



City of Santa Barbara Planning Division

STAFF HEARING OFFICER MINUTES

OCTOBER 14, 2015

CALL TO ORDER:

Susan Reardon, Staff Hearing Officer, called the meeting to order at 9:00 a.m.

STAFF PRESENT:

Susan Reardon, Staff Hearing Officer/Senior Planner II
Jaime Limón, Senior Planner II
Kelly Brodison, Assistant Planner
Kathleen Goo, Staff Hearing Officer Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

There were no requests.

- B. Announcements and Appeals.

There were no announcements

- C. Comments from members of the public pertaining to items not on this agenda.

There were no public comments.

II. PROJECTS:

ACTUAL TIME: 9:01 A.M.

- A. APPLICATION OF TONY XIQUES, DESIGNER FOR STEVE AND ELLEN RUGGIERI, 323 ELIZABETH STREET, APN 031-381-006, R-2 ZONE, (TWO-FAMILY RESIDENTIAL), GENERAL PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL (12 DU/ACRE) (MST2015-00388)

The 5,000 square-foot site is currently developed with an 875 square foot residence and a 337 square foot detached carport. The proposed project involves the demolition of the existing carport and the construction of a new 472 square foot detached two-car garage which will include a laundry and storage area. The project also includes the removal of an existing water softener and water heater

enclosure, to be replaced with an on-demand water heater and the legalization of a 148 square foot "as-built" rear addition. This proposal will address violations outlined in Zoning Information Report ZIR2014-00447.

The discretionary applications required for this project are:

1. Open Yard Modification to allow a reduction of the required open yard (SBMC §28.18.060 and §28.92.110);
2. Interior Yard Modification to allow construction of a new garage with accessory space to encroach within the required interior setback along the rear property line (SBMC §28.18.060 and §28.92.110); and
3. Interior Yard Modification to allow the new garage with accessory space to encroach within the required interior setback along the northwest property line (SBMC §28.18.060 and §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations in Land Use Limitations).

Present: Tony Xiques, Designer.

Kelly Brodison, 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. In terms of maximizing the amount of available open yard area, Ms. Reardon stated that she would not be able to make the finding to approve the proposed new rear entryway landing and stairs as part of the requested open yard modification approval, and would require it to be removed from the plans. This would not prohibit the Applicant from working with staff to determine what constitutes a deck that meets the Zoning Ordinance requirements versus an entryway landing.

The Public Hearing was opened at 9:11 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

ACTION: **Assigned Resolution No. 057-15**
Approved the Open Yard Modification and both Interior Yard Modifications making the findings as outlined in the Staff Report dated October 7, 2015, and as revised at the hearing.

Said approval is subject to the conditions as outlined in the Staff Report dated October 7, 2015, and as revised at the hearing.

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

ACTUAL TIME: 9:14 A.M.

B. APPLICATION OF CRAIG SHALLANBERGER, APPLICANT FOR SEAN AND KENDRA JOHNSON, 411 E. CALLE LAURELES, APN 055-193-015, E-3 ZONE, (ONE-FAMILY RESIDENTIAL), GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (5 DU/ACRE) (MST2015-00419)

The 7,100 square-foot site is currently developed with a 1,929 square foot residence. The proposed project involves an addition of 187 square feet consisting of enclosing an existing 121 square foot covered patio area and a 66 square foot covered laundry room.

The discretionary application required for this project is an Open Yard Modification to allow a reduction of the required open yard (SBMC §28.18.060 and §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations in Land Use Limitations).

Present: Craig Shallanberger, Applicant; and Sean Johnson, Owners.

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

Kelly Brodison, Assistant Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 9:19 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

ACTION: **Assigned Resolution No. 058-15**
Approved the Open Yard Modification making the findings as outlined in the Staff Report dated October 7, 2015.

Said approval is subject to the conditions as outlined in the Staff Report dated October 7, 2015.

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

ACTUAL TIME: 9:23 A.M.

C. APPLICATION OF MARK TRAVERS ARCHITECT FOR KATHERINE HAHN, 1240 W MICHELTORENA STREET, APN: 041-101-010, R-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 5 DU/ACRE) (MST2014-00555)

Proposal for a new three-story, 2,011 square foot, single-family residence on a 6,098 square foot vacant parcel with a 73% slope in the Hillside Design District. A total of eight specimen oak trees will be removed and replaced with 40 oak saplings. The proposal includes approximately 952 cubic yards of grading under the main building footprint and to widen the improved public road in front of residences to a width of 20 feet clear. The floor-to-lot-area ratio (FAR) is 74% of the required maximum floor-to-lot area ratio (FAR).

The discretionary applications required for this project are:

1. A Front Setback Modification to allow the first story of the residence to encroach into the required fifteen-foot front setback (SBMC §28.15.060 and §28.92.110);
2. A Front Setback Modification to allow the garage and the upper stories of the residence to encroach into the required twenty-foot front setback (SBMC §28.15.060 and §28.92.110);
3. An Open Yard Modification to allow the additional open yard for slope lots to be reduced to less than the required 160 square feet (SBMC §28.15.060 and §28.92.110); and
4. An Over Height Wall/Fence Modification to allow the proposed retaining walls and related safety railing within ten feet of the front lot line to exceed a maximum height of three and one-half feet (SBMC §28.87.170 and §28.92.110).

The project activity is within the scope of the 2011 General Plan and the Program EIR analysis for the General Plan. No further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183). City Council environmental findings adopted for the 2011 General Plan remain applicable for this project.

Present: Mark Travers, Architect; and Bill Spiewak; Arborist.

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

Jaime Limón, Senior Planner II, gave the Staff presentation and recommendation.

Mr. Limón clarified the Single Family Design Review Guidelines, specifically the slope, grading, and retention requirements for the site, either are or shall be answered in part by the proposed integration of the building into the hill, the anticipated widening of the improved public road in front of residences to a width of 20 feet clear and related maintenance of the improved roadway, responses by City staff to future possible traffic blockages, oak tree removal and replacement approved by the City Arborist, and step-up grading precluding the need for higher fence and wall screening from the street. He emphasized that the floor-to-lot-area ratio (FAR) is 74% of the required maximum floor-to-lot area ratio (FAR), which is below the Neighborhood Preservation Ordinance (NPO) requirements for lots of this size.

Ms. Reardon requested the Applicant to clarify the proposed tiebacks and soil mills, planned undergrounding or relocation of utilities, lighting plan, construction staging and parking, planned tree removal and replacement, and the anticipated tree survival rate, which the City usually requires a 3-to-1 anticipated survival rate ratio.

Public comment opened at 9:52 a.m.

- 1) Malca Baker Lebell, neighbor (submitted email), opposition; expressed concern regarding traffic, health, safety hazard, and liability issues.
- 2) Adam Strachan, neighbor, opposition; expressed concern regarding open yard slope retention, safety, ordinance requirements, excessive excavation, and potential problematic decks for the requested open yard.
- 3) James Fischer, opposition; expressed concern regarding inhibited access to the area, traffic, civil penalties, zoning regulations, and parking density issues for the area.

Public comment closed at 9:57 a.m.

Ms. Reardon clarified for the public that the modification process allows a property owner to request relief of the zoning standards where there are site constraints that prohibit or make it extremely difficult for a project to conform to zoning requirements.

Mr. Limón clarified that the City Attorney has stipulated that the City cannot refuse to allow a property owner to building on a viable lot or site if it can conform to Design Review Guidelines, and Municipal Code and Zoning Ordinance requirements.

Mr. Limón stated that the Applicant will have to adhere to grading requirements and address roadway traffic concerns and transportation requirements as part of further design review process.

ACTION:

Assigned Resolution No. 059-15

Approved both Front Setback Modifications, the Open Yard Modification, and the Over Height Wall/Fence Modification making the findings as outlined in the Staff Report dated October 7, 2015.

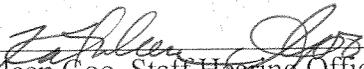
Said approval is subject to the conditions as outlined in the Staff Report dated October 7, 2015, and as revised at the hearing.

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

III. ADJOURNMENT

Ms. Reardon adjourned the meeting at 10:37 a.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary