



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

DECEMBER 20, 2006

CALL TO ORDER:

Bettie Weiss, City Planner called the meeting to order at 1:01 p.m.

STAFF PRESENT:

Bettie Weiss, City Planner
Danny Kato, Senior Planner
Roxanne Milazzo, Associate Planner
Chelsey Swanson, Assistant Planner
Gabriela Feliciano, Commission Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
None.
- B. Announcements and appeals.
Ms. Weiss announced the following appeals:
 - 1. Planning Commission: 128 E. Cañón Perdido Street, parking and lot area modifications.
 - 2. City Council: 3804 State Street, to be heard January 23, 2007.
 - 3. Planning Commission: 606 Calle Granada, to be heard possibly on January 18, 2007.
- C. Comments from members of the public pertaining to items not on this agenda.
None.

II. PROJECTS:

ACTUAL TIME: 1:03 P.M.

A. APPLICATION OF LAURA BRIDLEY FOR BRAD & LORI CLEMENTS, 1832 SUNSET AVENUE, APN 043-162-018, R-3 ZONE, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2006-00665)

The project site is currently developed with a 971 square foot single family with detached garage and storage. The proposed project involves 240 square feet of first floor addition and a new deck for the residence. The discretionary application required for this project is a Modification to permit alterations and additions within the required six-foot (6') interior yard setback (SBMC §28.21.060).

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

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Laura Bridley, Agent; Lori Clements, Owner; and Tai Yeh, Architect, present.

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

Ms. Weiss announced that she read the Staff Report, carefully reviewed the photographs, and is familiar with the neighborhood.

The Public Hearing was opened at 1:07 p.m. and, with no one wishing to speak, the Public Hearing was closed.

Ms. Weiss commented that a small, single window for the newly created bathroom is a minor encroachment.

ACTION: **Assigned Resolution No. 090-06**
Approved the project, making the findings that the modifications proposed with the project changes submitted are necessary to secure appropriate improvements on this property and allow uniform improvements that are consistent with the purpose and intent of the Ordinance with the condition that the deck at the rear of the residence shall be pulled out of the side yard.

Ms. Weiss announced the ten calendar day appeal period.

ACTUAL TIME: 1:17 P.M.

B. APPLICATION OF ARTHUR BIANCONE, 1555 MARQUARD TERRACE, APN 041-032-003, R-1 ZONE, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2004-00503)

The project site is currently developed with a 2,180 square foot 2-story residence with attached garage in its final stages of a remodel. When construction plans were processed, the front yard setback was mistakenly measured from the curb, not the front lot line which is seven-feet behind the curb. The proposed project involves legalization of main and lower level additions to the residence, and site walls located in the front yard and along the driveway. Modifications are required to permit additions and alterations with the required twenty-foot (20') front yard (SBMC §28.15.060) and walls exceeding 3 ½' in height when located within 10' of the front lot line or the first 20' along the driveway (SBMC §28.87.170).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Arthur Biancone, Owner, present.

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

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

The Public Hearing was opened at 1:21 p.m. and, as no one wished to speak, the Public Hearing was closed.

ACTION: **Assigned Resolution No. 091-06**
Approved the project, making the findings that the encroachments and wall heights are necessary to secure appropriate improvements on this property, with the condition that an encroachment permit shall be obtained for the walls existing within the public right-of-way.

Ms. Weiss announced the ten calendar day appeal period.

ACTUAL TIME: 1:22 P.M.

C. APPLICATION OF ERIC SWENUMSON FOR RICHARD GOLDEN, 1340 CLIFTON STREET, APN 017-154-018, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2005-00500)

The 6,000 square foot project site is located on the corner of Clifton and Salinas Streets. Current development on site consists of a single family residence (Unit A) with garage below and a detached deck with 840 square feet of storage below. The proposed project involves the addition of a second residential unit (Unit B) for the site. The new 1,177 square foot two-story residence will be constructed over the existing storage area which will now provide 200 square feet of storage and a two-car garage for the unit. The front porch on Unit A is being relocated to the side of the structure facing Clifton Street.

The discretionary application required for this project are Modifications to permit less than the required 1,250 square foot open yard area and to relocate the entry porch for Unit A into the required fifteen-foot (15') front yard setback facing Clifton Street (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 15303.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Eric Swenumson, Designer; and Richard Golden, Owner, present.

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

Ms. Weiss announced that she read the Staff Report recommendation for the proposed project, visited the site, and attended the last ABR meeting.

Mr. Golden commented that there is an agreement with the neighbor to replace the fence between them.

Ms. Weiss noted that approximately 1,245 square feet of open yard-like areas are provided and that a raised front porch entry with steps is necessary and appreciated given the slope of the property.

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

ACTION:

Assigned Resolution No. 092-06

Approved this project, making the findings that the Modification approval is necessary to secure an appropriate improvement on this property while meeting the purpose and intent of the Zoning Ordinance.

Ms. Weiss announced the ten calendar day appeal period.

ACTUAL TIME: 1:31 P.M.

D. APPLICATION OF STEPHEN WHEELER, 6 ST. ANN DRIVE, APN 041-175-009, E-1 ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2006-00053)

The project site is currently developed with a 1,822 square foot 2-story residence with attached carport. The proposed project involves first and second floor decks off the rear of the residence. Modifications are required to permit the decks to be located within the required interior and open yard areas (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 15301.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Stephen and Laura Wheeler, Owners, present.

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

Ms. Weiss verified that the drawing submitted represents the property line, but the area off the property line is not shown in the plans. Ms. Weiss stated that, once the existing storage shed is removed, it appears there will not be any room to construct a new accessory space.

Ms. Milazzo mentioned that the Public Works Department has requested that the property lines on both sides be surveyed to identify where the property lines are located in relationship to the unpermitted fence.

Mr. Wheeler explained that the fence was constructed by the neighbor and not him; it is not on his property.

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

Ms. Weiss clarified that the modifications proposed by the applicant are for encroachments into the open yard and an elevated deck in the side yard.

Letters received from neighbors in opposition to the project were noted into the record:

1. Anthony Wilson, 8 St. Ann Drive – expressed concern that there appears to be an outdoor shower constructed on the property line. Mr. Wilson expressed opposition to the proposed deck expansions and commented that they would appear massive, towering protrusions over his lower garden. He added that a property survey is in process that will determine the correct property line.
2. Jeff Maassen, 720 Fellowship Road – considered the plans to be inadequate, not showing the accurate topography, and that there is a significant privacy encroachment to the immediate neighbors.

Mr. Wheeler explained that the plans were done professionally.

Ms. Milazzo noted into the record an e-mail received from Don Irelan, the City's Senior Real Property Agent.

The Public Hearing was opened at 1:47 p.m. and, as no one wished to speak, the Public Hearing was closed.

ACTION: **Assigned Resolution No. 093-06**
Denied the proposed Side Yard Encroachment of the property, with the direction to revise the design not to exceed the ten foot setback on the eastern property line.
Approved the Open Yard Modification requirement to allow the raised decking and platform, to reduce the open yard area, making the finding that the deck expansions increase the amount of usable open space on the property, thereby securing an appropriate improvement, and that the Modification meets the purpose and intent of the Ordinance. Said approval is subject to the condition that the storage shed is to be removed.

Ms. Weiss announced the ten calendar day appeal period.

The Staff Hearing Officer announced a break at 2:08 p.m. The hearing reconvened at 2:16 p.m.

ACTUAL TIME: 2:16 P.M.

E. APPLICATION OF HAL BRUINGTON, APPLICANT FOR B&W INVESTMENTS, PROPERTY OWNER, 416 ANACAPA STREET, APN 031-271-020, C-M ZONE, GENERAL PLAN DESIGNATION: INDUSTRIAL (MST2005-00543)

The project consists of demolishing a 1,500 square foot commercial building and replacing it with a three-story building comprised of 989 square feet of commercial space on the first floor, and a total of three condominium units on the second and third floors. A 2,960 square foot commercial building is to remain at the rear of the 9,000 square foot lot. The proposed condominiums include a 1,023 square foot one-bedroom unit (Unit A) and a 1,077 square foot two-bedroom unit (Unit B) on the second floor, and a 1,680 square foot two-bedroom unit (Unit C) on the third floor. Four covered parking spaces and five uncovered parking spaces are proposed for a total of nine spaces.

The discretionary applications required for this project are:

1. Tentative Subdivision Map for a one-lot subdivision for a mixed-use condominium project, with three (3) residential condominiums and 3,949 square feet of commercial space (SBMC §27.07.030 and §27.13); and
2. Modification to allow less than the required 10% open space area (SBMC §28.21.080).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303, New Construction of Small Structures, and Section 15315, Minor Land Divisions.

Case Planner: Chelsey Swanson, Assistant Planner
Email: cswanson@SantaBarbaraCA.gov

Richard Johnson, Architect; Hal Bruington, Owner; and Chuck McClure, Landscape Architect, present.

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

Ms. Weiss announced that she read the Staff Report recommendation for the proposed project, also visited the site and observed the story poles.

The Public Hearing was opened at 2:26 p.m. and, as no one wished to speak, the Public Hearing was closed.

Ms. Weiss commented on the following Conditions of Approval and Open Space Modification:

- 1) Referred to Page 10 of 11, Section H, Item 5, and stated that the new design for the noise patio barriers are esthetically better than previously proposed.
- 2) Referred to Pages 4 and 5 of 11 and recommended clearance from an archaeologist in conjunction with requesting a demolition permit, and prior to finalizing the construction drawings and getting the building permit, in order to avoid delays in the construction process in case of an archaeological discovery.
- 3) As to allowing less than the required 10% of the ground open space, she requested that the applicant consider the use of permeable paving throughout the project.

Ms. Weiss noted that this is a quality project that has improved as a result of the review process.

ACTION:

Assigned Resolution No. 094-06

Approved the Tentative Subdivision Map and the open space Modification as it conforms to the City's Zoning and 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, with the addition of **Condition B.5 Design Review** for the applicant to include permeable paving to the maximum extent feasible, and the additional wording that the conditions in section B are subject to the review and *final* approval of the ABR. In addition, the size and massing of the project are consistent with the surrounding neighborhood and the open space modification can be supported because residential living areas are on the upper floors and provide substantial private open space.

Ms. Weiss announced the ten calendar day appeal period.

III. ADJOURNMENT

Ms. Weiss adjourned the meeting at 2:37 p.m.

Submitted by,



Gabriela Feliciano, Commission Secretary