



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

JUNE 3, 2009

CALL TO ORDER:

Susan Reardon, Senior Planner, called the meeting to order at 9:05 a.m.

STAFF PRESENT:

Susan Reardon, Senior Planner
Danny Kato, Senior Planner
Stacy Wilson, Transportation Planner
Roxanne Milazzo, Associate Planner
Susan Johnston, Assistant Planner
Gloria Shafer, Staff Hearing Officer Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
None.
- B. Announcements and appeals.
Ms. Reardon announced that the Planning Commission will hear the appeals of 2140 Mission Ridge and 2105 Anacapa Street on Thursday, June 4, 2009.
- C. Comments from members of the public pertaining to items not on this agenda.
None.

II. PROJECTS:

ACTUAL TIME: 9:06 A.M.

- A. APPLICATION OF CHRISTINE PIERRON FOR MACMILLAN FAMILY TRUST, 2111 STANWOOD DRIVE, APN 019-041-026, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2009-00173)

The 48,787 square foot project site was previously developed with a single-family residence and attached two-car garage, which were destroyed in the Tea Fire. The project consists of

construction of a 2,790 square foot residence and 490 square foot garage. Although the previous footprint is not being expanded, proposed changes to the structure include a 1' increase in the building height, new windows on the south facing walls, a roof eave on a portion of the building that previously had none, expansion of the upper floor area, and a new cover for the previously uncovered upper level deck. The discretionary application required for this project is Modification to permit alterations and new construction within the required 15' interior 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 15303 & 15305.

Present: Christine Pierron, Architect; Tad and Lori MacMillan, Owners.

Ms. Reardon 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 9:09 a.m.

A letter from Paula Westbury expressing concerns for the project was acknowledged.

Public comment was closed.

ACTION:

Assigned Resolution No. 041-09

Approved the project making the finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The changes being proposed are minor in nature and will allow improved use of the replacement home within the same building footprint, with no impacts to adjacent neighbors.

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

ACTUAL TIME 9:11 A.M.

B. APPLICATION OF TOM MEANEY FOR STEVE MCHUGH, 1633 OVERLOOK LANE, APN 015-191-001, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2009-00092)

The 25,236 square foot project site is currently developed with a single family residence and attached garage. The proposed project involves conversion of the existing garage to habitable space, construction of a detached 2-car garage, removal of the existing circular driveway, and a new swimming pool. The discretionary application required for this project is a Modification to permit the required 1,250 square foot open yard area to be located in the front yard (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 & 15305.

Present: Tom Meaney Architect; Steve McHugh, Owner.

Ms. Reardon 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. Ms. Milazzo explained that the overgrown vegetation must be removed.

The Public Hearing was opened at 6:20 a.m.

A letter from Paula Westbury expressing opposition of the project was acknowledged. Public comment was closed.

ACTION: **Assigned Resolution No. 042-09**
Approved the project making the finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed use of the front yard for outdoor living space provides the amenities and location as intended by the Ordinance without impacts to the neighborhood, and allows for parking at the rear of the residence.

Said approval is subject to the condition that any fence, wall, or landscaping within 10 feet of the front lot line and 10 feet from the driveway, for a distance of 20 feet from the front lot line, will not exceed 3 ½ feet in height.

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

ACTUAL TIME 9:27 A.M.

C. APPLICATION OF STANTEC CONSULTING FOR DCH CALIFORNIA INVESTMENTS, 350 HITCHCOCK WAY, APN 051-240-003, E-3 ONE-FAMILY RESIDENCE/P-D PLANNED DEVELOPMENT/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: OFFICE & RESIDENTIAL (MST2009-00224)

The project site is an existing auto dealership. The proposed project involves a tenant improvement which includes a request for the addition of a vehicle display parking space. The discretionary application required for this project is a Modification to allow the display parking space to be located within the required 40' front setback (SBMC 28.15.060 & 28.15.085).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305 & 15311.

Present: Bob Super, Architect; Carl Cisneros, Agent.

Ms. Reardon 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 9:30 a.m.

Lloyd Albright, neighbor, not opposed to the project, but concerned about compliance with restriction, and the loud public address system.

A letter and an e-mail from Hank and Sherry Homberg, and Paula Westbury addressing concerns were acknowledged.

Public comment was closed at 9:39 a.m.

ACTION:

Assigned Resolution No. 043-09

Approved the project making the finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed parking slab will provide a display space for showcasing the dealership's product. Additional landscaping is being provided between the street and building that off sets the use of this area for the display.

Said approval is subject to the condition that 7 customer and 33 employee parking spaces on-site be clearly identified with signage.

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

ACTUAL TIME 9:43 A.M.

D. APPLICATION OF PETER BECKER FOR MARY HEGARTY, 1050 LAS ALTURAS ROAD, APN 019-130-032, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 1 UNIT PER ACRE (MST2009-00208)

The 27,569 square foot project site has frontage on Camino Alto and Terrace Road and was previously developed with a single-family residence and attached two-car garage, which were destroyed in the Tea Fire. The project consists of construction of a 2,426 square foot residence and 460 square foot garage. The discretionary application required for this project is Modification to permit new construction within the required 35' front setback off of Terrace Road (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 15303 & 15305.

Present: Peter Becker and Christine Cunningham, Architects; Bill and Mary Hegarty, Owners.

Ms. Reardon 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 9:46 a.m.

A letter from Paula Westbury expressing opposition to the project was acknowledged.
Public comment was closed.

ACTION: **Assigned Resolution No. 044-09**
Approved the project making the finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The site is significantly constrained by the existing steep slope. The proposed encroachments into the front setback allow for rebuild of a two-story single-family residence with minor changes in the location from what previously existed without impacts to the adjacent neighborhood.

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

ACTUAL TIME: 9:49 A.M.

E. APPLICATION OF MARK MORANDO AGENT FOR TOM THOMAS , 1931 EL CAMINO DE LA LUZ, APN 045-100-081, E-3/SD-3 SINGLE FAMILY RESIDENTIAL AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS/ACRE (MST2009-00039)

The site contains an existing 1,731 square foot two-story single-family residence and garage. The proposed project consists of the proposal to construct an attached 361 net square foot, two-car carport addition, and to permit the as-built conversion of the existing garage to habitable space, in order to abate violations listed in the enforcement case (ENF2008-01423). Additionally, a detached accessory building is being relocated to observe a five-foot separation from the main building and has been located outside of the required setbacks.

The discretionary applications required for this project is a Coastal Development Permit (CDP2009-00001) to allow an addition which is greater than 10% of the floor area within the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44).

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

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

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

Present: Mark Morando, Agent; Tom and Mindy Thomas, Owners; Doug Fell, Attorney.

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

The Public Hearing was opened at 10:00 a.m.

David Grokenberger, Attorney for Janice Taylor, opposed: concerned that the carport intrudes into blue water views from public street; the carport causes visual impact and is not consistent with the neighborhood, and, if approved, the carport should be reduced. Requested that project be returned to Planning Commission or Single Family Design Board.

Janice Taylor, neighbor, opposed: special neighborhood with ocean views should be preserved. Concerned about inaccuracies between plans and story-poles.

A letter from Scott and Lesley Wiscomb, neighbors, expressing support was acknowledged.

A letter from Paula Westbury expressing concerns for the project was acknowledged.

The Public Hearing was closed at 10:16 a.m.

Ms. Reardon questioned the backup space necessary and what the minimum dimension is for a two car carport.

Ms. Wilson, Transportation Planner, indicated that the cars would back-out of the driveway and that Transportation Staff would work with the applicant to achieve head-out maneuvering of vehicles.

Ms. Reardon stated that the major coastal issue associated with the project is related to public views. The project site is not located on the bluff and would not be visible from the beach or other significant public vantage points. The carport would be visible from the public street, however, it would not significantly impact public views of the ocean from the beach. Views of the ocean are available down the existing driveway. Ms. Reardon questioned whether the carport would be reduced in scale.

Mark Morando stated that the carport could be reduced in length and height.

ACTION:

Assigned Resolution No. 045-09

Approve the project making the findings outlined in the Staff Report as revised at the hearing, and subject to the Conditions of Approval in Exhibit A of the Staff Report with the added Condition D.1. "Carport Height" The carport shall not exceed the maximum 7' interior height, and 9' 6" height to roof line, level with ground, and 19' maximum length.

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

ACTUAL TIME 10:36 A.M.

F. APPLICATION OF RICHELE MAILAND AGENT FOR MIDWEST INSTITUTION, LLC & JOSEPH A. YOB, 1402 GRAND AVENUE & 860 JIMENO ROAD, 029-110-036 & 029-110-037, A-1/E-1 AND E-1 SINGLE FAMILY RESIDENTIAL ZONES, GENERAL PLAN DESIGNATION: 1 UNIT/ACRE (MST2008-00402)

The proposed project consists of a Lot Line Adjustment between the properties located at 1402 Grand Avenue (Parcel 1) and 860 Jimeno Road (Parcel 2). The lot line adjustment will result in a transfer of 3,140 sq. ft. of lot area from Parcel 2 to Parcel 1. The proposal includes the installation of automatic gates at the driveway entry for 1402 Grand Avenue, the landscaping screening of as-built Alan block walls south of the driveway, landscaping of an as-built turnaround area to limit its usage to a turnaround and prevent parking within the setback, and alterations to the house at 860 Jimeno Road including window and door changes.

The discretionary application required for this project is a Lot Line Adjustment (LLA) to change the property line between Parcel 1, 1402 Grand Avenue (APN 029-110-036) and Parcel 2, 860 Jimeno Road (APN 029-110-037) (SBMC §27.40 & Gov. Code §66412).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality guidelines Section §15301 (Alterations to Small Structures) and §15305 (Minor Alteration in Land Use Limitations).

Present: Richele Mailand, Agent.

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

The Public Hearing was opened at 10:48 a.m.

Tony Fischer, Attorney representing Mike and Linda Cahill: not opposed to the carport, but concerned that the property is being used as a vacation rental. Supported the Conditions of Approval for protection of the Oak tree. Height limits should be established for the carport, with a flat roof to match the house. Parcel statistics are reversed on elevations, and square footages should to be verified.

Mike Cahill, neighbor, opposed: if approved, roof of carport should be non-reflective and match the house roof and not obstruct the view corridor; suggested restoring the previous rock wall, which was removed.

A letter from Paula Westbury expressing concerns for the project was acknowledged.
The public hearing was closed 11:08 a.m.

Mr. Kato, Senior Planner, explained that a property rented for longer than one month it is considered residential; the health room is a detached accessory room and rental as a separate dwelling is not permitted.

Ms. Reardon questioned the minimum area required for head out maneuvering, and whether there is an active code enforcement case. Ms. Wilson responded that the proposal includes options 1 and 2 shown on the plans, and option 2 provides a wider berth for the turnaround. Ms. Johnston replied that her understanding is that option 2 is outside of the setback.

Ms. Reardon questioned whether there is an active building code enforcement case. Ms. Johnston, replied that there is not an open enforcement case as it was determined that there was not a significant square footage change.

Public comment reopened at 11:26.

Tony Fischer, Attorney representing Mike and Linda Cahill: clarified his statements regarding inconsistencies in the square footages listed on the plan.

Public comment was closed.

ACTION:

Assigned Resolution No. 046-09

Approved the project making the finding that the proposed lot line adjustment is appropriate for the area and is consistent with the City's General Plan and Building and Zoning Ordinances, as shown in section VI.A-C. The lot line adjustment would create two legal lots that conform to the zoning requirements in the A-1 and E-1 zones as described in Sections V. and VI.C., dated May 27, 2009.

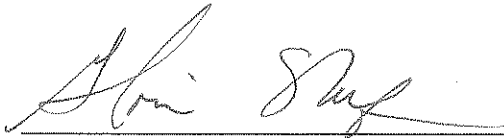
Said approval is subject to the Conditions of Approval contained in Exhibits A and B of the Staff Report as revised at the meeting, with the conditions that 1) I.A.2. add "A physical barrier shall be placed between the turnaround area and the adjacent landscaped areas to discourage access parking."; and 2) Add condition I.A.13. "The size of existing units to be verified prior to return to the SFDB"; and 3) Add condition I.A.14. "A Zoning Compliance Declaration shall be recorded." Said approval is also subject to the Conditions of Approval contained in Exhibit B of the Staff Report as revised at the meeting, with the added condition I.A.3. "Unit Size: The size of existing residence to be verified prior to return to the SFDB."

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

III. ADJOURNMENT

Ms. Reardon adjourned the meeting at 11:50 a.m.

Submitted by,

A handwritten signature in cursive script, appearing to read "Gloria Shafer", is written over a horizontal line.

Gloria Shafer, Staff Hearing Officer Secretary

