



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: July 7, 2010
AGENDA DATE: July 14, 2010
PROJECT ADDRESS: 119 Skyline Circle (MST2006-00522)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner
 Roxanne Milazzo, Associate Planner

I. PROJECT DESCRIPTION

The 4,776 square foot project site is currently developed with a 2,100 square foot single-family residence and garage. The proposed project involves demolition of all development on site and the construction of a 3-story structure consisting of a 2-story residence with a 2-car garage and basement/storage area below. The discretionary applications required for this project are Modifications to permit construction within the required thirty-foot front setback (SBMC §28.15.060); for the required open yard to be provided in portions of the front yard and with dimensions less than 20 feet (SBMC §28.15.060), and for walls to exceed 3 ½' in height when located within ten-feet of a front lot line or within twenty-feet along the driveway (SBMC §28.87.170). This is a revision to a previous project that received Modification approvals for similar improvements in 2006. Those approvals have since expired.

Date Application Accepted: June 7, 2010

Date Action Required: September 7, 2010

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, as submitted.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Shubin & Donaldson Architects	Property Owner: Mark Tappeiner
Parcel Number: 041-171-008	Lot Area: 4,776 sf
General Plan: 3 Units Per Acre	Zoning: E-1
Existing Use: One-Family Residence	Topography: 10% Slope

Adjacent Land Uses:

North – One-Family Residence
South – One-Family Residence

East - One-Family Residence
West – One-Family Residence

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	2,104 sf	1,989 sf
Garage	214 sf	400 sf
Accessory Space	38 sf	724 sf basement

C. PROPOSED LOT AREA COVERAGE

Building: 1,291 sf 27% Hardscape: 1,052 sf 22% Landscape: 2,433 sf 51%

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.50 Proposed FAR: 0.50 = 99.1% of Max. Allowed FAR

IV. DISCUSSION

This property received Modification approvals on June 20, 2007. While working with the Architectural Board of Review, the two-year time limit for pulling a building permit passed, and the Modification approval expired. This application is to reinstate that previous approval with minor design changes related to further design review.

Although Staff discourages Modifications for development on vacant lots (once demolition occurs, this lot will be considered vacant), we recognized the site constraints associated with a 4,776 square foot E-1 zoned lot. Staff's position is that providing the required thirty foot front setback would be unreasonable, and that the proposed twenty-foot front setback is adequate for the lot and the neighborhood.

This application is also requesting that the outdoor terrace be constructed within the thirty foot front setback. A five-foot high wall will be back-filled to create a space for enjoying the property's views. The location, within the front setback requires Modification approval because it exceeds the maximum allowable 10" height of obstructions within a required setback. Staff understands the need for the terrace due to constraints related to lot size and slope, and supports the construction of the outdoor terrace within the front setback as well.

The Modification to allow the open yard in the front yard also has Staff's support, considering that providing an area for outdoor recreation purposes at the rear of the lot does not make sense on an ocean view property. The project provides areas for enjoyment of the yard plus the views in several areas (including the front yard) that secure privacy by their elevations off the street. Although the minimum twenty-foot (20') dimensions are not being provided for the entire 1,250 square foot required area, it is Staff's position that adequate space is being provided.

The redesign has also resulted in changes to the previously approved retaining wall systems. Small amounts of wall still require approval to exceed the maximum allowable height of 3½' within the first ten-feet of the front lot line and first twenty-feet (20') of the driveway. Transportation Staff has reviewed the proposed walls and has determined that the heights as designed provide visibility to the public right-of-way and therefore do not create public safety issues.

V. **FINDINGS**

The Staff Hearing Officer finds that the front setback 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 encroachment of the garage meets the minimum preferred setback of twenty-feet, and allows development on a lot that would be more appropriately zoned E-3, with its smaller setback requirements. The terrace that provides the majority of the outdoor living space for the occupants exceeds the maximum allowable height of 10' in a setback due to topography, and is necessary to secure a flat, usable area as intended by the ordinance.

The Staff Hearing Officer finds that the Modification of open yard within the front yard is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The location is private and provides an outdoor area to enjoy the property's ocean view.

The Staff Hearing Officer finds that the Modification of wall height is necessary to secure an appropriate improvement and meets the purpose and intent of the ordinance. The proposed wall heights are necessary to secure development on the site due to slope conditions and do not create visual obstructions and safety concerns in their proposed locations.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated June 28, 2010
- C. ABR Minutes

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SHUBIN + DONALDSON ARCHITECTS INC.

June 28, 2010

City of Santa Barbara Planning and Development

Subject: 0622
Skyline Circle
Request for Modifications

Via: Hand Delivered

To The Staff Hearing Officer,

The project remains substantially consistent with the previously approved design and modifications. We have worked with the Architectural Review Board to carefully develop and refine the design with the modifications in mind. The project has received final ABR approval and was recently granted an extension that was requested due to the current financial climate.

Our client requests that the previously approved modifications be granted:

1. To include portions of the yard less than twenty feet in horizontal dimension and areas within the front yard for the required open yard area.

The project site is a highly constrained pie shaped sloping lot that requires a unique solution. The desire is to push the open yard area to the widest portion of the lot there by creating a more usable area at the ground level. In addition to the yard area the project incorporates a large deck on the second level.

2. Construction in the front yard setback.

The unique shape and slope of the site restrict the build-able area. The majority of houses on skyline circle currently encroach within the front yard setbacks we believe and ABR believe this to in harmony with the neighborhood. The site walls taller than 3'-6" within the front yard setback create the patio area in order to comply with the open yard area and also create a terraced area for planting.

3. Walls along the first 20'-0" of the driveway in excess of 3'-6".

The site constraints and front yard setback require sloping the driveway down to the garage and the slope of the site requires retaining walls to achieve this. The walls and stair along the driveway are lowest adjacent to the front lot line and do not restrict visibility from a car as it backs out of the garage. The retaining wall along the north side of the driveway has been set back 5'-0" from the edge of driveway and exceeds the 3'-6" height for no more than 3'-0" in length.

Respectfully,

Kevin Moore
Project Manager
Shubin + Donaldson Architects

0622 015253, 1 of 2

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ARCHITECTURAL BOARD OF REVIEW
CASE SUMMARY

119 SKYLINE CIR

MST2006-00522

R-NEW

Page: 1

Project Description:

Proposal to demolish an existing 2,356 square foot two-story single-family residence and carport and construct a 2,944 square foot three-story single family residence including a 699 square foot basement and attached 445 square foot two-car garage. The proposal includes 420 cubic yards of grading inside the building footprint, and 120 cubic yards elsewhere on the 4,776 square foot lot in the Hillside Design District. The below-grade basement and garage allows a reduction in the FAR calculation for a total square footage of 2,595 which is 99% of the maximum FAR.

Activities:

3/24/2010 *ABR-Time Extension (Approved)*

One year time extension approved with expiration now changed to April 7, 2011. S. Gantz 564-5470

4/7/2008 *ABR-Consent (Referred by FB)*

(Preliminary Approval granted on 3/10/08. Final Approval is requested.)

Public comment: a letter in opposition from Paula Westbury was acknowledged.

Final Approval with the condition that reflectivity of the exterior aluminum panel material is consistent with the Ordinance.

4/7/2008 *ABR-Final Approval - Project*

3/31/2008 *ABR-Resubmittal Received*

For Final Approval on Consent. Final approval submittal checklist also submitted.

3/10/2008 *ABR-Preliminary Review Hearing*

(PROJECT REQUIRES COMPLIANCE WITH STAFF HEARING OFFICER RESOLUTION NO.

Activities:

047-07.)

(Time: 8:15)

Present: Allen McCloud, Project Architect; Kevin Moore, Project Manager; Marc Tappeiner, Owner.

Public comment opened at 8:30 p.m.

Robert Potter, opposed: concerned about setbacks, balcony at the north, requested that Board consider their previous comments.

Public comment closed at 8:38 p.m.

Motion: Preliminary Approval with return to the Consent Calendar with the following comments:

- 1) The Board suggests different between color of concrete and aluminum perforated panels, as they may be too close in color.*
- 2) Provide a color and materials board.*
- 3) Provide a sample of perforated color panels in larger detail; show the color chosen behind the panel as it may show through.*
- 4) Show the windows behind the perforated panels (page A-301).*

Action: Sherry/Aurell, 5/0/2. Motion carried. (Manson Hing and Zink abstained Mudge absent.)

3/10/2008 ***ABR-Prelim Approval - Project***

3/4/2008 ***ABR-Resubmittal Received***

RESUBMITTED NEW SETS OF REVISED PLANS.

1/18/2008 ***ABR-Resubmittal Received***

Three sets of plans for ABR review.

6/19/2007 ***ABR-FYI/Research***

Jaime Limon and Danny Kato reviewed the old plans, the new plans, and the the NPO Ordinance, and came to the following conclusion. Per Section 18.5 of Ordinance 5416, the project can complete its design review at the ABR, rather than the SFDB. However, the floor area of the exposed area of the revised building (1st and 2nd floors) must be less than or equal to the previously approved plan (1,800 s.f.) or the entire building must be less than 100% of the maximum FAR, whichever is greater. Removing the mezzanine as proposed seems to accomplish this. The building height can be as shown on the revised plan (27').

Activities:

4/16/2007 ***ABR-Concept Review (Continued)***

(Third Concept Review.)

(COMMENTS ONLY; PROJECT REQUIRES NEIGHBORHOOD PRESERVATION ORDINANCE FINDINGS AND STAFF HEARING OFFICER APPROVAL FOR MODIFICATIONS.)

(7:56)

Present: Robin Donaldson, Architect; Kim Maciorowski, Architect; Mr. and Mrs. Marc Tappeiner, Owners.

Public comment opened at 8:16 p.m.

Robert Potter: design is too large for the constrained lot.

Public comment closed at 8:19 p.m.

Motion: Continued indefinitely to the Staff Hearing Officer and return to Full Board with the following comments:

- 1) The modification is technical in nature and has no negative aesthetic impact.*
- 2) The proposed design for an operable wood-slatted sunscreen to mitigate the large expanse of glass on the upper level is appreciated.*
- 3) Provide significant canopy trees in the front area to mitigate the second story cantilever.*
- 4) The volume of the proposed structure, being smaller than the existing, is appreciated.*

Action: Sherry/Blakeley, 6/0/0. Motion carried. (Manson-Hing, Mudge absent.)

Action: Sherry/Blakeley, 6/0/0. Motion carried. (Manson-Hing and Mudge absent.)

3/23/2007 ***ABR-Resubmittal Received***

abr resubmittal received.

9/25/2006 ***ABR-Concept Review (New) - PH***

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT, NEIGHBORHOOD PRESERVATION ORDINANCE FINDINGS AND STAFF HEARING OFFICER APPROVAL FOR MODIFICATIONS.)

(7:25)

Present: Robin Donaldson, Architect; Kim Maciorowski, Associate; Mark Tappeiner, Owner.

Public comment opened at 7:51 p.m.

Activities:

Peter neighbor opposed to the size of the proposal, not in keeping with the dense neighborhood.

Robert Potter, resident, opposed to the project in its present form, the style is out of character with the neighborhood.

Alex Pujo, neighbor, the architecture is not compatible with the neighborhood and poses privacy issues.

Public comment closed at 8:01 p.m.

Motion: Continued indefinitely to the Full Board with the following comments:

1) The majority of the Board finds the architecture to be very appealing; however, the presentation needs to knit the architecture into the context of the neighborhood. 2) Provide contextual drawings showing the relationship of the proposed residence to the neighbors on the three surrounding sides, including site sections. 3) Carefully consider privacy impacts to neighbors, especially from the second level and multi-deck orientations. 4) The Board finds that the contemporary nature of architecture is well articulated and that the natural materials enhance and help soften the contemporary form. 5) The Board is supportive of moving the front site wall closer to the street in an effort to help layer the wall and architecture of the house away from street. 6) Some Board members are concerned that the second story double cantilever is excessive and looms over the neighborhood. 7) The Board is concerned that the rear most second level deck creates privacy issues for neighbors. 8) The proposed open yard space is located in the most appropriate location given the constrained site due to the geometry of the property lines, the 20 foot minimum can not be met. 9) Some Board members are concerned with the lack of street friendliness of the proposed pedestrian entrance. Restudy the entry gate and wall combination. 10) As to the future landscaping: a) depict privacy hedges or walls on the plans, especially adjacent to the neighbors; b) Provide significant canopy trees in the elevated front patio area to mitigate the second story cantilever. 11) Consider an alternate open style deck rail as opposed to the glazed railing due to glare considerations.

Action: Wienke/LeCron, 6/1/0. Mudge opposed. Sherry absent.

9/25/2006 ***ABR-Notice Prepared-PC/SHO Req***

9/1/2006 ***ABR-FYI/Research***

One set routed to Transportation.

9/1/2006 ***ABR-Posting Sign Issued***