



# City of Santa Barbara

## Planning Division

### STAFF HEARING OFFICER MINUTES

SEPTEMBER 12, 2007

#### CALL TO ORDER:

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

#### STAFF PRESENT:

Bettie Weiss, City Planner  
Jan Hubbell, Senior Planner  
Roxanne Milazzo, Associate Planner  
Kathleen Kennedy, Assistant Planner  
Irma Unzueta, Project Planner  
Kathleen Goo, Staff Hearing Officer Secretary

#### I. PRELIMINARY MATTERS:

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

No requests.

Ms. Weiss confirmed that the 226 and 232 Eucalyptus Hill Road item on today's agenda would be heard today.

- B. Announcements and appeals.

No announcement or appeals.

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

No comments.

#### II. PROJECTS:

##### ACTUAL TIME: 1:02 P.M.

- A. APPLICATION OF SOPHIE CALVIN FOR THE WINGER LIVING TRUST, 2020 EDGEWATER WAY, APN 045-100-062, E-3 ONE-FAMILY RESIDENCE/SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS/ACRE (MST2007-00402)

The 7,289 square foot project site is currently developed with a 2,868 square foot single-family residence. The proposed project involves an "as-built" garden

wall. The discretionary application required for this project is a Modification to permit the wall to exceed the maximum allowable height of 3 ½' when located within in ten-feet of a front lot line or within the first twenty-feet 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 15305.

Sophie Calvin, Agent/Applicant; and Ade Winger, Property Owner, present.

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

Ms. Weiss announced that she read the Staff Report, plans, photographs, public comment letters in favor of the proposed project, and also visited the site and surrounding neighborhood.

Ms. Winger read for the record a submitted letter from herself requesting that the current wall height along the driveway of the proposed property remain the same, and submitted some additional neighborhood support letters for the record.

Staff verified that the both walls on nearby properties received prior modifications for higher wall heights.

The Public Hearing was opened at 1:05 p.m. and, as no one wished to speak, was closed at 1:06 p.m.

**ACTION:**

**Assigned Resolution No. 072-07**

Approves the project, making the findings that the Modification of wall height is necessary to secure appropriate improvements; including driveway egress, intermittent increased wall height only at the pillars, and pedestrian and vehicular safe visibility which are consistent with the purposes and intent of the Zoning Ordinance.

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

\*\*\* THE FOLLOWING ITEM WAS HEARD OUT OF AGENDA ORDER. \*\*\*

ACTUAL TIME: 1:48 P.M.

- B. APPLICATION OF JOSE L. ESPARZA FOR MARIO ABONCE, 412 OLD COAST HIGHWAY, APN 017-343-002, R-3 MULTI-FAMILY RESIDENCE/SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS/ACRE (MST2004-00776)

The 6,300 square foot project site has frontage onto both Old Coast Highway and Salinas Street. Current development on site consists of a single-family residence and one-car garage. On September 7, 2006, the Planning Commission reviewed and approved a Coastal Development permit to allow a proposed project involving the demolition of the existing garage and construction of a three-car garage with a unit above and one uncovered parking space. Per the Planning Commission direction, this application is a request to enclose the open parking space, which will result in a four-car garage for the project. The discretionary application required for the project is a Modification to provide less than the fifteen-foot (15') separation between the units. (SBMC§28.21.070).

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

Jose Esparza, Agent/Applicant; and Mario Abonce, Property Owner, present.

Ms. Weiss announced that she read the Staff Report for the proposed project and stated her familiarity with 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 parking lot design and use for parking purposes between the distances of the building.

The Public Hearing was opened at 1:51 p.m.

Ms. Paula Westbury expressed concern regarding excavation, opposed demolition of the garage, and supported protection of the land regarding the proposed project.

The Public Hearing was closed at 1:54 p.m.

Ms. Weiss concurred with Planning Commission and staff recommendations.

**ACTION:**

**Assigned Resolution No. 074-07**

Approves the project, by making the findings that the Modification is necessary to secure an appropriate improvement and is consistent with the purpose and intent of the Ordinance.

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

\*\*\* THE FOLLOWING ITEM WAS HEARD OUT OF AGENDA ORDER. \*\*\*

ACTUAL TIME: 1:13 P.M.

C. APPLICATION OF THOMPSON NAYLOR ARCHITECTS FOR DOUGLAS MOORE, 204 LA MARINA DRIVE, APN 045-221-009, E-3 ONE-FAMILY RESIDENCE/SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2006-00604)

The 6,500 square foot project site is located on the corner of La Marina and Del Mar Avenue. Existing development on site consists of a single-family residence with attached garage. The proposed project involves complete demolition of all structures on site and the construction of a 2-story residence with attached garage.

The discretionary applications required for this project are Modifications to permit new construction to be located within required front and open yard areas (SBMC §28.15.060), and to permit a fence in excess of 3 1/2' in height when located along a front lot line (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 15305.

Case Planner: Roxanne Milazzo, Associate Planner  
Email: [rmilazzo@SantaBarbaraCA.gov](mailto:rmilazzo@SantaBarbaraCA.gov)

Susette Naylor, Agent/Applicant; and Douglas Moore and Linda "Mac" McNeel, Property Owners, present.

Ms. Weiss announced that she read the Staff Report, drawings, and public comment letters for the proposed property, including previous minutes of the Architectural Board of Review (ABR), and visited the site and surrounding neighborhood.

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

The Public Hearing was opened at 1:28 p.m.

Ms. Paula Westbury expressed concern regarding building and encroachment on post-war and ancient Native American burial ground and early settlement, preservation of trees, the proposed second story, cinderblock, and demolition and building of the fencing of the proposed project.

The Public Hearing was closed at 1:30 p.m.

Ms. Weiss requested staff and applicant to clarify some questions regarding requirements per Ordinance for the requested open and front yard, and the wall/fence height requested within the required 10-foot setback from the front property line along a wall out to the street.

Ms. Weiss expressed concern regarding wall/fence height along a street going significantly above the standard 3½ feet in height, possible landscaping involved along the wall, scale and mass encroachment into open front yards regarding the first and second-story, and some concern over the applicant's return to the Architectural Board of Review instead of the Single Family Design Board (SFDB) due to recent general concern regarding second-story single-family outside decks and encroachments per Zoning Ordinance requirements.

**ACTION:**

**Assigned Resolution No. 073-07**

Approves the front porch encroachment on La Marina Road which does not add floor area, and the rear open yard modification due to the design constraints of a corner lot is necessary to secure an appropriate improvement, making the findings that the purposes and intent of the Ordinance are being met by requiring: a) the building encroachment along Del Mar Avenue be reduced to a 5-foot maximum; and b) the wall/fence height modification not exceed a 5-foot maximum and brought into compliance perpendicular to the end of the walkway, as necessary to secure appropriate improvement of a residential development on a vacant lot.

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

**ACTUAL TIME: 1:57 P.M.**

**D. APPLICATION OF HARRY WRIGHT, 2530 MESA SCHOOL LANE, APN 041-292-039, E-3/S-D-3 ONE-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL – 5 UNITS PER ACRE, (MST2004-00618, CDP2005-00005)**

The proposal is a request for a one-year extension of the expiration date of the Tentative Subdivision Map approved by the City Council on appeal on August 16, 2005. The project consists of the subdivision of a 20,000 square foot parcel into two parcels. Parcel 1 would be 12,050 gross square feet and would contain the existing single-family residence and a remodeled attached two-car garage. Parcel 2 would be 7,950 gross square feet and would be developed with a single-family residence converted from the existing utility building and a new two-car carport.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305 for the extension of time limits on an approved project where circumstances have not changed.

Case Planner: Kathleen Kennedy, Associate Planner  
Email: [kkennedy@SantaBarbaraCA.gov](mailto:kkennedy@SantaBarbaraCA.gov)

Harry Wright, Applicant and Property Owner, present.

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

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

Ms. Jan Hubble clarified that time extensions for such projects are in one year increments to a maximum of three allowed per project.

The Public Hearing was opened at 1:59 p.m.

Ms. Paula Westbury expressed concern regarding carport and saving the land and nature of the proposed project.

The Public Hearing was closed at 2:01 p.m.

**ACTION:** **Assigned Resolution No. 075-07**

Approves a one-year time extension to August 16, 2008 for the Tentative Subdivision Map, and subject to the original Conditions of Approval included in Exhibit C.

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

**THE FOLLOWING ITEMS WERE CONTINUED FROM THE AUGUST 29<sup>TH</sup> MEETING.**

**ACTUAL TIME: 2:02 P.M.**

**E. APPLICATION OF CATHERINE DUNBAR FOR DAVID GUAJARDO, 1724 VILLA, APN 043-182-016, R-2 ZONE, GENERAL PLAN DESIGNATION: 12 UNITS/ACRE (MST2007-00286).**

The 5,000 square foot site is currently developed with a single-family residence, detached garage, and a detached "as-built" accessory structure. The proposed project involves connecting the accessory structure to the residence. Portions of the accessory structure currently located within interior yards will be removed. The discretionary application required for the project is Modification to provide less than the required 1,250 square foot open yard area ( 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.

Case Planner: Roxanne Milazzo, Associate Planner  
Email: [rmilazzo@SantaBarbaraCA.gov](mailto:rmilazzo@SantaBarbaraCA.gov)

Catherine Dunbar, Applicant; and David Guajardo, Property 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, Assistant Planner, gave the Staff presentation and recommendation and staff's request for recordation of a Zoning Compliance Declaration.

Ms. Weiss made a second strong request for the applicant to invite neighborhood input regarding the design of the second-story deck before design review by the Single Family Design Board.

Ms. Weiss expressed concern regarding conditioning the proposed property to provide clear direction to the applicant regarding the side yard, garage, and Zoning Compliance Declaration recordation.

The Public Hearing was opened at 2:07 p.m.

Ms. Paula Westbury expressed concern regarding demolition of the building and saving the land of the proposed project.

Ms. Jackie Ellis expressed concern regarding the master-bedroom addition encroachment, possible future use as a rental, density impacts to the neighborhood of the proposed project, parking in the neighborhood, and effect on her privacy.

The Public Hearing was closed at 2:12 p.m.

**ACTION:**

**Assigned Resolution No. 076-07**

Approves the project, making the required findings that the reduction of the open yard meets the purpose and intent of the Ordinance by still providing private outdoor area for the exclusive use of the occupants, and that it is necessary to secure an appropriate improvement by utilizing existing floor area to expand the home's floor area in a single-story manner consistent with the neighborhood pattern of development, and subject to the following conditions that: a) the storage in the side yard will be cleared; b) the parking canopy will be removed; c) the garage shall remain clear and accessible for vehicular use; and d) recordation of a Zoning Compliance Declaration shall state that the project is found to comply with the Single Family zoning standards and the addition is 50% less than the existing building maintaining a one-car garage, but only an approval for only a one-unit project and not a two-unit project where additional parking would need to be provided.

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

**\*\*\* THE BOARD RECESSED AT 2:15 P.M. AND RECONVENED AT 2:21 P.M. \*\*\***

**ACTUAL TIME: 2:21 P.M.**

**F. APPLICATION OF BRENT DANIELS, AGENT FOR CYNTHIA HOWARD, 226 & 232 EUCALYPTUS HILL DRIVE, 015-050-017 AND 015-050-018, A-2, ONE-FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, TWO UNITS PER ACRE (MST2004-00349)**

The proposed project involves a lot line adjustment between two parcels (2.82 and 2.75 acres in size) by realigning the dividing lot line from a north-south direction to an east-west direction, and resulting in two parcels of 2.47 acres (Parcel 1, upper parcel) and 3.10 acres (Parcel 2, lower parcel). Parcel 1 would have an average slope of 21.3% and Parcel 2 would have an average slope of 22.5%, both parcels sloping north to south. An existing single-family residence, greenhouse foundation, and hardscape driveway would be removed and two new single-family residences are proposed on each parcel. Parcel 1 would include a 6,129 square foot residence with an attached 743 square foot garage, and a 1,517 square foot residence with a 320 square foot garage, and a detached 430 square foot garage. Parcel 2 would include a 3,927 square foot residence with an a 747 square foot attached garage, and a 1,786 square foot residence with a 352 square foot subterranean garage. The project site is currently accessed from Eucalyptus Hill Drive, a private road, by an existing unimproved driveway which extends to the southern portion of the properties. This driveway would be improved to facilitate access to the proposed lower parcel, via an easement though the upper parcel. An existing driveway on the eastern property is proposed to be expanded to provide for a circular driveway to the upper parcel for a total of three curb cuts. The applicant also proposes two bioswale storm water retention areas totaling 900 square feet for Parcel 1 and 600 square feet for Parcel 2. The total grading quantities proposed for the development of both parcels include 3,090 cubic yards of cut and 2,830 cubic yards of fill.

The discretionary applications required for this project are:

1. A Lot Line Adjustment to allow adjustment of the property line between two existing parcels (SBMC § 27.40 and Government Code §66412);
2. Street Frontage Modifications to allow less than the required 100 feet of frontage on a public street for each parcel (SBMC § 28.92.026.A.2); and
3. Performance Standard Permits to allow an additional dwelling unit on each parcel (SBMC § 28.93.030.E).

The Staff Hearing Officer will consider approval of the Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

Case Planner: Irma Unzueta, Project Planner  
Email: [iunzueta@santabarbaraca.gov](mailto:iunzueta@santabarbaraca.gov)

Brent Daniels, Agent and Robin Donaldson, Project Architect from Shubin & Donaldson; and Cristi Fry, Project Engineer from Triad/Homes Associates, present.



Ms. Weiss announced that she read the Staff Report, plans, and several public comment letters for the proposed project and also visited the site and surrounding neighborhood.

Irma Unzueta, Project Planner, gave the Staff presentation and recommendation.

Ms. Weiss requested the applicant to clarify some questions regarding the saving, removal and replacement of oak trees per the analysis included in the Staff Report, possibilities of a meandering roadway and of slipping the hammer-head down said roadway, easement and curb lines, and water management and drainage issues regarding original and proposed runoff flows including 25-year storm events, the contribution of soil strata (input from land mass, sub-surface, and slope) profiles, trenching, possible undergrounding, and general reduction of impacts of public concern, and requested the applicant to clarify the neighborhood contact representative (Ernest Solomon).

Ms. Weiss expressed concern that the applicant was submitting information at the meeting, and therefore not allowing sufficient time to review the material presented.

Mr. Daniels provided additional information in response to the issues and concerns identified by the Staff Hearing Officer and neighbors at the August 29, 2007 hearing. Mr. Daniels addressed questions and concerns related to several oak trees that would be impacted by the project, and stated the owner's intent to save these trees. He also explained the rationale for the location of the proposed hammerhead and access roadway.

Mr. Daniels informed the Staff Hearing Officer that since the August 29, 2007 meeting an attempt was made to meet with the neighbors, but that they declined to meet with him at that time.

Ms. Fry provided information regarding the additional drainage analysis prepared for contiguous properties on Woodland Drive.

Ms. Weiss stated she is not satisfied regarding unresolved issues of the proposed project and concerned that the project has not adequately moved along to address the previous public concerns expressed at the last hearing, and that the Conservation Element and the General Plan were not adequately fulfilled.

The Public Hearing was opened at 2:59 p.m.

The following people supported the proposed project:

Mr. Leon Olson.

The following people opposed the proposed project:

1. Ms. Paula Westbury expressed concern regarding saving and protecting the house, land, trees, ancient Native American burial ground, no building, no road, building or grading, the past wash-out

of previous home on the property, and drainage issues of the proposed project.

2. Mr. Tony Vassallo [prior letters received 08/29/07, 08/29/07, and 09/10/07 (2)] expressed concern regarding current related City law suits on similar drainage issues, incorrect redirection of runoff water to Woodland Avenue, detention ponds being the wrong solution and questionable livable square footage and garage space, future lot line adjustments, and parking density impacts to the neighborhood, and general opposition to the Mitigated Negative Declaration (MND) report of the proposed project.
3. Mr. Bob Heavner (09/07/07 submitted letter) expressed concern regarding possible imposed neighborhood costs (externalities) of the proposed project.
4. Mr. L.R. Greenwald (09/01/07 submitted letter) stated that previous speakers expressed his concerns adequately.
5. Mr. George Alexiades (09/09/07 submitted letter) expressed concern regarding building, drain pipe outlet location, and other rain water drainage issues of the proposed project.
6. Mr. Ernest Solomon (09/07/07 submitted letter) reported on a recent neighborhood meeting and read into the record a letter dated 09/12/07 from Mr. John Manning, 1716 Overlook Lane, which expressed concern regarding the previously proposed north-end lot line adjustment and subdivision development of the proposed project.
7. Mr. Pierre Nizet (09/10/07 submitted letter) expressed concern regarding drainage, and garbage and debris problems at the bottom of the hillside near his property.

The Public Hearing was closed at 3:31 p.m.

**ACTION:**

**Assigned Resolution No. 077-07**

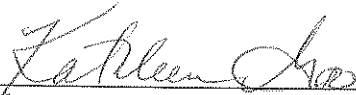
Denies the project, as findings could not be made, since unresolved issues of previous public concerns had not been adequately addressed, and that the Conservation Element and the General Plan were not adequately fulfilled regarding development and reduced building footprint, lot line adjustment, adequate access and egress, lot area, and connecting roadways.

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

**III. ADJOURNMENT**

Ms. Weiss adjourned the meeting at 3:51 p.m.

Submitted by,



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Kathleen Goo, Staff Hearing Officer Secretary