



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: February 12, 2015
AGENDA DATE: February 18, 2015
PROJECT ADDRESS: 316 W. Figueroa Street (MST2014-00565)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Jo Anne La Conte, Assistant Planner *JAL*

I. PROJECT DESCRIPTION

The 7,555 square-foot site is currently developed with three single family dwellings. The proposal is to construct a 443 square foot second-story addition and a new ground level, 378 square foot one-car garage, which includes a workshop and laundry that will attach the dwelling at 316 W. Figueroa Street to 1109 Curley Avenue, to create a duplex. Also, proposed are exterior alterations, including a new driveway, a new approximately seven foot high fence and a new approximately nine foot high trellis along the Curley Avenue frontage, demolition of a 90 square foot rear porch at 316 W. Figueroa Street and the demolition of two "as-built" sheds at the property.. This residence is proposed to be added to the City's List of Potential Historic Resources.

The discretionary applications required for this project are:

1. Front Setback Modification to allow an addition and alterations to a non-conforming residence within the required 10-foot front setback and to allow a portion of the garage to be located in the required 20-foot front setback for parking that backs out onto the street (SBMC § 28.21.060 and SBMC § 28.92.110); and
2. Interior Setback Modification to allow an addition and alterations to a non-conforming residence within the required six-foot interior setback (SBMC §28.21.060 and SBMC § 28.92.110); and
3. Modification to allow the distance between the proposed two-story duplex and an existing single family residence to be closer than the required 15 feet (SBMC §28.21.070 and SBMC § 28.92.110); and
4. Modification to allow to allow a fence to exceed the maximum allowable height of 3.5 feet within 10 feet of a front lot line and to allow a trellis to exceed the maximum allowable height of 8 feet in the front yard (SBMC §28.21.170 and SBMC § 28.92.110).

Date Application Accepted: January 28, 2015

Date Action Required: April 28, 2015

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to conditions.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Architect:	Alex Pujo	Property Owner:	Darrell LeClair
Parcel Number:	039-212-024	Lot Area:	7,555 sq. ft.
General Plan:	High Density Residential	Zoning:	R-4
Existing Use:	Multi-Family Residential	Topography:	3% slope

Adjacent Land Uses:

North –Multi-Family Residential	East - Multi-Family Residential
South – Multi-Family Residential	West –Multi-Family Residential

B. PROJECT STATISTICS

	Existing	Proposed
316 W. Figueroa St.	1,130 sq. ft.	- 90 +443 = 1,483 sq. ft.
1109 Curley Ave.	567 sq. ft.	No Change
1111 Curley Ave.	565 sq. ft.	No Change
Accessory Space	128 sq. ft.	178 sq. ft.
Garage	0 sq. ft.	200 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 3,001 sf 39.7% Hardscape: 1,95 sf 2.6% Landscape 4,359 sf 57.7%

IV. DISCUSSION

The project was reviewed by the Historic Landmarks Commission (HLC) on December 3, 2014 and January 28, 2015 and was forwarded to the Staff Hearing Officer (SHO) with generally positive comments. There are some design issues that will need to be resolved prior to HLC approval of the project.

The existing parking on site is non-conforming, as no parking is provided on site for the three single family dwellings. One new covered parking space is proposed in a new a garage. The proposed project will not add more than 50% of floor area to the existing development; therefore, the parking is not required to be brought up to current standards.

Front Setback Modification

The existing dwelling at 316 West Figueroa Street is non-conforming to the secondary 10 foot front setback along Curley Avenue, as it is located approximately 9 feet from the front property line. The proposal includes one new 2'x 4' window on the first floor of the building, to be

located in the required 10 foot front setback facing Curley Avenue, and portions of the garage walls that will be located in the required 20 foot front setback for garages. The proposal also includes construction of conforming first floor additions and a conforming two-story addition to the dwelling that will meet the required 20 foot front setback. Staff is in support of the requested modification because the new window is not anticipated to adversely impact the adjacent neighbor's as the window faces the street, the garage walls will not affect the 20 foot queuing area in front of the garage, the remaining additions will meet the required setbacks and because the project meets the Secretary of the Interior's Standards.

Interior Setback Modification

The existing dwelling at 1109 Curley Avenue is non-conforming to the required six foot interior setback, as it is located approximately one foot from the interior property line. The proposal includes constructing a conforming second story addition and a one car garage that will connect the unit at 316 West Figueroa Street to the unit at 1109 Curley Avenue. Staff is in support of the requested modification because the proposed additions conform to the required six foot interior setback and because the project meets the Secretary of the Interior's Standards.

Distance Between Building Modification

The existing one-story dwellings at 1109 & 1111 Curley Avenue are conforming to the required 10 foot distance between one-story buildings as they are located approximately 11 ½ feet from each other. However, the Zoning Ordinance requires a 15 foot distance between buildings that are greater than one-story. The dwelling at 1109 Curley is proposed to become part of a two-story duplex ; therefore, a modification is required to allow the two-story duplex to be located closer than 15 feet to the single family dwelling. Staff is in support of the modification request for distance between buildings because the portion of the newly created two-story duplex for 1109 Curley will remain one-story and because it will not be located any closer to the existing residence at 1111 Curley Avenue.

Fence & Trellis Height Modification

The proposal includes construction of an approximately 20" tall retaining wall with a five foot high fence and seven foot high trellis along the Curley Avenue frontage. The Zoning Ordinance limits the height of fences to 3½ feet within 10 feet of a front property, and allows for one entryway arbor not exceeding a maximum of 18 square feet in area and eight feet in height. Because the combined height of a proposed retaining wall and the fence and arbor exceed the maximum allowable heights, a modification is being requested. Staff is in support of the request for the over height retaining wall, fence and trellis. Because of the grade change at the secondary frontage of the property along Curley Avenue, the fence and trellis will not interfere with the sight visibility of drivers, and the fence and trellis are not anticipated to adversely impact the visual openness of the street frontage.

Transportation Review

Transportation staff reviewed the proposal, and is in support of the new garage. The wing walls at the garage will not affect the 20 foot queuing area in front of the garage. Transportation staff has also reviewed the proposed fence and the entry arbor near the driveway

and have confirmed that they will not interfere with the required sight driveway visibility triangles. However, Transportation staff has commented that the hedges at the driveway entrance and the corner intersection of Curley and Figueroa should be lowered and maintained at 42 inches above grade of street at property line.

Environmental Review

A Historic Structures Report was reviewed for the property and the HLC placed the property on the list of Potential Historic Resources in December of 2014. The City Historian has reviewed the proposal and stated that the project meets the Secretary of the Interior's Standards and encouraged the applicant to replace the inappropriate contemporary front doors on the front elevation of the original historic resource with doors that are appropriate for the style.

The project site is located within an area mapped as Spanish Archeology, Hispanic Archaeological, American City Archaeological and Early 20th Century Archaeological (1900-1920) sensitivity areas.. An Archaeological Phase 1 report prepared for a neighboring property did not find any evidence of archaeological resources. The Zoning Ordinance allows grading permits within an area of known or probable archaeological or paleontological significance to be conditioned in such a manner as to allow reasonable time for qualified professionals to perform archaeological or paleontological investigations at the site. Therefore, staff recommends that the standard unanticipated archaeological discovery condition shall be reproduced on the plans prior to submittal for building permit.

V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on the lot.

The proposed changes to the portion of the building that encroaches into the front setback are appropriate because the new window is not anticipated to adversely impact the adjacent neighbors as the window faces the street, the garage walls will not affect the 20 foot queuing area in front of the garage, the remaining additions will meet the required setbacks and because the project meets the Secretary of the Interior's Standards.

The proposed additions to the nonconforming dwelling at 1109 Curley Avenue are appropriate because the additions conform to the required six foot interior setback and because the project meets the Secretary of the Interior's Standards.

The proposed additions that change the required distance between buildings are appropriate because the portion of the newly created two-story duplex for 1109 Curley will remain one-story and because it will not be located any closer to the existing residence at 1111 Curley Avenue.

The proposed retaining wall, fence and trellis height are appropriate because they will not interfere with the sight visibility of drivers, and they are not anticipated to adversely impact the visual openness of the street frontage.

Said approval is subject to the following conditions:

1. The violations outlined in ZIR2000-00536 shall be corrected as part of this permit.
2. The hedges along the driveway and by the corner of the property shall be shown on the plans to comply with SBMC Section 28.87.170.
3. The following language shall be added to the plans submitted for building permit:

“Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated January 26, 2015
- C. HLC Minutes dated December 3, 2014
- D. HLC Draft Minutes dated January 28, 2015

Contact/Case Planner: Jo Anne La Conte, Assistant Planner
(JLaconte@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x**3320**



PUJO & ASSOCIATES, INC.
ARCHITECTURE AND PLANNING

2425 Chapala Street • Santa Barbara, CA 93105 • (805) 962-3578 • www.pujo.net

January 26, 2015

RECEIVED
JAN 28 2015

Susan Reardon, Staff Hearing Officer
Community Development Department
630 Garden Street, Santa Barbara, California 93101

CITY OF SANTA BARBARA
PLANNING DIVISION

Re: 316 W. Figueroa Str., APN 039-212-024, MST2014-00565
Modification request for encroachments into required setbacks.

Dear Ms. Reardon,

We request four modifications into required setbacks for the construction of a 2-story addition to a residence on a parcel that has two other detached, 1-story dwellings. The property is located west of downtown on Figueroa Street between Bath and Castillo. The lot has a secondary frontage on Curley Avenue, a short alley that bisects this city block.

The neighborhood consists of one and two-story residences developed at the beginning of the 20th Century. The parcels are relatively small and most of them are non-conforming in terms of setbacks and parking –just like the subject property. Although the neighborhood is not a designated historic district, several structures in the area would probably qualify as structures of merit and the Figueroa Street frontage retains much of its historic fabric.

The subject parcel is 7,555 sq. ft. and it is zoned R-4. There are three detached residential units of 1,130 sq. ft. (Unit 1), 567 sq. ft. (Unit 2) and 565 sq. ft. (Unit 3). There is no off-street parking. The project consists of the addition to Unit #1 of a master suite (443 sq. ft.) on top of a new garage & laundry (378 sq. ft.).

The proposed addition will fill the space that currently separates Unit 1 from Unit 2, creating a 2-story duplex. Unit 2 is currently non-conforming because it encroaches into the interior (side) yard. Although the proposed addition to Unit 1 meets all setbacks, the building connection will turn an existing, non-conforming detached structure (Unit 2) into a non-conforming 2-story duplex. Furthermore, the building separation between units 2 and 3 is currently conforming for 1-story structures, but non-conforming for the 2-story duplex configuration proposed.

EXHIBIT B

Due to these existing conditions, we request the following modifications:

- Modification #1: Alteration of a non-conforming dwelling (unit 2). Unit 2 currently encroaches about 4' into the required interior yard setback. The project, connecting Unit 1 to Unit 2, will make Unit 2 part of a new, 2-story duplex.
- Modification #2: Request for building separation between existing Unit 2 in the proposed 2-story duplex and existing Unit 3 to be approximately 11'-8" (existing condition) instead of the required 15'.

Zoning staff made the determination that Curley Avenue should be considered a regular street instead of an alley and, for zoning purposes, the subject property is a corner lot with two street frontages. This interpretation is based on the fact that several properties are accessed exclusively from Curley Avenue. However, the physical characteristics of this 15' wide right of way with no sidewalks, no curbs or gutters, no street trees, no parallel parking and the presence of multiple structures with minimal or no setbacks make Curley Avenue very different from any "regular" street in this neighborhood.

Accordingly, we request two additional modifications related to the frontage on Curley Avenue:

- Modification #3: Proposed bathroom window in the east wall of Unit 1 currently encroaching about 12" into the 10' front yard on Curley Avenue.
- Modification #4: Proposed fence and gate trellis to exceed 42" in height to encroach into the secondary front yard (Curley Avenue).

Modification #3 consists of adding a small bathroom window on the existing east wall of the main residence (Unit 1), a very minor alteration of an existing condition. We propose a 5' high wood fence with a 7' high gate trellis (modification #4) to provide privacy to the yard on unit 2, an arrangement that is consistent and compatible with the character of the properties facing Curley Avenue and the two adjacent alleys. This yard is elevated 20" from the street by a retaining curb; the proposed fence will be set back two feet from the property line to allow for landscaping.

At the request of the City Historian, a Historic Structures Report (HSR) was prepared by Post/Hazeltine Associates. The HSR concluded that the proposed project meets the Secretary of the Interior's Standards for Rehabilitation, and its implementation would result in a less than significant impact to historic resources. The Historic Landmarks Commission (HLC) approved the HSR and provided positive comments regarding the proposed improvements; HLC will review the proposed fence (modification #4) at the January 28 meeting.

These modifications are needed to improve this property due to the existing, non-conforming conditions described above and the particular nature of the secondary frontage. The proposed improvements will add parking, storage and a master suite to Unit 1, increasing its size to 1,483 sq. ft.; the proposed interior remodel will improve the

bathrooms, kitchen and circulation. In addition, the project will remedy outstanding zoning violations (removal of two sheds), provide a trash enclosure and replace a damaged low retaining wall along Curley Avenue.

In summary, the modifications requested are the product of existing conditions that are affected by the proposed addition, in particular the re-classification of Unit 2 (which is almost untouched by this project) from 1-story detached dwelling to 2-story duplex. For all practical purposes, the proposed improvements will not intensify the existing non-conforming conditions.

Thank you for your assistance in processing this application. Please feel free to call me at 962-3578 if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Alexander Pujo". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

H. Alexander Pujo, Architect

c.: Darrel LeClair

Public comment opened at 2:12 p.m.

Kellam de Forest, local resident, inquired if Landmark Designation was possible. [Staff informed Mr. de Forest that it could be a possibility.]

Public comment closed at 2:15 p.m.

Motion: Continued indefinitely to allow requested amendments to be incorporated:

1. Appreciation was expressed for the preparers' thoroughness.
2. Provide further study on the two military buildings that will be demolished.
3. Provide clearer map graphics.
4. Provide a summary, possibly in the form of a spreadsheet, indicating the buildings that will remain and those that will be demolished, including whether the buildings have been determined to be historic resources.

Action: Mahan/Sharpe, 5/0/0. (Drury/La Voie/Murray/Shallanberger absent.) Motion carried.

CONCEPT REVIEW - NEW

3 316 W FIGUEROA ST

R-4 Zone

(2:15) Assessor's Parcel Number: 039-212-024
 Application Number: MST2014-00565
 Owner: Darrel Leclair
 Architect: Pujo & Associates, Inc.

(Proposal for two-story additions and alterations to an existing 3-unit residential development on a 7,555 square foot parcel. The work at Unit 1 will attach it to Unit 2 with a two-story addition comprised of a 378 square foot 1-car garage/workshop and laundry on the ground floor and a 443 square foot Master suite on the second story, making the total size of Unit 1 1,861 square feet. Demolition of a 90 square foot rear porch and a new 53 lineal foot wood fence is also proposed. Two "as-built" sheds located within the interior setback will be removed from the west side of the property. The proposal includes Staff Hearing Officer review for requested zoning modifications including the existing non-conforming duplex encroaching into the interior setback and a proposed new window in the front setback. This residence is proposed to be added to the City's List of Potential Historic Resources.)

a. Historic Structures/Sites Report (Review of Phase I/II Historic Structures/Sites Report prepared by Post/Hazeltine Associates.)

Actual time: 2:24 p.m.

Present: Dr. Pamela Post and Timothy Hazeltine, Historical Consultants
 Alex Pujo, Architect, Pujo & Associates, Inc.

Staff comments: Nicole Hernández, Urban Historian, stated that the report indicates that the project meets the CEQA criteria and the Secretary of the Interior's Standards. Staff encouraged the applicant to replace the inappropriate contemporary front doors on the front elevation of the original historic resource with doors that are appropriate for the style.

EXHIBIT C

Public comment opened at 2:26 p.m. and, as no one wished to speak, it was closed.

Motion: To accept the report as presented.

Action: Winick/Orías, 5/0/0. (Drury/La Voie/Murray/Shallanberger absent.) Motion carried.

b. Conceptual Review (First Concept Review. Comments only; requires environmental assessment and Staff Hearing Officer review.)

Actual time: 2:31 p.m.

Present: Dr. Pamela Post and Timothy Hazeltine, Historical Consultants
Alex Pujo, Architect, Pujo & Associates, Inc.
Darrel Leclair, Property Owner

Public comment opened at 2:36 p.m.

Chair Suding acknowledged receipt of an email from Helen Christ expressing concern with an inoperable vehicle encroaching on public alley, overgrowth of trees and vegetation, rummaging through recycle containers on private property, parking requirements, and open/recreational areas.

Public comment closed at 2:37

Motion: Continued indefinitely to the Staff Hearing Officer with positive comments:

1. The proposed modifications are supportable and aesthetically appropriate. The proposed modifications do not pose consistency issues with the Neighborhood Preservation Ordinance.
2. Appreciation was expressed for preservation of and sensitivity to the historic building.
3. Study the windows to be more traditional. The proposed windows on the north and east elevation are proportionately different from the existing windows, and the windows should be lower than the edge of the eave.
4. Restudy the fenestrations of the north and east elevations, in particular the second floor addition, to be more in keeping with the historic style and relate better with the original building.
5. The proposed doors should resemble the originals, especially on the south elevation, appropriate to the historical style of the existing building.

Action: Winick/Mahan, 5/0/0. (Drury/La Voie/Murray/Shallanberger absent.) Motion carried.

Additional individual comment:

- Positive aspects of the proposed addition are the way the second story mass is pulled back from the alley, screened by the front house, and screened by the avocado tree on the side yard.

**** THE COMMISSION RECESSED FROM 2:53 PM TO 2:59 PM ****

CONCEPT REVIEW - CONTINUED**5. 316 W FIGUEROA ST**

R-4 Zone

(3:10)

Assessor's Parcel Number: 039-212-024
 Application Number: MST2014-00565
 Owner: Darrel Leclair
 Architect: Pujo & Associates, Inc.

(Proposal for two-story additions and alterations to an existing 3-unit residential development on a 7,555 square foot parcel. The work at Unit 1 will attach it to Unit 2 with a two-story addition comprised of a 378 square foot 1-car garage/workshop and laundry on the ground floor and a 443 square foot Master suite on the second story, making the total size of Unit 1 1,861 square feet. Demolition of a 90 square foot rear porch and a new 53 lineal foot wood fence is also proposed. Two "as-built" sheds located within the interior setback will be removed from the west side of the property. Staff Hearing Officer review is requested for zoning modifications including a fence and trellis that exceed the maximum allowable height, distance between buildings, to allow a conforming addition to an existing building that is non-conforming to the interior setback, and a proposed new window in the front setback. This residence is proposed to be added to the City's List of Potential Historic Resources.)

(Second Concept Review. Comments only; requires environmental assessment and Staff Hearing Officer review. Project last reviewed December 3, 2014.)

Actual time: 3:31 p.m.

Present: Alex Pujo, Architect

Public comment opened at 3:38 p.m. and, as no one wished to speak, it was closed.

Motion: Continued indefinitely to the Staff Hearing Officer with comments

1. The proposed modification is aesthetically appropriate. The proposed modification does not pose consistency issues with El Pueblo Viejo Design Guidelines or the Neighborhood Preservation Ordinance.
2. Provide foundation landscaping between the fence and pavement edge.

Action: La Voie/Drury, 6/0/1. (Veyna abstained. Orías/Winick absent.) Motion carried.

**** THE COMMISSION RECESSED FROM 3:44 PM TO 3:49 PM. ****

CONCEPT REVIEW - CONTINUED**6. 1125 ANACAPA ST**

C-2 Zone

(3:30)

Assessor's Parcel Number: 039-232-019
 Application Number: MST2014-00593
 Owner: City of Santa Barbara

(This is a revised project description. Proposal to add a new SCE Transformer to be located on the city parking lot (#7) parcel adjacent to La Arcada Plaza/Art Museum and the Library. Additional work includes realignment of existing walkway, new planting, and add a new guardrail to an existing retaining wall (adjacent to La Arcada).)

(Fourth Concept Review. Action can be taken if sufficient information is present. Project was last reviewed on January 14, 2015.)

EXHIBIT D

Actual time: 3:49 p.m.

Present: Scott Love, Library Services Manager
 Doug Campbell, Landscape Architect, Campbell & Campbell
 Regula Campbell, Architect, Campbell & Campbell
 Marck Aguilar, Project Planner

Public comment opened at 4:00 p.m.

Kellam de Forest commented on the transformer and how the screening was sufficient.

Public comment closed at 4:01 p.m.

Motion: Final Approval as submitted with conditions:

1. Select the plant material ...

Action: LeVoie/Mahan, 6/1/0. (Suding opposed. Orías/Winick absent.) Motion carried.

**** THE COMMISSION RECESSED FROM 4:09 PM TO 4:14 PM. ****

CONCEPT REVIEW - NEW

7. 121 STATE ST

HRC-2/SD-3 Zone

(3:55)

Assessor's Parcel Number: 033-075-001
 Application Number: MST2015-00028
 Owner: Marc and Laurie Recordon
 Agent: Brooke Kelloway
 Business Name: Hotel Indigo

(Proposal to paint a temporary mural on the south elevation of an existing two-story building. The mural will remain on the building wall from March 7, 2015 through January 31, 2016. This mural has been reviewed by Visual Art in Public Places. A temporary mural had been previously approved at the same location on the building wall from January 25, 2014 through December 7, 2014.)

(Action can be taken if sufficient information is present.)

Actual time: 4:15 p.m.

Present: Miki Garcia, Executive Director, Museum of Contemporary Art
 Monika Molnar-Metzenthin, Director of Community Engagement, Museum of Contemporary Art
 Kelsey Rieger?, Community Engagement Coordinator, Museum of Contemporary Art

Public comment opened at 4:31 p.m.

1. Jennifer Kennedy, Museum Board member/Journalist, expressed support and commented on importance of having art by internationally known artists that bring notarization to Santa Barbara.
2. Josh Blumer, Museum Board member, expressed support and commented on the process and the applicant's willingness to work within the City's rules and guidelines to bring this type of art to the community and children.