



City of Santa Barbara Planning Division

STAFF HEARING OFFICER MINUTES

DECEMBER 5, 2007

CALL TO ORDER:

Jaime Limón, Senior Planner called the meeting to order at 1:01 p.m.

STAFF PRESENT:

Roxanne Milazzo, Associate Planner
Kelly Brodison, Assistant Planner
Suzanne Johnston, Planning Technician II
Kathleen Goo, Staff Hearing Officer Secretary

I. PRELIMINARY MATTERS:

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

Jaime Limón, Senior Planner announced that Item III. D, 812 Largura Place will be reviewed by Ms. Bettie Weiss, City Planner and heard as the last item on today's agenda.

- 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: 1:03 P.M.

- A. APPLICATION OF CHRISTOPHER MANSON-HING FOR SHAUN & PAM RAI, 1442 SAN MIGUEL AVENUE, APN 045-032-013, E-3 ONE-FAMILY RESIDENCE/SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2007-00486)

The 7,215 square foot project site is currently developed with a single-family residence and attached garage. The proposed project involves expansion of the existing garage to accommodate 2 vehicles, 140 square feet of lower level storage, 357 square feet of main floor additions, and a main level deck expansion. The

discretionary application required for this project is a Modification to permit alterations and additions within the required twenty-foot (20') front and six-foot (6') 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 15305.

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

Christopher Manson-Hing, Agent/Applicant; and Shaun Rai, Property Owner, present.

Mr. Limón announced that he 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.

Mr. Limón requested staff and the applicant to clarify previous review by the Architectural Board of Review or Single Family Design Board, questions regarding the stairway, number of risers and limitation of the extent of the encroachment, creation of new stairway access "on grade" which is located at the side of the house and does not require any retention devices, and the visual obstruction of an existing side hedge landscaping which was already reviewed by the Public Works Department.

The Public Hearing was opened at 1:07 p.m. and, as no one wished to speak, was closed at 1:08 p.m.

Mr. Limón acknowledged receiving several letter correspondence received from the applicant in support to the proposed project.

ACTION: **Assigned Resolution No. 098-07**

Approves the project by making the findings that the Modification is necessary to secure an appropriate improvement and meets the purpose and intent of the Ordinance of expanding the residence and garage, while allowing for uniformity of improvement.

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

ACTUAL TIME: 1:14 P.M.

B. APPLICATION OF MARK MORANDO FOR PAMELA THOMPSON, 521 OLIVE STREET, APN 031-212-008, C-M COMMERCIAL MANUFACTURING ZONE, GENERAL PLAN DESIGNATION: INDUSTRIAL (MST2004-00421)

The 3,000 square foot project site is currently developed with a single-family residence and carport. The proposed project involves a request to approve an "as-built" spa, water feature, and exterior staircase. The discretionary application required for this project is a Modification to permit improvements within the required front and interior yard setbacks (SBMC 29.21.060). 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

Mark Morando, Agent/Applicant, present.

Mr. Limón announced that he 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.

The Public Hearing was opened at 1:18 p.m. and, as no one wished to speak, was closed at 1:19 p.m.

Mr. Limón requested staff and the applicant to clarify some questions regarding precedent-setting nature of spas in residential and CM zones where buffer setback zones need to be provided. In this case, the adjacent parking lot serves as an adequate buffer. Mr. Limón requested the applicant to review the loft access ladder issue with the Building & Safety Division.

ACTION:

Assigned Resolution No. 099-07

Approves the project as submitted by making the findings that the secondary access secures an appropriate improvement, and that the water feature and spa meet the purpose and intent of the Ordinance by providing amenities in the outdoor living space on site without impacts to adjacent neighbors, with the condition that the all amenities related to secondary unit use be removed from the upper loft area, and that the applicant consult with the Building and Safety Division on the code compliance issue regarding a loft area access ladder.

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

ACTUAL TIME: 1:22 P.M.

C. APPLICATION OF DERRIK EICHELBERGER FOR HENRY BARTLEY, 110 SANTA ROSA PLACE, APN 045-201-020, E-3 ONE-FAMILY RESIDENCE/SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2007-00521)

The 6,000 square foot project site is currently developed with a single-family residence, attached garage, detached accessory structure with spa, and an "as-built" water feature with fish pond. The discretionary application required for this project is a Modification to permit the water feature and associated equipment to be located within the required six-foot (6') interior yard setback (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.

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

Derrick Eichelberger, Applicant, present.

Mr. Limón announced that he 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.

Mr. Eichelberger expressed surprise regarding staff's denial recommendation (despite such statement in the Staff Report), and that the applicant is not attempting to circumvent City requirements.

The Public Hearing was opened at 1:27 p.m. and, as no one wished to speak, was closed at 1:28 p.m.

Mr. Limón acknowledged receiving recent letter correspondence from Mr. Jeff Lovegreen in support to the proposed project.

Mr. Limón and staff expressed concern regarding the obstruction and encroachment into the setback and property line of the proposed water features and equipment.

Mr. Limón requested staff and the applicant to clarify some questions regarding the degree of encroachment, past history of water feature equipment encroachment into the setback in a residential zone, and permit requirements for such water features. He also asked the Landscape Architect if he could recall any other similar type of applications previously sought or if the applicant could demonstrate any precedent for such water features encroachment into the setback or property line in the City.

Mr. Limón stated that Building & Safety is currently modifying Code requirements to increase the 18-inch depth restriction for water features without requiring fencing, but without the applicant demonstrating precedent of previously approved water features or equipment into setback and property lines, he must be consistent and uphold the current Code requirements to keep the property line and setback clear of obstructions, even though the equipment may be as quiet as the applicant claims.

Mr. Limón suggested that rather than requesting the applicant to move the entire water feature and pond completely away from the setback and property line, the applicant might consider a configuration that limits the encroachment into the setback and a removal of the obstructing equipment out of the setback without the applicant having to relocate or redesign.

ACTION: **Assigned Resolution No. 100-07**

Denies the project, making the findings that approval of the Modification would create a precedent for this type of encroachment and allow an inappropriate improvement in the required interior yard setback area that does not meet the purpose or intent of the Ordinance.

Mr. Limón 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, AND THEN ANNOUNCED CONTINUED TO THE JANUARY 16, 2008 MEETING. ****

D. APPLICATION OF ARMANDO ARIAS FOR ELIZABETH VOS, 812 LARGURA PLACE, APN 029-110-034, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2007-00394)

The one (1) acre project site is currently developed with a single-family residence and attached garage. The proposed project involves the "as-built" expansion of the existing view deck. The discretionary application required for this project is a Modification to permit a portion of the expansion to be located within the required fifteen-foot (15') interior yard setback (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

ACTUAL TIME: 1:39 P.M.

**E. APPLICATION OF JEFF SHELTON FOR STEVE GOWLER
522 E. SOLA STREET, APN 029-091-006, R-2 GENERAL PLAN:
RESIDENTIAL, 12 UNITS/ ACRE. MST2005-00063**

The proposal is a request for a one-year extension of the expiration date of the Tentative Map and Condominium Conversion approved by the Planning Commission on November 10, 2005. The project consists of a proposal to convert an existing single-family residence and a new unit to two condominium units. A modification was previously granted to allow a portion of Unit 2's second story to encroach into the required open yard area. A one-year extension is requested pursuant to SBMC, §27.07.110. The applicant submitted the extension request on November 12, 2007, thereby satisfying the City's requirements for an extension request.

The discretionary applications approved for the project by the Planning Commission were:

1. A Tentative Subdivision Map (TSM) for a one-lot subdivision for the conversion of two (2) residential units into condominium units (SBMC§27.07); and
2. A Condominium Conversion Permit to convert two (2) residential units into two (2) condominium units (SBMC Chapter 28.88).

Case Planner: Kelly Brodison, Assistant Planner
Email: kbrodison@santabarbaraca.gov

Jeff Shelton, Applicant; and Steve Gowler, Property Owner, present.

Mr. Limón announced that he read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Kelly Brodison, Assistant Planner, gave the Staff presentation and recommendation.

Mr. Limón clarified with the applicant that the project's plans and drawings have not changed in any way.

The Public Hearing was opened at 1:42 p.m. and, as no one wished to speak, was closed at 1:43 p.m.

ACTION:

Assigned Resolution No. 101-07

Approves a one-year time extension to November 12, 2008, for the Tentative Map and Condominium Conversion Permit, subject to the original Conditions of Approval in Exhibit A.

ACTUAL TIME: 1:45 P.M.

F. APPLICATION OF JUSTIN VAN MULLEM, FOR ALAMAR PARTNERS, LLC, 222 WEST ALAMAR AVENUE, 051-213-008, R-3 MULTI-FAMILY RESIDENTIAL/ S-D-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS/ACRE (MST2006-00318)

The project consists of a proposal to demolish an existing single-family residence and one-car garage, and construct a new two-story building containing three condominium units, including two (2) one-bedroom units and one (1) two-bedroom unit, on a 6,000 square foot lot in the R-3/SD-2 Zones. The one-bedroom units would be 651 square feet and 714 square feet, and the two-bedroom unit would be 1,044 square feet. Four parking spaces would be provided within a two-car garage and two one-car garages. An estimate of 100 cubic yards of grading would be required.

The discretionary applications required for this project are:

1. A Modification is required to allow a two-story structure to encroach into the required 20-foot front yard setback. The project is located in both the R-3 and S-D-2 Zones. The required front yard setback is ten feet (10') for one and two story buildings in the R-3 Zone; however, the front yard setback is 20' for two story buildings in the S-D-2 Zone. (SBMC §28.45.008 and §28.92.110.B);
2. A Modification is required to reduce the required parking by one (1) parking space (SBMC28.90.100.G.3); and
3. A Tentative Subdivision Map for a one-lot subdivision to create three (3) 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 Guidelines Section 15303 (New construction).

Case Planner: Suzanne Johnston, Assistant Planner
Email: sjohnston@santabarbaraca.gov

Justin Van Mullem, Applicant; and Stacey Wilson, Assistant Transportation Planner, present.

Mr. Limón announced that he read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Suzanne Johnston, Assistant Planner, gave the Staff presentation and recommendation.

Mr. Limón requested the applicant clarify some questions regarding the project's 20-foot setback and encroachments (pop-outs) within zoning, elevations, and the parking plan, square footage and subsequent massing of the second story.

Mr. Van Mullem stated that the Historic Landmarks Commission was in support of the proposed project.

The Public Hearing was opened at 1:57 p.m.

Ms. Karen Royal Coberly expressed concern regarding negative impact of the proposed project to her rear mobile home trailer park's natural light, private view, and tree line.

Mr. Joel Pederson expressed concern regarding the large aggressive design and height of the structure (roof pitch), and negative impact on street parking density.

Mr. Wayne Pederson expressed concern regarding the large size of the structure, setback modification, and negative impact on street parking density.

Ms. Ellen Frazier expressed concern regarding noise level, natural sunlight, and parking density on the surrounding neighborhood of the proposed project.

Ms. Vivian La France expressed concern regarding parking density on the surrounding neighborhood of the proposed project.

Mr. Limón acknowledged receiving recent letter correspondence from Ms. Paula Westbury in opposition to the proposed project.

Mr. Limón acknowledged receiving recent letter and email correspondence from Ms. Marlene Gillilan in opposition to the proposed project.

Mr. Limón acknowledged receiving recent letter correspondence from Ms. Nora Gallagher in opposition to the proposed project.

The Public Hearing was closed at 2:16 p.m.

Ms. Wilson commented that the Transportation Division supports the parking modification request. In this particular case, there are one bedroom units with less than 750 square feet which are adjacent to transit lines and commercial areas with high employment shopping centers and hospitals which encourage use of alternative transportation.

Ms. Wilson also confirmed that the Planning Commission is supportive of one-car housing with parking reductions and had previously approved single-car housing on other projects, and that the Commission's main concern was whether the parking demand would be met on-site or not.

ACTION:

Assigned Resolution No. 102-07

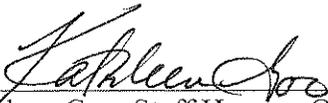
Approves the project, making the findings that the front yard modification is acceptable and necessary to secure an appropriate improvement and meets the purpose and intent of the Ordinance, as outlined in Section VII of the Staff Report, and subject to the Conditions of Approval in Exhibit A., with the additional condition (Condition C.3) that the Historic Landmarks Commission consider a reduction in the overall height of the structure by evaluating the steep roof pitch which is being driven by the required architectural style.

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

III. ADJOURNMENT

Mr. Limón adjourned the meeting at 2:39 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary