



City of Santa Barbara
Planning Division

Memorandum

DATE: November 8, 2007

TO: Planning Commission

FROM: Planning Division
Roxanne Milazzo, Associate Planner *RM*
Jan Hubbell, Senior Planner *JH*

SUBJECT: Suspension of Staff Hearing Officer Approval Decision Regarding
814 Orange Avenue

Introduction

The 5,625 square foot project site has frontage on both Orange and Wentworth Avenues. Current development on site consists of a single-family residence and two-car garage. The proposed project involves demolition of all existing development on site and the construction of a two-story duplex with a two-car garage and two uncovered spaces. All of the proposed parking will be provided from Wentworth Avenue. The discretionary application required for this project is a Modification to allow the uncovered parking spaces to be located within the required interior yard setbacks.

On September 26, 2007, the Staff Hearing Officer (SHO) held a public hearing and approved the Modification (See SHO Staff Report, Exhibit A). The approval was subsequently suspended at the request of the Planning Commission in accordance with SBMC §28.05.020A. Overbuilding of the lot was cited as the reason for the filing of the suspension.

Discussion

Staff supported the Modification request to allow parking in the setback for the following reasons:

1. The project will provide all of the required parking for the proposed development
2. Access for all four (4) spaces will be provided off of Wentworth Avenue, which will eliminate the need to cut a driveway apron on the Orange Avenue frontage, which is a pedestrian-oriented street with very few curb cuts.

3. The pattern of development established throughout this block of through lots includes very few curb cuts on Orange Avenue and appropriately designed and functioning parking off Wentworth Avenue.
4. The proposed parking location is consistent with the current ordinance, which allows for both covered and uncovered parking in the setbacks when the lot is developed with up to three connected units.
5. The uncovered spaces will abut either covered parking or driveway access areas.
6. The narrow lot width of 45' provides a development constraint for compliance with interior yard setback standards.

Although the SHO expressed concerns with the design of the building and its overhead connection element, it was understood that the design, mass, bulk, and scale of the project was still undergoing review by the Architectural Board of Review (ABR). The ABR's comment specific to the Modification request was that the modification itself posed no negative aesthetic impact.

Staff has requested that a member of the ABR attend this Planning Commission hearing to address concerns with the massing of the project as currently designed and possible adjustments to be considered in the next phase of design review.

Recommendation

Staff recommends that the Planning Commission re-affirm the Staff Hearing Officer's decision and approve the modification, making the findings that the modification is consistent with the purposes and intent of the zoning ordinance in that open parking located within the required interior yards is necessary to secure an appropriate improvement on a 45 foot wide lot with two street frontages. Said approval is subject to the condition that the applicant salvage and reuse the stone blocks from the wall located along the front lot line.

Exhibits:

- A. SHO Staff Report dated September 19, 2007
- B. SHO Meeting Minutes and Resolution of September 26, 2007
- C. Site Plan



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: September 19, 2007
AGENDA DATE: September 26, 2007
PROJECT ADDRESS: 814 Orange Avenue (MST2006-00437)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Zoning & Enforcement Supervisor
 Roxanne Milazzo, Associate Planner

I. PROJECT DESCRIPTION

The 5,625 square foot project site has frontage onto Orange and Wentworth Avenues. Current development on site consists of a single family residence and two-car garage. All existing development on site will be demolished. The proposed project involves the construction of a two-story duplex with a two-car garage and two uncovered spaces. The discretionary applications required for this project is a Modification to allow the uncovered parking spaces to be located within the required interior yard setbacks.

Date Application Accepted: July 9, 2007 Date Action Required: October 9, 2007

II. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: AM Design & Drafting⁰³⁷ Property Owner: Francisco Espinosa
 Parcel Number: 07-024-007 Lot Area: 5,625 sf
 General Plan: Residential 12 units/acre Zoning: R-3
 Existing Use: One Family Residence Topography: 2 % slope

Adjacent Land Uses:

North – Multiple Family East - Railroad
 South – Single Family West – Single



B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,255 sf	3,536 sf
Garage	482 sf	557 sf
Accessory Space	Non-existing	No Change

III. LOT AREA COVERAGE

Lot Area: 5,625 sf
Building: 2,292 sf; 41 %
Hardscape: 947 sf; 17 %
Landscape: 2,386 sf; 42 %

IV. DISCUSSION

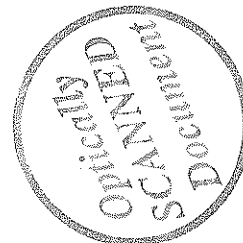
- This project was reviewed by the ABR on June 4, 2007 and continues to the Staff Hearing Officer with favorable comments. It was the Board's position that the Modification poses no negative aesthetic impact.
- The new development on site will provide all four parking spaces off of Wentworth Avenue. This pattern of development is established throughout this block of through lots. The proposed encroachments in the setbacks are consistent with the current ordinance, which allows for both covered and uncovered parking in the setbacks when the lot is developed with three connected units. Staff also considered the fact that the uncovered spaces will abut either covered or driveway access areas.

V. RECOMMENDATION/FINDING

Staff recommends that the Staff Hearing Officer approve the project, making the findings that the Modification is consistent with the purposes and intent of the Zoning Ordinance in that open parking, not new floor area, is being located within the required interior yards and is necessary to secure an appropriate improvement on a 45 foot wide lot. Said approval is subject to the condition that the applicant salvage and reuse the stone blocks from the wall located along the front lot line.

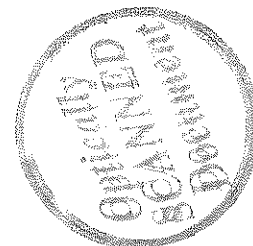
Exhibits:

- A. Site Plan
- B. Applicant's letter dated July 9, 2007
- C. ABR Minutes



STAFF HEARING OFFICER STAFF REPORT
814 ORANGE AVENUE (MST2006-00437)
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Contact/Case Planner: Roxanne Milazzo, Associate Planner
(rmilazzo@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805)564-5470



AM Design & Drafting

AM Design & Drafting
PO Box 23516
Santa Barbara, CA 93121
805.886.0315

July 9, 2007

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

Re: Modification Request for 814 Orange Ave.; A.P.N. 039-424-011; Zone R-3

Dear Staff Hearing Officer:

1. The scope of work is a proposed 3,536 square foot duplex unit with 3 bedrooms, 2-1/2 bathrooms, & 2 parking spaces per unit on a 5,625 square foot lot zoned R-3. Work will also include the demolition of an existing 1,255 square foot single family residence and a detached 482 square foot 2 car garage which currently encroaches into the Worthington Avenue setback.
2. The modification being requested is to allow for 2 uncovered parking spaces (1 per unit) into the north & south sideyard setbacks. The encroachment will allow the client to meet the parking requirement for (2) units.
3. Currently all of the Orange Avenue existing residences park or access their homes via Worthington Avenue. There are no driveways via Orange Avenue. The benefits of supporting the 2 uncovered parking spaces into the sideyard setbacks off of Worthington Avenue is that it will allow the same neighborhood scene of no garages or driveways off of Orange Avenue. Many of the existing residences are built right up to the property lines off of Worthington, the new project is proposing the duplex unit to be built out of the front yard setback. A modification for a parking space into the interior sideyard setback has also just been approved for 832 Orange Avenue (mst2005-00657) for a new 3,344 square foot duplex unit.

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PLANNING DIVISION

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EXHIBIT B

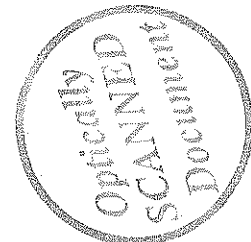
814 Orange ABR Minutes

June 4, 2007

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

- 1) The modification poses no negative aesthetic impact, and its location off Wentworth Avenue is supportable.
- 2) Study the use and number of cupolas in size, bulk, scale and appropriateness. Most Board members prefer a reduction in the number of cupolas. A majority believe the middle cupola is appropriate.
- 3) Study the use of siding and stucco materials to relate to the volume and mass. The Board prefers not changing from one material to another at corners as indicated on the plans.
- 4) Study using natural materials, such as bricks or stone for chimneys. One Board member is concerned with the added height of the galvanized chimney flues. Examine for possible alternative solutions.
- 5) Study the rear entry gates from the uncovered parking, as it appears too close to the parking stall. One suggestion is to move the gates toward front of the houses.
- 6) Study the second story decks and their proximity to the neighboring outdoor spaces for privacy implications. Provide trees in the interior lot-line areas to mitigate privacy loss.
- 7) Most of the Board prefers using 4 inch wide window trim as opposed the 2 inch wide as shown on the plans.
- 8) Some Board members are concerned with the front porch, study for more neighborhood friendliness.
- 9) Some Board members feel that the amount of interior circulation space and complexity are increasing the overall mass of the project. Restudy the floor plan efficiency and how translates into the overall massing of the structure. Study ways to make the massing appear smaller.

Action:Blakeley/Aurell, 6/0/0. Motion carried. (Zink stepped down. Manson-Hing absent.)



**STAFF HEARING OFFICER MINUTES
SEPTEMBER 26, 2007**

**APPLICATION OF AM DESIGN & DRAFTING FOR FRANCISCO ESPINOSA,
814 ORANGE AVENUE, APN 037-024-007, R-3 MULTI-FAMILY RESIDENCE
ZONE, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2006-
00437)**

The 5,625 square foot project site has frontage onto Orange and Wentworth Avenues. Current development on site consists of a single-family residence and two-car garage. The proposed project involves demolition of all existing development on site and the construction of a two-story duplex with a two-car garage and two uncovered spaces. The discretionary application required for this project is a Modification to allow the uncovered parking spaces to be located within the required interior yard setbacks.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Carlos Amaro, Applicant, present.

Ms. Weiss announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Roxanne Milazzo, Assistant Planner, gave the Staff presentation and recommendation.

Ms. Weiss requested the applicant to clarify some questions regarding the building setback, parking stall issues, over building, gate issue, and reduction of the overall massing of the building as addressed by the Architectural Board of Review.

The Public Hearing was opened at 2:36 p.m. and, as no one wished to speak, was closed at 2:37 p.m. Ms. Weiss acknowledged a public comment letter received from Ms. Paula Westbury opposition to the proposed project, and expressing her concern regarding preservation of the trees, parking in the encroachment, house, garden, and garage.

ACTION: Assigned Resolution No. 081-07

Approves the project, making the findings that the Modification is consistent with the purposes and intent of the Zoning Ordinance in that open parking, not new floor area, is being located within the required interior yards and is necessary to secure an appropriate improvement on a 45 foot wide lot. Said approval is subject to the condition that the applicant salvage and reuse the stone blocks from the wall located along the front lot line.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 081-07

814 ORANGE AVENUE

MODIFICATION

SEPTEMBER 26, 2007

**APPLICATION OF AM DESIGN & DRAFTING FOR FRANCISCO ESPINOSA,
814 ORANGE AVENUE, APN 037-024-007, R-3 MULTI-FAMILY RESIDENCE ZONE,
GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2006-00437)**

The 5,625 square foot project site has frontage onto Orange and Wentworth Avenues. Current development on site consists of a single-family residence and two-car garage. The proposed project involves demolition of all existing development on site and the construction of a two-story duplex with a two-car garage and two uncovered spaces. The discretionary application required for this project is a Modification to allow the uncovered parking spaces to be located within the required interior yard setbacks. The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak neither in favor nor in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, September 19, 2007.
2. Site Plans
3. Correspondence received in opposition to the project:

Paula Westbury, 650 Miramonte Drive, Santa Barbara, CA 93109

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

Approved the project, making the findings that the Modification is consistent with the purposes and intent of the Zoning Ordinance in that open parking, not new floor area, is being located within the required interior yards and is necessary to secure an appropriate improvement on a 45 foot wide lot. Said approval is subject to the condition that the applicant salvage and reuse the stone blocks from the wall located along the front lot line.

This motion was passed and adopted on the 26th day of September, 2007 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Kathleen Goo, Staff Hearing Officer Secretary

Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
3. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Architectural Board of Review (ABR) approval and then a building permit. <keep?>
4. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
5. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has not been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.