



City of Santa Barbara Planning Division

STAFF HEARING OFFICER MINUTES

MARCH 12, 2008

CALL TO ORDER:

Bettie Weiss, City Planner called the meeting to order at 1:03 p.m.

STAFF PRESENT:

Bettie Weiss, City Planner
Danny Kato, Senior Planner II
Roxanne Milazzo, Associate Planner
Suzanne Johnston, Assistant Planner
Betsy Teeter, Planning Technician II
Jim Rumbley, Planning Technician I
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.

Ms. Weiss announced the following appeals reviewed or to be reviewed by the Planning Commission:

1. 3230 State Street – has a pending appeal before City Council regarding Planning Commission granting the appeal to reverse the Staff Hearing Officer's approval decision therefore denying the modification request.
2. 1406 Grand Avenue on the Riviera has a pending appeal scheduled for April 3, 2008, regarding the Staff Hearing Officer's partial approval/partial denial decision on over-height hedges.
3. 2420 Calle Galicia has a pending appeal scheduled for April 17, 2008, regarding the Staff Hearing Officer's denial decision of 100% side yard encroachment for a food preparation area.

- 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 JYL RATKEVICH FOR KARIN AGGELER, 2506 CALLE ANDALUCIA, APN 041-421-001, E-1 ONE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00022)

The proposed project involves a 10,566 square foot project site which is located at the corner of Calle Andalucia and Calle Galicia. Current development on site consists of a single-family residence with an attached garage. The proposed project involves a 270 square foot accessory addition to the garage. The discretionary application required for this project is a Modification to permit the addition in the front yard facing Calle Galicia (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.

Jyl Ratkevich, Applicant; and Terry and Karen Aggeler, Property Owner, present.

Ms. Weiss announced that she reviewed the Staff Report, plans and photographs for the proposed project and also visited the site and surrounding neighborhood.

Jim Rumbley, Planning Technician I, gave the Staff presentation and recommendation.

Ms. Weiss requested the applicant to clarify some questions regarding the hedge (a modification has not been requested) and hedge heights and grade differential accommodation, and the new 30-foot setback requirement. She understood that most of the neighborhood structures were built following different setback requirements from those presently required since 1975 when the Zoning Ordinance requirements changed.

The applicant conceded that they would be trimming the hedge back to the required 8-foot height requirement 10 feet from the public right of way.

The Public Hearing was opened at 1:23 p.m. and, as no one wished to speak, was closed at 1:24 p.m.

Ms. Weiss acknowledged receiving a recent letter correspondence from Ms. Paul Westbury expressing concern regarding the proposed project and appropriateness of the building.

Ms. Weiss acknowledged receiving a recent letter correspondence from Pat and Sheryl Kelly in support of the proposed project.

Although understanding and acknowledging the applicant's need for an expanded garage, storage, yard amenities and studio, and while the suggested latter items might be appropriate adjacent to a garage, Ms. Weiss expressed concern regarding the non-conforming garage's further encroachment into the setbacks beyond the already existing encroachment into the setback requirement per Zoning Ordinance standards. She stated she would support a lesser encroachment into the setback in the front yard to meet storage and studio needs. Possible options discussed were compliance with a 10-foot setback or a deeper garage expansion without impacting the entrance which would still involve a modification request.

Mr. Kato was against any further encroachment toward the street, but made other suggestions, which Ms. Weiss also concurred with, to deepen the garage expansion with a 25-foot front yard setback.

ACTION: **Assigned Resolution No. 017-08**

Approved the project, finding that the modification is necessary for the purpose and intent of the Zoning Ordinance with a 25-foot setback off the front property line in order to achieve an appropriate improvement of an expanded garage for storage. The garage may be expanded 5 feet to the south and 2.5 feet to the east toward Calle Galicia to maintain a minimum 25-foot setback off Calle Galicia, and to the existing 10-foot setback. Said action is subject to abatement of the existing violations of storage and hedge heights that currently exist on the property.

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.

B. APPLICATION OF BRYAN MURPHY FOR DARIO PINI, 1335 MISSION RIDGE, APN 019-210-005, E-1 ZONE, GENERAL PLAN DESIGNATION: 1 UNIT PER ACRE (MST2006-00285)

The 17,000 square foot project site is currently developed with a single-family residence. The proposed project involves the legalization of an "as-built" deck landing. The discretionary application required for this project is a Modification to permit seven square feet to be located within the required interior yard setback (SBMC §28.15.060).

Although this encroachment was shown on the plan reviewed and approved by the Staff Hearing Officer on October 10, 2007, it was not noticed.

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

Bryan Murphy, Applicant, present.

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

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

Ms. Weiss requested the applicant to clarify some questions regarding obstructions and the size of the garage, covered parking, clearance of posts.

The Public Hearing was opened at 1:45 p.m. and, as no one wished to speak, was closed at 1:46 p.m.

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

Ms. Weiss acknowledged receiving a recent letter correspondence from Ms. Geneva E. Cheves, in opposition to the proposed project.

ACTION: **Assigned Resolution No. 018-08**

Approved the project, making the findings that the Modification will secure an appropriate improvement of access from an upstairs area to the grade below while meeting the purpose and intent of the Ordinance by not providing an area to congregate or additional floor area in a required yard.

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

ACTUAL TIME: 1:47 P.M.

C. APPLICATION OF JOSE ESPARZA FOR SERGIO VERDUZCO, 627 W. ORTEGA STREET, APN 037-101-003, R-3 MULTIPLE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2007-00179)

The 5,600 square foot project site is currently developed with a single-family residence and garage. The proposed project involves complete demolition of all existing structures and the construction of a duplex and two 2-car garages. The discretionary application required for this project is a Modification to permit the garages to be located 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 15303.

Jose Esparza, Applicant, 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 1:51 p.m. and, as no one wished to speak, was closed at 1:52 p.m.

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

Ms. Weiss acknowledged receiving a recent letter correspondence from Ms. Tere Luciani, President of the Pueblo Del Amanecer (Home Owners) Association, concerned about the parking and unit density of the proposed project.

Ms. Weiss requested staff and the applicant to clarify some questions regarding array of parking designs in the neighborhood with an adjacent carport and expansive paving which dominate the streetscape. She stated that after observing that the applicant's garage as well as other parking structures on/near the property line, determined that the proposed 3-foot setback for the garage is a reasonable standard, especially on a boxed-in lot only 45 feet wide.

ACTION:

Assigned Resolution No. 019-08

Approved the project by making the required findings that the Modification of the interior yard setback is necessary to secure an appropriate improvement of the required backup distance on a 45-foot wide lot and is an improvement moving the garage off the property line, thus meeting the purpose and intent of the Ordinance by not providing additional habitable space within a required yard.

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

ACTUAL TIME: 1:56 P.M.

D. APPLICATION OF LARRY THOMPSON, ARCHITECT AND AGENT FOR MARLIES MARBURG, PROPERTY OWNER; 1316 AND 1327 BATH STREET; APN: 039-121-020 AND 039-112-009; R-4- HOTEL-MOTEL-MULTIPLE RESIDENCE ZONE; GENERAL PLAN DESIGNATION: RESIDENTIAL – 12 UNITS PER ACRE (MST2001-00822)

The project site is currently developed with four sleeping units associated with the Glenborough Inn. The proposed project involves the conversion of one unit to a breakfast room, a connection of the main building to the existing garage, conversion of the garage to an additional sleeping unit, and the construction of a fifth sleeping unit for the property. A detached gazebo is also proposed at the front of the building. The discretionary applications required for the project are Modifications to permit alterations and additions within the required rear and interior yard setbacks (SBMC §29.21.060 & 28.21.085), and for accessory space to be located within the remaining front yard (SBMC §28.87.160).

On January 6, 2005, this project was approved by the Planning Commission (RESO NO. 001-05). Failure to pull permits resulted in expiration of the

approval. This is a request to reinstate.

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

Larry Thompson, Applicant; and Marlies Marburg, Property Owner, and Mr. Steve Foley, Senior Planner for Transportation Planning, present.

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

Betsy Teeter, Planning Technician II, gave the Staff presentation and recommendation. Staff provided additional Architectural Board of Review minutes to the Staff Hearing Officer for her review.

Ms. Weiss requested staff and the applicant to clarify some questions regarding the permit for the bed & breakfast and request for the breakfast room, conversion of the garage to habitable space, adequacy of the provided parking, current parking space striping, alleyway environment, statistics on the site plan, Bed & Breakfast R-O Zone Ordinance standards, and unnecessary compliance to the double setback.

Ms. Weiss expressed concern regarding the condition of the alleyway and a potentially substandard parking design, and questioned whether Transportation Division staff had reviewed the parking design and double setbacks.

Mr. Steve Foley, Senior Planner for Transportation Planning, without the chance to adequately review the proposed project, commented that the applicant might be required to factor in handicapped parking demand for the project.

Mr. Kato clarified that staff is not overly concerned with compliance of separation between land uses for the setback and alleyway, and were more concerned with the requested second floor deck location 3 ½ feet into the setback. Staff believes that conversion of existing buildings (from a green standpoint) already located within the setback should not have to comply with double setback requirements.

The Public Hearing was opened at 2:18 p.m. and, as no one wished to speak, was closed at 2:19 p.m.

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

Ms. Weiss acknowledged receiving a recent letter correspondence from Ms. Carolyn J. McCall, expressing concerns regarding parking density in the neighborhood and provision for adequate parking for the proposed project.

Mr. Kato clarified that the additional parking previously utilized from the adjacent property owner, and no longer available, were not needed to accommodate the additional bed & breakfast units proposed.

ACTION:

Continued to the March 26, 2008 meeting in order to confirm with Transportation Planning Division staff that adequate parking and turnaround area exists for the proposed project modification request, with direction to staff to clarify the reasons for the findings in the Staff Report, including the benefits and needs that are being met.

ACTUAL TIME: 2:48 P.M.

E. APPLICATION OF JOSEPH CHENOWETH, AGENT FOR COSTA VILLA ASSOCIATES, LLP, 1155 – 1159 COAST VILLAGE ROAD, APN 009-291-006, C-1 LIMITED COMMERCIAL/SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2007-00425)

The project consists of a proposal to convert the three existing commercial buildings into three commercial condominiums on an existing 18,140 square foot lot with 22 existing shared parking spaces. The three existing buildings total approximately 10,926 square feet of floor area.

The discretionary applications required for this project are:

1. A Modification to allow an existing trash enclosure to be enlarged by one-half a square foot in the required 10-foot front yard setback along Coast Village Circle. (SBMC §28.92.110.B and 28.63.060); and
2. A Tentative Subdivision Map for a one-lot subdivision to create three (3) commercial 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 15315.

Mike and Joseph Chenoweth, Applicants/Property Owners, present.

Ms. Weiss announced that she 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, and that the proposed project qualified for a Coastal Exemption because there are no adverse environmental impacts. She also reported some additional changes to the Conditions of Approval for the project.

Ms. Weiss stated she appreciated and concurred with staff on the parking history explanation in the Staff Report.

The Public Hearing was opened at 2:52 p.m. and, as no one wished to speak, was closed at 2:53 p.m.

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

ACTION:

Assigned Resolution No. 020-08

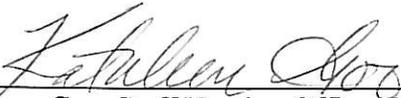
Approved the project, making the findings outlined in Section VII of the Staff Report, and subject to the revised Conditions of Approval for the project.

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 2:53 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary