Square foot master suite/second floor to the one-story single family residence; re-situate the detached single car garage to be conforming within setbacks, with an addition of 60 square feet of new construction; add a new fence at front yard, and add a new raised wood deck at the rear yard.

Evaluation and Compliance with Guidelines for Additions

- 1. Locate additions toward the rear of the main structure, away from the main façade and street front.**
The project meets the evaluation guidelines: The addition is set behind the peak of the hipped roof line so that it is set back off the main façade and street front.
- 2. Use landscape elements, such as walls and fences, to visually screen the addition.**
The project meets the evaluation guidelines: The second story of the addition will be visible, however the first floor is to the rear of the property and will be visually screened by fencing.

3. Design the addition to be compatible with the original structure's mass, scale and proportions.

The project meets the evaluation guidelines: The rear additions and alterations are compatible with the original structure's mass, scale and proportions.

4. Design the addition to be subordinate to the main building, and not "compete" with it.

The project meets the evaluation guidelines: Because the rear addition is set back behind the hipped roof line and away from the façade and streetscape, it will be subordinate to the original structure, which will dominate the streetscape.

5. Echo roof forms and materials of the original structure.

The project meets the evaluation guidelines: The 2nd story addition will match roof material to the original structure and has a front gable with a crossing hipped roof. The hipped roof will echo that of the original structure.

6. Relate the addition to the main structure, rather than overwhelming it, by breaking up its mass into components that relate to the original.

The project meets the evaluation guidelines: The rear addition's mass is broken up into two components; one under the front gable and one under the side hipped roof that are set back into a separate component from the front elevation.

7. Avoid using a different style from the original structure. But, distinguish the addition from the original structure through simplified details.

The project meets the evaluation guidelines: The addition will use simplified window details that will distinguish it from the original structure.

8. Use similar finish materials and fenestration patterns as the original structure.

The project does meet the evaluation guidelines: The windows and window trim will be made of wood to match the existing. The double hung, one over one, configuration is similar to the first floor front windows that flank the large more ornate window.

STAFF RECOMMENDATION: No Historic Structures/Sites Report is necessary at this time as the construction of the two-story rear addition does not have a negative impact to the potential historic significance of the Structure of Merit eligible building as it meets all of the evaluation design guidelines. The project, therefore, may qualify for a categorical exemption if the Commission agrees with the above evaluation and conclusions. Should the project significantly change, a Historic Structures Report may be required.