



# City of Santa Barbara

## Planning Division

### STAFF HEARING OFFICER MINUTES

APRIL 21, 2010

#### CALL TO ORDER:

Susan Reardon, Senior Planner, called the meeting to order at 9:00 a.m.

#### STAFF PRESENT:

Susan Reardon, Senior Planner  
Danny Kato, Senior Planner  
Roxanne Milazzo, Associate Planner  
Peter Lawson, Associate 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. CONSENT ITEMS: TIME EXTENSIONS:

##### ACTUAL TIME: 9:01 A.M. (Items A through C)

- A. APPLICATION OF SUZANNE ELLEDGE SEPPS, AGENT FOR ELCONIN FAMILY TRUST, 814 & 816 WEST FIGUEROA STREET, APN: 039-191-023 AND -026, R-2 TWO FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL - 12 UNITS PER ACRE (MST2006-00271) CONTINUED FROM APRIL 7, 2010

The is a request for a three year extension of the expiration date of the Tentative Map and Condominium Conversion approved by the Planning Commission on May 17, 2007. The project consists of the conversion of seven residential apartments located on two adjacent parcels to seven residential condominium units on one lot.

Six of the units are 2-bedroom units and one unit is a one-bedroom unit that would be sold as a moderate income affordable unit.

Present: Suzanne Elledge, Agent for Consent Items A, B, and C.

Ms. Reardon stated that a one year extension would be a supportable. Ms. Elledge agreed to the one year time extension.

The Public Hearing was opened. As no one wished to the speak, the Public Hearing was closed.

**ACTION:** **Assigned Resolution No. 015-10**  
Approved a one-year time extension, to May 17, 2013, for the Tentative Map and Condominium Conversion Permit, subject to the original conditions of approval in Planning Commission Resolution No 022-07.

- B. **APPLICATION OF SUZANNE ELLEDGE, SEPPS, AGENT FOR ANGELO SALVUCCI PROPERTY OWNER, 1916 CHINO STREET, 043-122-022, R-2, TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, TWELVE UNITS PER ACRE (MST2005-00566) CONTINUED FROM APRIL 7, 2010**

The is a request for a three year extension of the expiration date of the Tentative Map and Condominium Conversion approved by the Staff Hearing Officer on March 14, 2007. The project consists of the conversion of three existing units to condominiums; a two-story duplex with two three-bedroom units and a one-story, two-bedroom unit with a detached one-car garage on an 11,250 square foot lot in the R-2 Zone. Parking for the detached unit (Unit A) would be provided with an existing single-car garage and one new uncovered space. Parking for Units B and C are currently provided with a two-car carport and two uncovered spaces. The parking would be reconfigured to include a one-car garage and one uncovered space for each unit. Small additions of 67 square feet would be added to the first floors of Units B and C. The existing carport and an exiting common laundry and storage room would be demolished.

**ACTION:** **Assigned Resolution No. 016-10**  
Approved a one-year time extension, to March 14, 2013, for the Tentative Map and Condominium Conversion Permit, subject to the original conditions of approval in Staff Hearing Officer Resolution No. 019-07.

- C. **APPLICATION OF SUZANNE ELLEDGE, SEPPS, AGENT FOR ANGELO SALVUCCI, 515 E. ARRELLAGA STREET, 027-132-013, R-3, MULTIPLE RESIDENTIAL UNIT ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE (MST2005-00475) CONTINUED FROM APRIL 7, 2010**

The is a request for a three year extension of the expiration date of the Tentative Map and Condominium Conversion approved by the Planning Commission on May 17, 2007. The project approved by the Planning Commission consists of the conversion of 10 residential apartments to eight residential condominium units on a 14,355 square foot lot. Six of the units are two-bedroom and two units are three-bedroom units. The unit sizes range from 907 square feet to 1,814 square feet. The project would include 16 parking spaces and other related site improvements such as landscaping and building improvements.

**ACTION:** **Assigned Resolution No. 017-10**  
Approved a one-year time extension, to May 17, 2013, for the Tentative Map and Condominium Conversion Permit, subject to the original conditions of approval in Planning Commission Resolution No. 021-07.

Only denials of time extension requests are appealable to the City Council; therefore, the approval of the above time extensions are not appealable.

### III. PROJECTS:

#### ACTUAL TIME: 9:07 A.M.

A. APPLICATION OF JAMES MACARI, AGENT FOR KEVIN ROACHE, 333 PIEDMONT ROAD, APN 055-153-027, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: ONE UNIT PER ACRE (MST2010-00464)

The 20,908 square foot project site is currently developed with a single family residence, attached two-car garage, pool cabana, and swimming pool. The proposed project involves a remodel to the existing structures, and alterations to the pool cabana which will include raising its wall heights to accommodate a roof change from a shed roof to a hip roof that will connect to the residence. The discretionary application required for this project is a Modification to permit alterations to portions of the existing structures located within the required thirty-foot front 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: John Ruffo, Agent.

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

The Public Hearing was opened at 9:12 a.m.

A letter expressing concerns from Paula Westbury was acknowledged.

As no one wished to speak, the Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report and visited the site and surrounding neighborhood.

**ACTION:** **Assigned Resolution No. 018-10**  
Approved the subject application making the following findings and determinations:

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 changes to the accessory building's roof will allow for an architecturally appropriate connection for the existing structures, without impacts to neighboring properties.

Said approval is subject to the following conditions: 1) The storage building is to be removed from the site or relocated to a location outside of the required setbacks and required open yard. 2) The existing "as-built" 6 foot high stone wall along the front property line shall be removed or brought into compliance with Section 28.87.170 of the Zoning Ordinance.

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

**ACTUAL TIME: 9:16 A.M.**

**B. APPLICATION OF DON GRAGG, AGENT FOR LINDA RIMA, 27 RUBIO ROAD, APN 029-341-012, E-1 ZONE, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2010-00058)**

The 7,330 square foot project site is currently developed with a single family residence and detached one-car garage. The proposed project involves the demolition of an existing "as-built deck and replacement with a new one. The discretionary application required for this project is a Modification to permit the deck to be located within the required thirty-foot front 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: Don Gragg, Agent.

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

The Public Hearing was opened at 9:22 a.m.

A letter expressing concern from Paula Westbury was acknowledged.

As no one wished to speak, the Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report and visited the site and surrounding neighborhood.

Reardon expressed concern about the extent of the proposed encroachment of the deck into the front setback. Mr. Gragg agreed to reduce the deck to be 10 feet from the front property line.

**ACTION:**

**Assigned Resolution No. 019-10**

The Modification is consistent with the purposes and intent of the Zoning Ordinance is necessary to secure an appropriate improvement on the lot. The proposed encroachment into the required front setback allows for an outdoor living space which takes advantage of the property's ocean views in an area that does not result in impacts to the adjacent neighbors, on a lot that has a wide, unimproved right-of-way in front of it.

Said approval is subject to the condition that the deck is setback a minimum of ten feet from the front property line.

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.**

**C. APPLICATION OF WILIAM PRITCHETT, PROPERTY OWNER FOR 401½ OLD COAST HWY, APN 015-291-010, C-P RESTRICTED COMERCIAL/R-2 TWO-FAMILY RESIDENCE ZONES, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2009-00500)**

The 7,117 square foot project site is currently developed with two single family residences and 1,106 square feet of commercial space. The proposed project involves a request to convert the commercial space to an additional residential unit. The approval will result in a triplex with five uncovered and one covered parking spaces for the site. The discretionary application required for this project is a Modification to permit alterations, additions, and change of use to portions of an existing building currently located within the required ten-foot (10') rear setback (SBMC §28.54.060).

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: Gil Garcia, Architect; Tony Fischer, Owner's Attorney; William Pritchett, Owner.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation. Ms. Milazzo explained that the current floor plan configuration with no exterior lighting or setback from the property line does not meet modification requirements and is not supportable by Staff.

The Public Hearing was opened at 10:06 a.m.

Two letters expressing concern from Paula Westbury and Pierina Lowdermilk were acknowledged.

As no one wished to speak, the Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report and visited the site and surrounding neighborhood.

Ms. Reardon stated that the proposed roof connection between the main buildings are inadequate and questioned whether they are true roof connections to consider the building to be a tri-plex and therefore not triggering the need for a distance between buildings modification. Mr. Kato confirmed that the roof structures of the two buildings must connect to be considered a true roof connection. The roof structures are not connected, and therefore the buildings are not considered connected..

Ms. Reardon questioned the proposed design of the required 15' x 15' common open area. She expressed concern with including the proposed main walkway to proposed unit 2 being located within this required 15' x 15' area. Mr. Kato stated that the intent is to have 225 square feet of usable open space. Currently with the 4 foot plaster privacy wall, the proposal is not supportable. Ms. Reardon also questioned the appropriateness of providing the private outdoor living space for unit 1 between two parking spaces.

Ms. Reardon stated that the proposed lack of an interior setback from the adjacent residential property is not consistent with the purposed and intent of the Zoning Ordinance and is not supportable.

Ms. Reardon stated that she took into consideration the Architectural Board of Review's inability to find the project meets the project compatibility criteria specifically in regards to inadequate amount of open space and landscaping.

**ACTION:** **Assigned Resolution No. 020-10**  
Denied the project making the finding that the Modification is neither consistent with the purposes and intent of the Zoning Ordinance nor necessary to secure an appropriate improvement on the lot. A conforming design that provides separation from property lines, open air space, and proper lighting for the unit, and meet the ABR's criteria for new dwelling units, should be explored.

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

**ACTUAL TIME: 9:33 A.M.**

**D. APPLICATION OF GARCIA ARCHITECTS, AGENT FOR B.K. RAI, 2017 CHAPALA STREET, APN 025-302-007, R-2/R-O/C-2 ZONES, GENERAL PLAN DESIGNATION: OFFICE & RESIDENTIAL (MST2010-00036)**

The 10,863 square foot project site is currently developed with two commercial buildings. The proposed project involves conversion of the rear building to residential use. The discretionary application required for this project is a Modification to permit a change of use to the portion of the building located within the required six-foot interior setback (SBMC 28.18.060).

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: Gil Garcia, Architect; Dr. Rai, Applicant.

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

The Public Hearing was opened at 9:38 a.m.

A letter expressing concern from Paula Westbury was acknowledged.

As no one wished to speak, the Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report and visited the site and surrounding neighborhood.

Ms. Reardon expressed concern about the existing stairway and door located within the interior setback. Mr. Garcia stated that the stairway and door will be removed as part of the project.

**ACTION:**

**Assigned Resolution No. 021-10**

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 Modification will allow the existing building to be converted to its original use as a residence without having to demolish the portions within the setback.

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

**ACTUAL TIME: 10:35 A.M.**

**E. APPLICATION OF BRYAN POLLARD ARCHITECT FOR CLARENCE AND JOAN AGRESS, PROPERTY OWNER 646 SEA RANCH DRIVE, APN 047-104-004, A-1/SD-3 ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL (MST2010-00014)**

The proposed project involves A Coastal Development Permit for an "as-built" 139 net square foot detached accessory building and a 334 net square foot detached artist studio, with a half bath (sink & toilet). Grading for the project will be 20 cubic yards of cut.

The discretionary applications required for this project are:

1. A Coastal Development Permit, (CDP2010-00003) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060); and
2. A Modification to allow an accessory structure in the front yard (SBMC §28.87.160.C.).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303 (e), New Construction or Conversion of Small Structures.

Present: Bryan Pollard, Architect.

Peter Lawson, Associate Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 10:38 a.m.

A letter expressing concerns from Paula Westbury was acknowledged.

As no one wished to speak, the Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report and visited the site and surrounding neighborhood.

**ACTION:**

**Assigned Resolution No. 022-10**

Approved the project making the findings contained in Section VII of the Staff Report dated April 14, 2010, and subject to the Conditions of Approval contained in Exhibit A.

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

**IV. ADJOURNMENT:**

Ms. Reardon adjourned the meeting at 10:42 a.m.

Submitted by,



Gloria Shafer, Staff Hearing Officer Secretary