



City of Santa Barbara Planning Division

STAFF HEARING OFFICER MINUTES

AUGUST 30, 2006

CALL TO ORDER:

Bettie Weiss, City Planner called the meeting to order at 1:00 p.m.

STAFF PRESENT:

Bettie Weiss, City Planner
Danny Kato, Senior Planner
Roxanne Milazzo, Associate Planner
Chelsey Swanson, Assistant Planner
Kathleen Kennedy, Assistant Planner
Kathleen Goo, Staff Hearing Officer Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

Bettie Weiss, City Planner announced the following continuances:

1. Item III. C. 1703 Santa Barbara Street, for re-noticing for the September 27, 2006 SHO meeting; and
2. Item III. F. 1235 E. Haley Street, for re-noticing for the September 13, 2006 SHO meeting.

- B. Announcements and appeals.

No announcements.

- C. Comments from members of the public pertaining to items not on this agenda.

No comments.

II. PROJECTS:

ACTUAL TIME: 1:03 P.M.

A. APPLICATION OF THOMAS OCHSNER FOR ALLEN LEVY, 625 FLORA VISTA, APN 041-385-003, E-1 ONE-FAMILY ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2006-00176)

The 13,750 square foot project site is currently developed with a 1,339 square foot residence and 459 square foot attached garage. The proposed project involves the conversion of the existing garage to habitable space and the construction of a new two-car garage. The discretionary application required for this project is a Modification to permit new habitable space within the required front and interior yard setbacks (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

Tisha Levy, Applicant/Owner, present.

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

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

Ms. Levy explained that her letter mentions any change in the current infrastructure will systematically affect the dimensions of other habitable space within the home against the Code's restrictions of 6.5 feet minimum room dimensions. Since the slope of the rear yard area minimizes the usable open space, she is unable to mitigate any change in dimension to the rear of the property.

In consideration of the sloped property, Ms. Weiss outlined some provisions within the Zoning Ordinance which might be appropriate and in favor of the modification: 1) If the front yard has more than a 20% slope, a five foot reduction is allowed for a 25 foot lot. Since the amount usable open space to the rear of the property is limited by the slope, consideration might be given for yard reduction.

The Public Hearing was opened at 1:11 p.m. and, as no one wished to speak, was closed at 1:12 p.m.

Ms. Weiss explained to the applicant that garage conversions in this neighborhood are rare, and that most of the surrounding homes remain within their original building footprint. Other than the constraints imposed by the slope of her property, her situation is not unique enough for any special consideration or dispensation, and consistency to the Zoning Ordinance requirements must be observed for the proposed project.

Ms. Weiss suggested the applicant reconfigure the floor plan to work with a side yard encroachment of two feet, and a front yard 28 foot minimum dimension area setback.

In working with a front yard 28 foot minimum dimension area setback, the applicant questioned if the plan could allow patio front sliding doors and outdoor patio area to make up for the lost square footage to the front yard setback, which would also negate the need for a new side window. Staff replied that it would be permitted.

ACTION: **Assigned Resolution No. 049-06**

Approve the project, making the findings that the encroachment into the side yard is consistent with the purposes and intent of the Ordinance and allows for an uniform improvement making use of an existing appropriate eight foot setback, and allow a minor two foot encroachment into the front yard; given that there is a slight slope in the front yard as well as a substantial slope in the rear yard, and the desire of the applicant to have a compatible one-story project.

Ms. Weiss announced the ten calendar day appeal period.

ACTUAL TIME: 1:23 P.M.

B. APPLICATION OF AB DESIGN STUDIO FOR SEAN HECHT, 1120 ARBOLADO ROAD, APN 019-220-010, E-1 ONE-FAMILY ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2006-00276)

The 10,400 square foot project site is currently developed with a 1,500 square foot residence and swimming pool. The proposed project involves the demolition of the existing pool, major site improvements including a new swimming pool, two-car garage, and 225 square foot detached accessory structure with covered roof deck. The discretionary application required for this project is a Modification to permit the accessory structure to be located within the front yard (SBMC §28.87.160).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

Clay Rollin, Designer from AB Design Studio present.

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

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

The Public Hearing was opened at 1:26 p.m. and, as no one wished to speak, was closed at 1:27 p.m.

Ms. Weiss clarified with the applicant will be complying with Architectural Board of Review (ABR) requirements of story poles for the trellis on top of the deck in response to public view concerns from one adjacent neighbor.

ACTION: **Assigned Resolution No. 050-06**

Approve the project, making the findings that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.

Ms. Weiss announced the ten calendar day appeal period.

C. THIS ITEM WAS CONTINUED FOR RE-NOTICING FOR THE SEPTEMBER 27, 2006 SHO MEETING

APPLICATION OF R. BRIAN NELSON FOR SANTA BARBARA VALERIO LLC, 1703 SANTA BARBARA STREET, APN 027-111-008, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2006-00454)

The 6,300 square foot project site is located on the corner of Santa Barbara and Valerio Street. Current development on site consists of a 3,000 square foot duplex and attached two-car garage. The proposed project involves conversion of the duplex to a single-family residence, a 393 square foot two-story addition, window changes and site improvements including a new patio and two fountains. The discretionary application required for this project is a Modification to permit alterations and installations within the required front yard setbacks facing both streets (SBMC §28.15.060).

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

ACTUAL TIME: 1:29 P.M.

D. APPLICATION OF MICHAEL MORGAN, BLU CROIX LTD, AGENT FOR VERIZON CALIFORNIA INC, PROPERTY OWNER, 101 & 115 W. CANON PERDIDO STREET, APN 037-042-008, -009, -018, -019, -022, & -023, C-2: COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2005-00554)

The project consists of a proposal for a voluntary lot merger of ten legal lots (six assessor's parcels) consisting of approximately 2.2 acres into two lots and a subsequent lot line adjustment of the two resulting lots. The existing Verizon building (101 W. Canon Perdido Street) would be located on proposed Parcel 1 and the existing annex building (115 W. Canon Perdido Street) would be located on proposed Parcel 2. Proposed improvements for both parcels include the

reconfiguration of parking spaces, additional landscaping and new chain link fencing. The existing exterior metal stairs located at the rear of the Verizon building would be reconfigured and the exit stairs at the rear of the annex building are proposed to be enclosed.

The discretionary application required for this project is a Lot Line Adjustment between two existing lots (SBMC§27.40).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15305 (lot line adjustments).

Michael Morgan, Applicant, and Jim Tousignant, Manager of Transactions-West (Verizon), present.

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

Kathleen Kennedy, Associate Planner gave the Staff presentation and recommendation.

Ms. Weiss requested the applicant to clarify some questions regarding lot line adjustments for consistency with zoning and building code stipulations in relation to the two buildings and various remaining improvements on the site. The applicant explained that these included the basement vault, the relocation of the westerly staircase, the staircase enclosure of the annex site, the exit stairs along the property line, the trash enclosures, and a wide aisle for angled parking, and vehicular turnaround and traffic.

The Public Hearing was opened at 1:39 p.m. and, as no one wished to speak, was closed at 1:40 p.m.

Ms. Weiss commented that the zoning standard for subdivision in the creation of commercial lots normally involves straight lines, but given the unusual the current 10-lot configuration, it appears to be moving in the correct direction, and a slightly unusual lot configuration will be allowed.

Ms. Weiss was encouraged to see that the applicant was working with the ABR on opportunities to reduce the hardscape and increase the landscape with parking lot compliance issues, attempts to increase landscaping, reduction of paving, and paths of travel to enhance the property.

Ms. Weiss suggested that the individual statements that run with the land and title in the recorded conditions, specifically Section A, should be recorded with the voluntary lot merger and the lot line adjustment for each lot.

ACTION:

Assigned Resolution No. 051-06

Approve the project which conforms to the City's Zoning, Building Ordinances, and policies of the General Plan; making the findings outlined in Section VI of the Staff Report, and subject to the Conditions of Approval in Exhibit A, with the recorded conditions to be recorded on each lot with the lot line adjustment.

Ms. Weiss announced the ten calendar day appeal period.

**** THE HEARING RECESSED FROM 1:46 P.M. UNTIL 1:51 P.M. ****

ACTUAL TIME: 1:52 P.M.

E. APPLICATION OF JESSICA GRANT, AGENT FOR GREG AND DEBORAH TICE, OWNERS, 1102 E. CANON PERDIDO & 822 N. VOLUNTARIO STREETS, APN 031-060-042, R-2: TWO-FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE (MST2005-00140)

The project consists of a two-lot subdivision, which would result in a 14,592 square foot lot (Lot1 – 1102 E. Canon Perdido) with one existing 2,108 square foot single-family residence and attached garage, and a 19,384 square foot lot (Lot 2 – 822 N. Voluntario) with an existing duplex. The project also includes a one-lot subdivision of proposed Lot 2, where the existing duplex and an existing detached garage would be demolished and two new condominiums would be constructed. The new units would be three-bedroom units and would be 2,033 square feet and 2,749 square feet with two attached two-car garages and a swimming pool. A total of 417 cubic yards of grading is proposed.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map to allow the division of one parcel into two lots (SBMC 27.07); and
2. A Tentative Subdivision Map for a one-lot subdivision of Lot 2 to create two (2) residential condominium units (SBMC 27.07 and 27.13).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (demolition of individual small structures), Section 15303 (new construction of small structures), and Section 15315 (minor land divisions).

Jessica Grant, Applicant; Thomas Hashbarger, Designer; and Greg Tice, Property Owner, Mark Wilde, Supervising Engineer for the City of Santa Barbara, present.

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

Chelsey Swanson, Assistant Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 2:27 p.m.

Mr. Doug McElwain expressed concern regarding the location of the driveway in relation to the building, and requests the set back for the proposed Unit A to be ten feet from the driveway easement.

Mr. Mark Trueblood expressed concern regarding the location of the driveway, the noise of entrance and egress, and the obstruction of his view by the proposed garage construction per the displayed story poles by the applicant.

Ms. Mary Morales requested the garden area remain essentially the same, and the oak view corridor be preserved to cut down on the noise level impacts.

The Public Hearing was closed at 2:39 p.m.

Ms. Weiss requested the applicant to clarify some questions regarding required distance between buildings for R2 zones in order to determine the minimum distances between buildings within the proposed project.

Ms. Weiss expressed appreciation regarding the photographic study and the story pole compliance with ABR which were nicely reflected on the plans.

Ms. Weiss inquired about consideration given to neighborhood compatibility of surrounding neighbor's concerns in noise reduction and the preservation of their views.

Ms. Weiss clarified that it is not generally the City's responsibility to enforce preservation of private views; however, even though the thirty-foot height limit will be enforced per the Ordinance, it is encouraged that applicant give such matters due consideration and maintain an open dialogue with surrounding neighbors to address their concerns.

Ms. Weiss commented that even though the City does not have particular standards for unit size with regard to two-unit condominium development, she noticed that the Staff Report described the units a "sizable" at over 2000 square feet, and considered whether a reduction of the unit size might improve such issues as the grading, the foot print or neighborhood compatibility. The square footage is large; however, given the size of the lot and the overall density of the project being under five units per acre in a twelve-unit per acre area, she believed that it would be appropriate for the neighborhood and did not have any strong policy basis or design objection regarding the size of the units primarily due to the large size of the lot.

Ms. Weiss concurred with staff regarding approval of the odd design of the lot line for mutual drainage purposes, support of the lot split for the lot area and general plan density consistency, neighborhood compatibility of the two-unit subdivision, stipulations by the ABR regarding height, differentiated pavement, preservation and replantings for new replacement oak trees, and possible use of on-site water retaining with vegetative swales and permeable surfaces for flood control drainage conditions.

ACTION:

Assigned Resolution No. 052-06

Approve the size and massing of the project which is consistent with the surrounding neighborhood and conforms to the City's Zoning, Building Ordinances, and policies of the General Plan; making the findings outlined in Section VII of the Staff Report, and subject to the Conditions of Approval in Exhibit A, as amended with the change that Section A2, Maintenance of Drainage System, shall insert the word "private" in reference to the "drainage system" to distinguish between the County and the private drainage system.

Ms. Weiss announced the ten calendar day appeal period.

F. THIS ITEM WAS CONTINUED FOR RE-NOTICING FOR THE SEPTEMBER 13, 2006 SHO MEETING

APPLICATION OF PAUL ZINK FOR GUILLERMO SERRANO, 1235 E. HALEY STREET, APN 031-253-009, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2006-00453)

The 5,700 square foot project site is currently developed with a 1,740 square foot single-family residence with detached two-car garage with "as-built" roof deck above. The proposed project involves demolition and replacement with a legal roof deck. The discretionary application required for this project is a Modification to permit new construction within the required front and interior yard setbacks (SBMC §28.18.060).

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

III. ADJOURNMENT

Ms. Weiss adjourned the meeting at 3:04 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary