



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: March 12, 2015
AGENDA DATE: March 18, 2015
PROJECT ADDRESS: 1626 Santa Barbara St. (MST2014-00469)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DJK*
 Joanna Kaufman, Planning Technician

I. PROJECT DESCRIPTION

The 20,900 square-foot site is currently developed with an existing 2,301 square foot, two story residence. The proposed project involves 1,243 square feet of first and second story additions to the existing residence, and a new attached 719 square foot three-car garage with a 687 square foot one-bedroom residential unit above.

The discretionary application required for this project is a Parking Modification to allow for three instead of the required four parking spaces (SBMC §28.90.100.G.2).

Date Application Accepted: February 12, 2015 Date Action Required: April 12, 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

Applicant: Patrick Marr	Property Owner: Robert Fulmer
Parcel Number: 027-192-024	Lot Area: 20,900 sq. ft.
General Plan: Residential	Zoning: R-3
Existing Use: Church	Topography: 5%

Adjacent Land Uses:

North - Residential	East - Church
South - Museum	West - Church

B. PROJECT STATISTICS

	Existing	Proposed
Living Area		
Main Residence	2,301sq. ft.	+ 1,234 sq. ft = 3,299 sq. ft. +
New Unit	NA	687 sq. ft
Garage	0 sq. ft.	719 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 3,383 sf 16% Hardscape: 2,378 sf 11% Landscape: 15,139 sf 73%

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/Allowance	Existing	Proposed
Parking	4	0	3 Covered*
*Modification Requested			

V. DISCUSSION

This project was reviewed by the HLC on November 5, 2014 and December 17, 2014 and received generally favorable comments. There are some design issues that will need to be resolved prior to HLC approval of the project.

The proposed project involves 1,243 square feet of first and second story additions to the existing residence, and a new attached 719 square foot three-car garage with a 687 square foot one-bedroom residential unit above.

The existing parking on-site is non-conforming, as no parking is provided for the existing residence. A lot line adjustment approved by the Planning Commission on November 27, 2013 created the parcel with the subject residence, known as the Unity House. The lot previously consisted of the Unity House, the Unity Church, and a parking lot. All existing uncovered parking remained on the adjacent Unity Church parcel. A Planning Commission condition of approval for the lot line adjustment requires that parking requirements be satisfied per the Zoning Ordinance (Planning Commission Resolution 076-13, Section I.B.3). The parking requirement for a duplex is two covered and two uncovered spaces. The applicant proposes to provide a 719 square foot, three car garage with a new curb cut and permeable driveway with access from Santa Barbara Street, and requests a Modification for relief of the fourth parking space.

Transportation Staff can support the parking modification for three instead of four parking spaces because the secondary unit is less than 700 square feet in size, and the property is located two blocks from transit with very low headways on State Street. Because the supportability for the parking modification is based on an additional unit under 700 square feet,

future additions resulting in additional bedrooms or units will require further review of parking requirements.

Environmental Review

The scope of work of the project is within the scope of the 2011 General Plan and the Program EIR analysis for the General Plan. The project is consistent with the development density designated and analyzed by the Program EIR, and potential project-specific environmental effects are addressed with existing development standards and regulations. Based on City Staff analysis, 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- Projects Consistent with the General Plan). City Council environmental findings adopted for the 2011 General Plan remains applicable for this project. A decision-maker finding that the project qualifies for the §15183 CEQA determination is required.

The site is constrained by a historic Moreton Bay Fig tree. Two arborist reports dated July 29, 2014 and January 7, 2015 describes the existing condition of the tree, and provides direction on tree maintenance and protection. The arborist report dated January 7th, 2015 states that expansion of the proposed garage or turnaround area for outdoor parking would be restricted by the tree's root system. Both reports give direction on the removal of roots growing in close proximity to the concrete building pad where the project is located. A condition has been added to comply with the recommendations of the two arborist reports, which are specific to the maintenance and prevention of root growth near the concrete pad.

The project is in an area listed in the City's Master Environmental Assessment as an area of potential archeological significance. Based on reports for other properties in the area, staff believes that the likelihood of discovering intact cultural resources is low; therefore, monitoring of the excavation is not required. However, Staff recommends a standard condition that requires that if cultural resources are discovered during excavation, the project must be halted, and the appropriate experts be consulted.

VI. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that:

1. The project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15183, based on the City staff analysis and the CEQA certificate of determination on file for this project.
2. The parking modification is not inconsistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking space or loading space in the immediate area, because the parking demand will be met onsite with three spaces for a single-family home and an additional residential unit under 700 square feet, as described in Section V of this staff report.

Said approval is subject to the following conditions:

1. Include a note on the plans that the recommendations/conditions contained in the arborist's reports prepared Bill Spiewak and by Keith Strauss, dated July 29, 2014 and January 7, 2015 respectively, shall be implemented.
2. Standard discovery measures shall be implemented per the City Master Environmental Assessment throughout grading and construction: 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. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. 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 the 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 the 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.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

3. If future projects propose additional bedrooms or units, parking requirements will be subject to review.

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Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated January 5, 2015
- C. HLC Minutes dated November 5, 2014 and December 17, 2014
- D. Arborist Reports dated July 29, 2014 and January 7, 2015

Contact/Case Planner: Joanna Kaufman, Planning Technician
(JKaufman@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x**4472**

Robert M. Fulmer, Ph.D.

1930 Mission Ridge Rd.,
Santa Barbara, CA 93103
805-965-4418

January 5, 2015

Staff Hearing Officer
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102-1990

Re Modification Request for 1626 Santa Barbara Street (A.P.N.027-192-024#2):

Existing situation: The subject R-3 property, although built as a single family residence and considered to have potential historical significance, was recently separated from a larger property owned by the Unity Church of Santa Barbara and had been used as an educational facility for forty years. Access to the building had been provided by a parking lot immediately adjacent. In the lot split, access to the parking lot (and the original garage) remained with Unity. The existing two-story, single-family residence is 2,301 square feet with no parking spaces.

Proposed Project: The proposed project is to build a 719 square-foot attached three-car garage with a ⁶⁸⁷735 square-foot studio unit above on the northern side of the house. A new 457 square-foot master bedroom and 393 square-foot kitchen and morning room addition are also proposed on the first floor along with a second floor addition of the same dimensions.

Requested Modification: The modification being requested is a reduction in the required parking to allow for three parking spaces. As a condition of approval for the lot split parking requirements must be fulfilled as required by the Zoning Ordinance for the change of use. The required parking per the Zoning Ordinance is four parking spaces. Since we do not plan on renting the property to a two-car family and there is potential parking on Valerio Street, we request a modification to allow the plan to move forward with only three covered parking spaces. This request is consistent with the AUD incentive program for apartment development that requires one space for each rental unit.

In attempting to restore the residence and to accommodate some challenges of aging, the proposed project has received positive comments from the Historic Landmarks Commission to add a downstairs bedroom suite, garage and secondary caregiver's apartment. Our proposal provides three covered parking spaces, but finding an additional uncovered parking space has been impossible without negatively affecting the aesthetics of the project (parking in front of the bedroom suite with compromised turnaround for the garage) or threatening the root system of the historical Morton Bay Fig tree.

Benefits of the proposal: The proposed modification preserves the aesthetics of an “upscale residential enclave” with covered parking, encourages the applicant to rent to caregivers or other individuals with only one vehicle, and limits the potential damage to the root system of the historic Morton Bag Fig tree that could be caused by additional hardscape. Further, acceptance would allow a reduction in the hardscape shown in the previous submission as requested by the HLC.

Respectfully,

Bob Fulmer

CONCEPT REVIEW – NEW / HISTORIC STRUCTURES REPORT / MISCELLANEOUS ACTION

6. **1626 SANTA BARBARA ST** R-3 Zone

(2:15) Assessor's Parcel Number: 027-192-024
 Application Number: MST2014-00469
 Owner: Fulmer Family Trust

(Proposal to construct a new two-story attached 658 square foot, three-car garage with a 658 square foot residential unit above. The proposal includes the addition of a new one-story, 452 square foot master bedroom and an 88 square foot dining room to an existing single-family residence. The site is already developed with an existing, 2,156 square foot, two-story residence. The proposal will include a total of three-covered parking spaces and one-uncovered space. The proposed site development is 4,012 square feet, located on a 20,900 square foot lot. The proposal includes the relocation of the driveway and a new curb cut. The structure is eligible to be designated a Structure of Merit.)

Actual Time: 2:12 p.m.

Present: Dr. Pamela Post and Timothy Hazeltine, Historical Consultants
 Amy Von Protz, Architect

Commissioner Sharpe disclosed that he met/consulted with the new property owner and discussed design ideas, but there is no actual or perceived conflict of interest because he will not benefit financially.

- a) **HSSR (Review of Historic Site/Structures Report Phase I prepared by Post/Hazeltine Associates. The report concluded the residence is eligible to be designated a Structure of Merit.)**

Public comment opened at 2:24 p.m.

Kellam de Forest, local resident, commented that the corner of Valerio Street there was a fenced clay tennis court, and commented that the property's façade is a significant part of the streetscape.

Public comment closed at 2:26 p.m.

Staff comments: Nicole Hernández, Urban Historian, stated that this Phase 1 report evaluates the significance of the site/structure, but does not evaluate the project itself. (The previous owner requested that this report be prepared before selling the property.) The Phase 1 HSSR found that the Eclectic Style house, with combinations of American Colonial Revival Style and Shingle Style, qualifies to be designated a City Structure of Merit.

Staff originally reviewed a small one story addition set back slightly from the original structure to the side with a detached garage. Through the plan check process, it was found that the detached garage had some issues with zoning requirements, so the applicant returned with the solution of connecting the garage to the addition which, being a large visible addition, would require a Phase 2 HSSR. However, Staff thought the best approach would be to have HLC review for concept design as it is suspected there may be some changes on the design based on Commission concerns. Once the applicant has some direction from the Commission on design, it can be determined if a Phase 2 HSSR is necessary.

Motion: To accept the report as presented, complementing the preparers of the report for its thoroughness.

Action: La Voie/Shallanberger, 7/0/0. (Drury/Suding absent.) Motion carried.

b) Miscellaneous Action (Staff recommendation to consider adding the Eclectic style structure, constructed in 1904, to the City's List of Potential Historic Resources.)

Public comment opened at 2:28 p.m. and, as no one wished to speak, it was closed.

Motion: To add the structure located at 1626 Santa Barbara on the City's List of Potential Historic Resources as it was found to be eligible for Structure of Merit designation, including the sandstone walls, ficus tree, and canary date palm tree on the site.

Action: Murray/Mahan, 7/0/0. (Drury/Suding absent.) Motion carried.

c) Conceptual Review (Comments only; environmental assessment required.)

Public comment opened at 2:38 p.m.

Kellam de Forest, local resident, questioned how the garage second story will be differentiated from the house in accordance with the Secretary of the Interior's Standards. He requested a mock-up of what it would look like from Santa Barbara and Valerio Streets, and expressed appreciation for the preservation of the ficus tree.

Vice-Chair Winick acknowledged receipt of letters from Unity of Santa Barbara, the Santa Barbara Museum of Art, owners of 205 E. Valerio Street, and the First Church of Christ, Scientist.

Public comment closed at 2:40 p.m.

Motion: Continued indefinitely with comments:

1. Provide an arborist report addressing the tree roots and the driveway.
2. Study a detached garage as it would fit in better to what was designed during the historical period of the existing structure. Look to the Tinker House at the corner of Modoc Road and Mission Street as an example of a detached garage that works in harmony with the main house.
3. The concept of an attached garage would be supportable if it is designed and made to look proportionally appropriate to the existing house.
4. Bring the exterior staircase on the garage inside.
5. The proposed addition should be subordinate to and smaller than the existing building.
6. A parking modification request would be supportable with a two-car garage (instead of three) and two uncovered parking spaces (instead of one).
7. There should be a pedestrian door from the proposed attached garage to connect it to the existing house.
8. What is being proposed is reading too symmetrical. Restudy the north elevation horizontal windows so that they are more appropriate to the style of the architecture.
9. The two columns on either side of the proposed master bedroom are uncharacteristic for this style of architecture. The French doors with lights on either side do not read as an appropriate fenestration for a master bedroom; rather, they look like two front doors.
10. Details of the existing building should be replicated on the new structure, such as the rafter tails and belly bands.
11. It was found that a Phase 2 Historic Structure/Site Report is not yet necessary.

Action: Mahan/La Voie, 7/0/0. (Drury/Suding absent.) Motion carried.

CONCEPT REVIEW - CONTINUED

7. **1626 SANTA BARBARA ST** R-3 Zone

(3:40) Assessor's Parcel Number: 027-192-024
 Application Number: MST2014-00469
 Owner: Fulmer Family Trust
 Architect: Detlev Peikert

(Proposal to construct a new two-story attached 658 square foot, three-car garage with a 658 square foot residential unit above. The proposal includes the addition of a new one-story, 452 square foot master bedroom and an 88 square foot dining room to an existing single-family residence. The site is already developed with an existing, 2,156 square foot, two-story residence. The proposal will include a total of three-covered parking spaces and one-uncovered space. The proposed site development is 4,012 square feet, located on a 20,900 square foot lot. The proposal includes the relocation of the driveway and a new curb cut. This structure is a potential historic Structure of Merit.)

(Second Concept Review. Comments only; environmental assessment and Staff Hearing Officer modifications are requested. Project last reviewed November 5, 2014.)

Actual time: 5:10 p.m.

Present: Detlev Peikert, Architect, Peikert Group Architects, LLP
 Bob and Pat Fulmer, Property Owners

Public comment opened at 5:18 p.m.

Jack Hewett, local resident, expressed support for the project.

Chair Suding acknowledged receipt of written correspondence from Craig Zimmerman, Douglas Hayes, and Larry Feinberg expressing support for the project.

Public comment closed at 5:25 p.m.

Motion: Continued indefinitely with comments:

1. Appreciation was expressed for the owners' stewardship and care of this historic structure.
2. The project is ready for project design approval.
3. The architecture and design are appropriate for this historic resource, and no further historical analysis is required. The Historic Landmarks Commission finds that the project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15183, based on the Commission's analysis and CEQA Certificate of Determination on file for this project.
4. The addition's mass, bulk and scale are appropriate for the historic resource.
5. Study the circulation dimensions on the front hardscape. Minimize the amount of paving material and express the prioritization of the front entrance as the prime walkway to the house.
6. Amend the arborist report to address the proposed raised driveway and its impact to the existing Moreton Bay fig tree roots.
7. Staff is directed to begin the process of designating the site as a Structure of Merit.

Action: La Voie/Mahan, 7/0/0. (Shallanberger/Winick absent.) Motion carried.

Additional individual comments:

- As a mitigation for the garage facing the street, perhaps provide outriggers and the ability to plant a vine across the garage doors to make it look somewhat set back from the street. The proposed garage is supportable as the garage is trimmed nicely with lovely doors and subservient to the main house.

PROJECT DESIGN REVIEW

8. **715 CHAPALA ST** C-2 Zone

(4:10) Assessor's Parcel Number: 037-082-008
 Application Number: MST2014-00510
 Owner: Nancy Brock Trust
 Applicant: Don and Ra Disraeli, Kanaloa Seafood
 Architect: Michael Holliday, DMHA Architecture + Interior Design

(Proposal for Phase 2 tenant improvement including a change of use for the existing 1,956 square foot building from automotive to restaurant use for Kanaloa Seafood. The proposal includes 28 outdoor dining seats, 7 tables and umbrellas. Signage will be submitted under separate permit. Phase 1 site and parking improvements are being reviewed under a separate application (MST2014-00320).)

(Project Design Approval is requested. Project was last reviewed on October 22, 2014.)

Actual time: 5:53 p.m.

Present: Michael Holliday, Architect, DMHA
Jerry Rocci, Project Manager, DMHA

Public comment opened at 6:03 p.m. and, as no one wished to speak, it was closed.

Motion: Project Design Approval and continued indefinitely for details with conditions:
 1. Restudy the black steel planters.
 2. The window on the south elevation facing Ortega Street should not have tile below it.

Action: Sharpe/Murray, 6/0/0. (Orías/Shallanberger/Winick absent.) Motion carried.



July 29, 2014

Robert Fulmer
1930 Mission Ridge Rd.
Santa Barbara, California 93103

965-4418/404-9868

MEMORANDUM: RE - Moreton Bay Fig at 1626 Santa Barbara St.

I met with Robert Fulmer at 1626 Santa Barbara Street on July 23, 2014 to consult on the Moreton Bay Fig tree on the property. The primary concern for my visit was the potential conflict of tree roots with construction on top of the existing concrete pad.

The large double trunk tree appeared to be in good condition, although drought has decreased its vigor which should recover with some deep watering. It would be beneficial to deep water the tree at least once per month until the commencement of winter rains to wet soil at least 3"-6" deep.

I recommended excavating a trench along the edge of the existing concrete pad to a depth of 12"-24" until it is clear that the final soil depth is not supporting root growth. Install a chemical or plastic root barrier to that depth in accordance with the manufacturer's recommendations. Cleanly cut any roots encountered with a sharp tool such as a hand saw, reciprocating saw, or lopping shears. Do not apply root sealers but irrigate the exposed soil profile between the tree and the root barrier after backfilling the trench. This work should not impact the health of the tree.

I also noticed limbs overhanging the areas that may be used for a structure, parking, or a yard from a potential lot split. It is appropriate to cut back the limb to an upright adjacent branch or trunk. This should be done by a qualified arborist that understands the proper way to prune trees. In addition, the cable that has come loose between the two large opposing trunks, should be replaced when pruning or sooner if pruning will not be done before winter.

Please contact me with any questions.

Prepared by: Bill Spiewak

Bill Spiewak
Registered Consulting Arborist #381
American Society of Consulting Arborists

Board Certified Master Arborist #310B
American Society of Consulting Arborists



THE BEAVER COMPANY, INC.

BOX 40279
SANTA BARBARA, CA 93106
805 968-3706
LIC #701272

JANUARY 7, 2015

Mr. & Mrs. Robert M. Fulmer
1930 Mission Ridge Road
Santa Barbara, CA 93103

Dear Mr. & Mrs. Fulmer

I have been in the tree business in Santa Barbara for 23 years and have worked for the Unity Church and cared for the historical Morton Bay Fig tree at 1626 Santa Barbara St. for more than 20 years. In connection with their sale of the property to you, I was asked to investigate how your wish to build a driveway to a three-car garage and turnaround area might affect the tree.

The large double trunk tree was in surprisingly good condition given the extensive drought that Santa Barbara had experienced during the past year. With careful pruning of minor roots, I do not anticipate any problems with vehicular access up to 50' (5.5 of the 9' squares on the existing building pad away from the original residence) which is what you have proposed for your garage. Unfortunately, the tree's root system does restrict expanding the garage access or turn around area to the north or west of your proposal.

To insure that hidden roots have not compromised the building pad, I recommended that we excavate a 12-24" trench along the western edge of the pad to be sure this soil depth is not supporting root growth. While any roots encountered through this process were cut away with a sharp instrument or saw, we were pleased at the lack of incursion.

We wish you success in this project and see no reason that your proposed project would compromise the historic tree.



Keith Strauss, Principal