



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

FEBRUARY 13, 2008

CALL TO ORDER:

Bettie Weiss, City Planner called the meeting to order at 1:04 p.m.

STAFF PRESENT:

Bettie Weiss, City Planner
Roxanne Milazzo, Associate Planner
Kathleen Kennedy, Associate Planner
Kelly Brodison, Assistant Planner
Kathleen Goo, Staff Hearing Officer Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
No requests.
- B. Announcements and appeals.
Staff announced a pending appeal scheduled to the Planning Commission regarding 1406 Grand Avenue.
Ms. Weiss announced that the appeal of the approval decision regarding 518 State Street by the Staff Hearing Officer (SHO), and subsequent denied appeal decision by the Planning Commission which upheld the SHO decision to approve the proposed project, was conclusively upheld by City Council and the appeal was denied.
- C. Comments from members of the public pertaining to items not on this agenda.
No comments.

II. PROJECTS:

ACTUAL TIME: 1:06 P.M.

- A. APPLICATION OF SUZANNE ELLEDGE PLANNING & PERMITTING SERVICES, AGENT FOR MCCARTHY CONSTRUCTION & COTTAGE HOSPITAL, 2201 CASTILLO STREET, APN 025-171-050, SP-8 SPECIFIC PLAN HOSPITAL ZONE, GENERAL PLAN DESIGNATION: MAJOR PUBLIC/INSTITUTIONAL (MST2007-00636)

The 2.2 acre project site is located on the corner of Castillo & Los Olivos Streets. The proposed project involves a construction building consisting of 7 modular trailers. The discretionary application required for this project is a Modification to permit the building's accessibility ramp and landing to be located within the required 10-foot front yard setback facing Castillo Street (SBMC §28.49.030).

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

Isaac Romero, Applicant; and Bill Gray, representative for McCarthy Building Construction, present.

Ms. Weiss announced that she reviewed the Staff Report, application submittal information, and photographs 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 past encroachment and proximity to the rear property line of the initial construction trailer structure. Ms. Weiss also requested clarification regarding permitting for the front yard trash or equipment enclosure with no interior lot line and 10-foot setback, and the projected to December 2013 construction phase time frame schedule for the seismic upgrade.

Ms. Weiss requested staff to review the Child Care Center plans and utility permit and easement for transformers, conduits and temporary utility poles located within the 10-foot side setback which constitute an encroachment. The applicant stated that the utility plans were shown on the plans presented to the Architectural Board of Review (ABR).

The Public Hearing was opened at 1:22 p.m. and, as no one wished to speak, was closed at 1:23 p.m.

Ms. Weiss acknowledged receiving a recent letter correspondence from Ms. Paula Westbury expressing her opposition regarding the proposed project.

Ms. Weiss stated that as part of a lengthy eight-phase construction project, temporary construction trailers are expected to move around the site during construction, and although not normally reviewed, she believes that as the structure occupies its own site they are presently located close to the street. She also suggested a handicap access ramp constructed of simple design and of appropriate materials according to an ABR reviewed landscape and design, requested staff confirm the trash enclosure permit and location, and utility permit and easement

concerns, and supported staff's direction to pursue a front modification on Castillo Street rather than impacting the rear adjacent neighbor.

ACTION: **Assigned Resolution No. 008-08**

Approves the front yard modification for the access ramp, subject to time limit approval until December 31, 2013, and review of the access ramp and related landscaping by the Architectural Board of Review, making the findings that the Modification is necessary to secure an appropriate improvement on the lot by providing access to the building and meets the purpose and intent of the Ordinance by not providing floor area within the required 10-foot setback.

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

ACTUAL TIME: 1:30 P.M.

B. APPLICATION OF THOMPSON NAYLOR ARCHITECTS, AGENT FOR R. SMITH & N. SPALDIN FAMILY TRUST, 1258 DOVER LANE, APN 019-220-014, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2007-00628)

The 9,600 square foot project site is currently developed with a single-family residence and detached garage. The proposed project involves a remodel that includes 72 square feet of second-story floor area, relocation of the front door and entry area, replacement of windows, a new outdoor deck, and new skylights. The discretionary application required for this project is a Modification to permit alterations 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 15305.

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

Susette Naylor, Applicant, present.

Ms. Weiss announced that she read the Staff Report and photographs for the proposed project, but did not visit the site or surrounding neighborhood.

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

Ms. Weiss requested the applicant to clarify some questions regarding square footage.

The Public Hearing was opened at 1:31 p.m.

Ms. Weiss acknowledged receiving a recent letter correspondence from Ms. Paula Westbury expressing her concerns regarding impacted or removed trees, which the applicant stated will not be impacted or removed.

The Public Hearing was closed at 1:32 p.m.

ACTION:

Assigned Resolution No. 009-08

Approves the project, making the findings that the Modification is necessary to secure appropriate improvements to the residence that meet the purpose and intent of the Ordinance, by maintaining, not intensifying the existing encroachments.

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

ACTUAL TIME: 1:33 P.M.

C. APPLICATION OF MIKE CONAWAY, 1333 CLIFF DRIVE, APN 045-041-005, E-3 ONE-FAMILY RESIDENCE/SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2007-00652)

The 7,500 square foot project site is currently developed with a single-family residence and carport. The proposed project involves a 430 square foot first floor addition. The discretionary application required for this project is a Modification to permit the addition to be located within the required interior yard setback 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 15305.

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

Mike Conaway, Applicant; and Jason Carter, Designer, present.

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

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

The Public Hearing was opened at 1:35 p.m. and, as no one wished to speak, was closed at 1:36 p.m. The applicant was requested to follow up with a concerned member of the public who was present before the meeting began.

Ms. Weiss requested the applicant to clarify some questions regarding the overgrown vegetation, carport, fixed windows, the importance of continuing the roof line with the building structure for a uniform improvement, and the design and steep configuration of the extensive open yard.

Ms. Weiss expressed concern regarding overgrown vegetation, and location of the trash and storage enclosure within the setback and close proximity to the property line which cannot be permitted or approved.

ACTION:

Assigned Resolution No. 010-08

Approves the project making the findings that the Modification secures appropriate improvements while meeting the purpose and intent of the Ordinance by permitting the room addition to create a uniform improvement without impacts to the neighbors and an open yard area that still provides adequate area the intended purpose, with the condition that the front yard vegetation be brought into Ordinance compliance at a maximum hedge height of 3½ feet for a distance of 20-feet along the driveway, and with no side yard encroachment along the west property line.

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

ACTUAL TIME: 1:41 P.M.

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) CONTINUED FROM JANUARY 16, 2008

The 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

Armando Arias, Agent; and Elizabeth Vos, Property Owner, present.

Ms. Weiss announced that she read the Staff Report and successive photographs 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 1:45 p.m.

Mr. Tony Fischer, agent for Mike Cahill, expressed concern regarding the setbacks of the proposed project, fire code compliance of the proposed deck, seismic compliance of the proposed project, and submitted several documents.

Mr. Mike Cahill expressed concern regarding the potential fire and handicap safety hazards to the neighborhood of the proposed project. He made

inquiries and referred to a statement by the City Fire Marshall referring to the high fire hazard status of the neighborhood surrounding the project site.

The Public Hearing was closed at 2:08 p.m.

Ms. Weiss expressed concern regarding Building & Safety Division approval and raised decks in side yards proximity impact to neighboring properties.

Ms. Weiss requested the applicant to clarify some questions regarding deck and other improvement compliance to fire code standards within a high fire zone, presently under review by the City's Fire Department. The applicant responded that they believe that they were within compliance with the fire code with the suggested heavy timber construction and are still waiting for Fire Department review.

Ms. Weiss commented on notes by staff at the Single Family Design Board regarding the proposed deck and landscaping options of the project not being acceptable per the Fire Department.

Mr. Fischer expressed his opinion regarding the specific 2007 Fire Code requirements regarding construction within a high fire hazard zone specifically for decks, and existing building permit.

Ms. Weiss concurred with staff that there is a basis for a support due to the presence of a physical barrier along the property line, topographical difference, large screening vegetation, and need for a practical access to the deck on a level surface, but less need for the encroachment beyond the practical improvement of the deck.

ACTION:

Assigned Resolution No. 011-08

Approves less encroachment with a maximum landing area of 4 feet of deck improvement for circulation within the side yard connecting the doorway to rest of property improvement of the deck, making the findings that the Modification is necessary to secure an appropriate and uniform improvement on a site with limited outdoor living area due to slope and that the purpose and intent of the Ordinance is being met with the separation of grade and the screening which should assure no impacts to the adjacent neighbor, with strong suggestion and advisement to the Fire Department that all new construction comply with high fire zone standards and deviation from that standard be clearly documented.

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

THE HEARING RECESSED AT 2:30 P.M., AND RECONVENED AT 2:40 P.M.

ACTUAL TIME: 2:40 P.M.

E. APPLICATION OF TOM MORRISON, DESIGNER FOR BALTADANO FAMILY TRUST, 520 W. FIGUEROA STREET, APN 039-202-011, R-3 LIMITED MULTIPLE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2006-00394).

The project consists of a proposal to demolish an existing single-family residence and construct a new two-story building containing three condominium units, each with three bedrooms, on a 7,500 square foot lot in the R-3 Zone. The units would be approximately 1,500 square feet, each with a 441 square two car garage. An estimate of 100 cubic yards of grading would be required.

The discretionary applications required for this project is 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, for new construction of small structures, and 15315 for a minor land division.

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

Tom Morrison, Applicant/Designer, present.

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

Kelly Brodison, Assistant Planner, gave the Staff presentation, recommendation, and that the proposed project has been deemed ready for Preliminary Approval from the Architectural Board of Review.

The Public Hearing was opened at 2:43 p.m. and, as no one wished to speak, was closed at 2:44 p.m.

Ms. Weiss expressed concern to the applicant regarding the lack of an advance waiver request on the tentative map for the sidewalk improvement and the applicant is agreeing to conditions despite an eventual waiver request. Ms. Weiss also acknowledged the need for a variety of unit size in relation to scale and to uniform architectural style.

Ms. Weiss concurred with, and encourages the Architectural Board of Review (ABR) to continue exterior improvements to further break up the mass of the structure of the proposed project. Staff confirmed that further direction is anticipated from the ABR concerning better transition from sloped roofs into flat roofs.

Ms. Weiss stated that the Housing Element strives to satisfy not only a need for 3-bedroom unit developments, but also a need for a variety of mixed-use units serving a diverse population which is expressed in architectural design, scale, and intensity of use. To further serve this need, she suggested the applicant consider covered and uncovered parking in an effort to balance the structure's massing.

Mr. Morrison presented additional design illustrations for review of parking and landscape plans.

Staff clarified that the requirements for Tenant Displacement Assistance Ordinance compliance have been clarified to the applicant.

ACTION: **Assigned Resolution No. 012-08**

Approves Tentative Subdivision Map, making the findings outlined in Section VII of the Staff Report, and subject to the Conditions of Approval in Exhibit A.

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

ACTUAL TIME: 3:12 P.M.

F. APPLICATION OF KEITH RIVERA, ARCHITECT FOR BRIAN HANLY, 2016 & 2020 STATE STREET, APN 025-312-043, R-2/R-O, TWO-FAMILY RESIDENCE AND RESTRICTED OFFICE ZONES, GENERAL PLAN DESIGNATION: OFFICES AND RESIDENTIAL (MST2006-00730)

The project consists of a proposal to retain one existing two-bedroom unit and demolish the existing, rear one-bedroom unit, carport and two surface parking spaces and construct a new two-bedroom unit and two attached two-car garages to create two condominiums. Vehicular access to the site is from Mission Street through a nine foot wide access easement over the adjacent property.

The discretionary applications required for this project are:

1. Modification to allow less than the required distance between buildings (SBMC §28.18.070); and
2. Tentative Subdivision Map for a one-lot subdivision 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 Sections 15303 (new construction of small structures) and 15315 (minor land division).

Case Planner: Kathleen Kennedy, Associate Planner
Email: kkennedy@SantaBarbaraCA.gov

Keith Rivera, Applicant/Architect; Aaron Amuchastegui, Agent for the Property Owner; and Chelsey Swanson, Assistant Transportation Planner, present.

Ms. Weiss announced that she read the Staff Report, reviewed past correspondence from Architectural Board of Review meetings 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 staff and the applicant to clarify some questions regarding solar requirements along the northern property line, alternatives to the proposed connection between the units, access easement conditions, oak tree removal and relocation, rear west plate height, construction, grading, and tenant displacement.

Ms. Chelsey Swanson, Assistant Transportation Planner, clarified that safe visibility was not an issue for the proposed project regarding accessibility from Mission Street.

Ms. Weiss concurred with staff's recommendations to revise the Conditions of Approval by eliminating Sections II.D.3 (Green Building) and II.E.2 (Noise Mitigation).

The Public Hearing was opened at 3:30 p.m.

Ms. Weiss acknowledged previously received correspondence to the Architectural Board of Review for May 2007 meetings regarding the proposed project.

Ms. Weiss acknowledged receiving a recent letter correspondence from Ms. Paul Westbury expressing her opposition regarding the proposed project.

Mr. Aaron Amuchastegui, representing the property owner, stated that they have worked with the adjacent property owner and have agreed to some additional conditions regarding construction activities within the easement for inclusion into the revised Conditions for Approval. Transportation staff clarified that some study would be required regarding specific limited use and time constraints for parking, bikeway, sidewalks, and public right of way for either access from Mission and State Streets.

Mr. Graham Lyons, an attorney representing Dr. Luc and Barbara Maes owners of the easement area at 9 E. Mission Street, expressed concern regarding the use of the adjacent alleyway pedestrian right of way, discussed the proposed conditions for limiting the construction allowed within the access easement, and reported that the oak tree in the easement area may actually be located on the adjacent property to the east.

Transportation staff clarified parking lot easement requirements which may require tree removal and paving completely to the property line.

The Public Hearing was closed at 3:50 p.m.

Ms. Weiss and staff reviewed the Conditions of Approval for revision.

ACTION:

Assigned Resolution No. 013-08

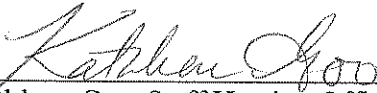
Approves the project, making the findings outlined in Section VII of the Staff Report regarding the modification given the current configuration of Unit A, and subject to the revised Conditions of Approval for the project.

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 4:03 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary