



City of Santa Barbara Planning Division

STAFF HEARING OFFICER MINUTES

JULY 15, 2009

CALL TO ORDER:

Susan Reardon, Senior Planner, called the meeting to order at 9:04 a.m.

STAFF PRESENT:

Susan Reardon, Senior Planner
Danny Kato, Senior Planner
Roxanne Milazzo, Associate Planner
Suzanne Johnston, Assistant Planner
Chelsea Swanson, Transportation 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.
None.
- C. Comments from members of the public pertaining to items not on this agenda.
None.

I. PROJECTS:

ACTUAL TIME: 9:04 A.M.

- A. **APPLICATION OF MAURY TREMAN, AGENT FOR TERRACE VISTA VILLAS HOMEOWNERS ASSOCIATION, 30 SANTA YNEZ STREET, APN 015-330-001, E-1 ONE-FAMILY RESIDENCE/PUD PLANNED UNIT DEVELOPMENT ZONES, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2009-00230)**

The 1.52 acre site is currently developed with four condominium units. The proposed project involves the installation of a vehicular entry gate for the property. The discretionary application required for this project is a Modification to permit the gate to exceed the maximum allowable height of 3½ feet within the first 20 feet from the front lot line, when located within 10 feet of 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 15303 & 15305.

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

Present: Maury Treman, Applicant.

Ms. Reardon 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 9:08 a.m. and, as no one wished to speak, the Public Hearing was closed.

ACTION: **Assigned Resolution No. 058-09**
Approved the subject application 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 height and location of the gate will secure the property without safety, visibility, or aesthetic impacts.

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

ACTUAL TIME: 9:09 A.M.

B. APPLICATION OF SOPHIE CALVIN, AGENT FOR WENDY AND MAURICE FLEMING, 1507 ALAMEDA PADRE SERRA, APN 029-060-030, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2009-00255)

The 20,035 square foot project site is currently developed with a single-family residence and detached garage. The proposed project involves a remodel, a 606 square foot addition to the residence, demolition of the existing garage, and construction of a new two-car garage. The discretionary applications required for this project are Modifications to permit the additions and alterations within the required 30' front and 10' interior 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 15301 & 15303.

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

Present: Sophie Calvin, Agent; Maurice Fleming, Owner.

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

Ms. Reardon stated that the existing fence impeded her visibility when exiting the driveway and asked whether Transportation staff typically reviews Modification applications. Ms. Milazzo suggested that the fence be shown on the site plans for review by Transportation Staff during plan check. Ms. Milazzo suggested adding a condition for Transportation Staff review of the fence for visibility concerns.

Ms. Calvin stated that a 24 x 24 inside garage dimension is requested for added storage and workshop counter space; keeping the garage located closer to Alameda Padre Serra is preferred due to a drainage culvert, and for screening by the existing hedge; the proposed stairwell continues to connect living spaces to the game room below.

The Public Hearing was opened at 9:18 a.m. and, as no one wished to speak, the Public Hearing was closed.

ACTION:

Assigned Resolution No. 059-09

Approved the subject application making the following findings and determinations:

The Modification to allow the encroachment of the stairway into the interior setback is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The addition of a stairway to internally connect two levels of the residence is appropriate and the encroachment is minimal and would not allow additional habitable floor area within the setback.

The Modification to allow the garage addition to encroach into the front setback is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed front yard encroachment maintains the existing setback while providing the benefit of conforming parking dimensions.

Said approval is subject to the following conditions: 1) the garage expansion shall be limited to the extent necessary to obtain a 20' depth x 24' width clear space inside; 2) Transportation Staff shall review the sight distance exiting the

driveway for safety hazards due to the existing fence/hedge along the front property line; 3) SFDB shall review the size and location of the new second-story window within the interior setback for privacy between the properties; and 4) the note regarding the hedge height shall be removed from the plans.

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

ACTUAL TIME: 9:23 A.M.

C. **APPLICATION OF STEVE HAUSZ, ARCHITECT FOR TERRY AND JILL FARRANCE, 120 CAMINO ALTO, APN 019-150-013, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 1 UNIT PER ACRE (MST2009-00253)**

The 28,745 square foot project site is developed with a single-family residence and detached two-car garage. The proposed project involves the repair and second-expansion of an existing residence partially damaged by the recent Tea Fire. The discretionary application required for this project is a Modification to permit the new construction to exceed the solar access height limitations (SBMC §28.11.020).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 & 15305.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation. Ms. Milazzo explained that staff feels the project meets hardship criteria.

Present: Steve Hausz, Architect.

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

Ms. Reardon questioned whether the previously existing house on the neighboring property was given consideration in relation to the shadow study. Mr. Hausz responded that the surveyor was not requested to identify the location of the adjacent property. Mr. Hausz explained the process in creating the shadow plans.

Mr. Kato explained that the actual location of buildings is shown on aerial photographs and stated four criteria required to be met for approving the requested modification. Mr. Kato clarified that the adjacent property did not contain south facing solar collectors or windows.

The Public Hearing was opened at 9:36 a.m.

A letter in support from Benjamin Cohen was acknowledged.

The Public Hearing was closed at 9:36 a.m.

ACTION: **Assigned Resolution No. 060-09**
Approved the subject application making the finding that the modification is consistent with the purposes and intent of the zoning ordinance and is necessary to prevent an unreasonable restriction imposed by SBMC §28.11.040.

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

ACTUAL TIME: 9:37 A.M.

D. **APPLICATION OF BILL DANG, ARCHITECT FOR TED & JEAN MITCHELL, 1537 KNOLL CIRCLE DRIVE, APN 015-141-013, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2009-00198)**

The 9,798 square foot project site is currently developed with a single-family residence and detached garage. The proposed project involves a remodel, architectural style change, and 730 square feet of first-floor additions to the residence. The discretionary application required for this project is a Modification to permit a change in roof pitch to portions of the garage currently located within the required 10' 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 15301 & 15305.

Present: Bill Dang, Architect; Ted and Jean Mitchell, Owners.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation. Ms. Milazzo suggested two additional conditions: a) the garage shall not be completely demolished; b) revision to the floor plan showing removal of the proposed second sink and installation of a pocket door on the half bathroom in the garage.

Ms. Reardon 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 9:46 a.m.

Cathey Wilkins, opposed: design will build upon, intensify and extend the life of the existing non-conforming structures (submitted written comments and photographs).

The public hearing was closed at 9:55 a.m.

Ms. Reardon stated that the proposed second garage sink is to be removed, and if the garage were to be, the new garage must meet 20'x20' interior clear space dimension. Ms. Reardon also stated that if the hedge height posed a visibility issue, it may be required to be trimmed during the plan check process.

ACTION: **Assigned Resolution No. 061-09**
Approved the subject application 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 roof change is appropriate because it will allow the existing garage to be upgraded architecturally to match the new residential design with minimal change to existing conditions.

Said approval is subject to the conditions that the second sink in the garage is to be removed, and if the garage is to be demolished, the new garage interior space shall measure 20' x 20'.

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

ACTUAL TIME: 9:59 A.M.

CONTINUED FROM JUNE 17, 2009

E. **APPLICATION OF CLAY AURELL, ARCHITECT FOR LEED SANTA BARBARA LLC, 617 BRADBURY AVENUE, 037-122-006, C-2 COMMERCIAL ZONES, GENERAL PLAN DESIGNATION: COMMERCIAL/RESIDENTIAL 12 UNITS/ACRE (MST2007-00559)**

The project consists of the demolition of an existing duplex, and the construction of a sustainable, 5,897 square foot, three-story, mixed-use building. The proposal will result in two residential condominiums and two commercial condominiums, with an on-grade parking structure. Bicycle parking and a changing room are provided within the garage structure. The residential units are 1,508 square feet, two-bedroom, and three-story units at the rear of the lot. The commercial units are a total of 983 square feet and are located on the first and second floor adjacent to the street. The proposal includes 2,015 square feet of green roof and upper level landscape plantings.

The discretionary applications required for this project are:

1. A Modification to allow the required common open area to be located in the front yard, and/or smaller than the required dimensions (SBMC §28.21.081.A.3. and §28.92.110.A); and
2. A Tentative Subdivision Map for a one-lot subdivision to create two (2) commercial and 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 Guidelines Section 15303 (New Construction of Small Structures) and 15315 (Minor Land Use Divisions).

Danny Kato, Senior Planner, gave the Staff presentation and recommendation. Mr. Kato stated that the project was continued from the previous SHO hearing due to an error in failing to note that the Zoning Ordinance requires a 15x15 open space on the lot which cannot be located in the front yard. The 15x15 open space proposed in the front yard does not meet the Zoning Ordinance requirements. Mr. Kato reported on the ABR's comments and concerns.

Mr. Kato stated that the three foot wide strip of land to the west of this site is owned by the heirs of the original subdivision, not the City as previously thought.

Present: Clay Aurell, Architect; Josh Blummer, Associate; Fae Perry and David Black, Owners; Jack Kessel, Landscape Architect.

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

Ms. Reardon asked whether other areas were considered for the open space. Mr. Aurell stated that staff suggested having open space on the roof, but ADA issues prevented that option. An alternative was to utilize space at an upper level deck, but the 15 foot dimension was not acceptable. The best option was to have open space at the ground plane.

The Public Hearing was opened at 10:35 a.m.

Caroline Vassallo, opposed: three ABR members had problems with size, bulk, scale, and were concerned about lack of story poles. Not opposed to mixed use, but sensitivity of street charm is needed.

Wanda Livernois: surprised by applicant's problem with uncovered parking; requested copies of story pole photographs.

Robert Livernois: questioned whether story poles were installed; opposed to tree removal; supported the parking.

Andy Roteman: in support of the modification; having open yard space in front is the best option.

A letter in support of the project from Greg Griffin was acknowledged.

Two letters in opposition of the project from Karen McFadden and Theony Condos.

The Public Hearing was closed at 10:47 a.m.

Ms. Reardon questioned whether there is room to have an open garage and a closed garage for each unit. Ms. Swanson explained that it might be reasonable to reduce the garage width by 6 inches providing a garage narrower for the single user, allowing the open shared garage space to be wider.

Ms. Reardon stated that the added planters on the second story decks that are to be located on the north and south sides responds adequately to her previous concerns, but requested the ABR to restudy the privacy issues related to the proposed balconies on the west (rear) side of the proposed building for an appropriate solution. Ms. Reardon also asked the applicant to work with the ABR to further reduce the mass, bulk and scale of the building in particular with regards to the third floor mass.

ACTION:

Assigned Resolution No. 062-09

Approved the subject application making the findings contained in the Staff Report dated July 9, 2009, as revised at the hearing, and subject to the Conditions of Approval contained in Exhibit A of the Staff Report dated June 11, 2009, as revised at the hearing, with the following conditions: 1) B.1: revise to state "...parking is provided in two residential one-car garages and five open parking spaces..."; 2) B.2: delete "the following three protection measures shall be incorporated" and 3) add the new condition "H.7. Story Pole Photographic Record. The applicant shall submit photographs of the completed building from the same locations as the photographs taken of the story pole installation for recordation purposes."

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 11:46 a.m.

Submitted by,



Deana McMillion, Administrative/Clerical Supervisor on behalf of
Gloria Shafer, Staff Hearing Officer Secretary