



City of Santa Barbara Planning Division

STAFF HEARING OFFICER MINUTES

APRIL 27, 2016

CALL TO ORDER:

Susan Reardon, Senior Planner, called the meeting to order at 9:01 a.m.

STAFF PRESENT:

Susan Reardon, Senior Planner
Andrew Bermond, Project Planner
JoAnne LaConte, Assistant Planner
David Eng, Planning Technician II
Chelsey Swanson, Associate Transportation Planner
Rob Dayton, Principal Transportation 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 or appeals.

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

There were no general comments.

II. CONSENT ITEMS:

ACTUAL TIME: 9:02 A.M.

A. APPLICATION OF JARRET GORIN, AGENT FOR 803 NORTH MILPAS STREET LLC; 817 NORTH MILPAS STREET, APN 031-042-022; C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/HIGH DENSITY RESIDENTIAL (MST2005-00667)

Request for a two year time extension of the Tentative Subdivision Map approved by the Planning Commission on March 15, 2007, for 817 North Milpas Street. The extension is being requested pursuant to SBMC §27.07.110. The approved Map would have expired on March 15, 2016, however the time extension request was received prior to the expiration date. Due to potential future zoning changes as a result of the New Zoning Ordinance effort, Staff is recommending that the Staff Hearing Officer approve a one year time extension to March 15, 2017.

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

ACTION: **Assigned Resolution No. 025-16**
Approved a one year Time Extension making the findings as outlined in the Staff Report dated April 20, 2016.

Said approval is subject to the conditions as outlined in the Staff Report dated April 20, 2016.

ACTUAL TIME: 9:03 A.M.

B. APPLICATION OF JARRET GORIN, AGENT FOR 803 NORTH MILPAS STREET LLC; 803 NORTH MILPAS STREET, APN 031-042-028; C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/HIGH DENSITY RESIDENTIAL (MST2006-00510)

Request for a two year time extension of the Tentative Subdivision Map approved by the City Council on March 23, 2010, for 803 North Milpas Street. The extension is being requested pursuant to SBMC §27.07.110. The approved Map would have expired on March 23, 2016, however the time extension request was received prior to the expiration date. Due to potential future zoning changes as a result of the New Zoning Ordinance effort, Staff is recommending that the Staff Hearing Officer approve a one year time extension to March 23, 2017.

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

Public comment opened at 9:04 a.m.

Jarrett Gorin (Agent for Owner), clarified his request for a two year time extension for both requested project addresses as any future Ordinance changes would not

significantly affect the project and to save staff time and effort. Ms. Reardon stated she could not find with certainty that the projects would continue to conform to the City's Zoning Ordinances due to potential future zoning changes as a result of the New Zoning Ordinance, therefore, she could only grant a one year time extension for each project. This would not preclude the Applicant from returning in one year's time with another time extension request.

ACTION: **Assigned Resolution No. 026-16**
Approved a one year Time Extension making the findings as outlined in the Staff Report dated April 20, 2016.

Said approval is subject to the conditions as outlined in the Staff Report dated April 20, 2016.

III. PROJECTS:

ACTUAL TIME: 9:06 A.M.

A. APPLICATION OF LISA PLOWMAN, AGENT FOR 711 MILPAS STREET LLC, 711 NORTH MILPAS STREET, APNS: 031-121-011, -014, -016-017, -019, -021-022, -024, COMMERCIAL ZONE (C-2) AND PRIORITY HOUSING OVERLAY (37-63 DU/ACRE), GENERAL PLAN DESIGNATION: COMMERCIAL/HIGH RESIDENTIAL (28-36 DU/ACRE) (MST2015-00561)

The proposed project would construct a new four-story 80,309 square foot mixed-use development under the Average Unit-Size Density (AUD) Incentive Program on 1.54 acres at the corner of Milpas and Ortega Streets. Two existing 665-square foot residential units and 26,927 square feet of existing commercial retail and warehouse space would be demolished. A total of 6,656 square feet of commercial floor area under the Non-Residential Growth Management Program (GMP) is proposed as well as 51,065 square feet of residential use for 73 units. The unit mix would consist of 32 two-bedroom; 32 one-bedroom; and 9 two-bedroom units. A total of 100 parking spaces and 15 bicycle parking spaces would be required under the Zoning Ordinance, 94 parking spaces and 77 bicycle parking spaces are proposed.

The discretionary applications required for this project are:

1. Parking Modification to provide 94 parking spaces out of the required 100 parking spaces for the commercial component (SBMC §28.90.100 and SBMC §28.92.110); and
2. Front Setback Modification to allow 14 uncovered parking spaces to be located in the required five-foot variable front setback on Ortega Street (SBMC § 28.20.070 and SBMC § 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 15183 (Projects Consistent with a Community Plan or Zoning).

Present: Lisa Plowman, Agent; Scott Schell, Associated Transportation Engineers; Chelsey Swanson, Associate Transportation Planner, and Rob Dayton, Principal Transportation Planner.

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

Andrew Bermond, Project Planner, gave the Staff presentation and recommendation.

Public comment opened at 9:26 a.m.

- 1) Ralph Luikart, opposition (submitted letter); expressed concerns regarding parking density issues in the Ortega Street area. Suggestions were made to restrict or limit the parking time with posted signs for possibly 90 minutes, perpendicular parking will materialize free of red zone restrictions.
- 2) Don Scott, opposition; expressed concerns regarding traffic flow and difficult entrance and egress from Milpas Street to Ortega Street, and possible parking restrictions.
- 3) Natasha Todorovic, opposition; expressed concerns regarding the larger general picture of changes posed for a strained infrastructure in an already established area, such as water usage, etc.
- 4) Natalia Giovani, opposition; expressed concerns regarding building such a large size project in an already established charming community and neighborhood.

Public comment closed at 9:38 a.m.

An email and attached letter of concern from Charles DiMauro was received and acknowledged by Ms. Reardon. Other correspondence in opposition received from Ralph Luikart for Marcy Luikart (Owner of Monarch Office Services), and an opposition petition letter from the Ortega Street Neighbors (Marcy Luikart, Nancy Earle, Juanita Marrodan, Ryan Schmitz, Joe Madden, Charles DiMauro, Don Scott, Herman Pfauter, and Steve Nagelmann) were also received and acknowledged by Ms. Reardon.

Ms. Reardon clarified there were no City water restriction limits regarding new building construction within the City.

Ms. Swanson explained that the City restricts the use of the public right-of-way for construction activities including staging, storage of materials, etc. If the applicant desires to utilize the public right-of-way they must request and receive a permit from the Public Works Department.

Mr. Dayton clarified the proposed improved traffic flow and parking availability in the Ortega Street area. He clarified that the modification of commercial parking will not cause an increase in parking demand in the immediate area. He stated that

Transportation Staff would support time limits for the public and private parking on both sides of Ortega Street.

ACTION: **Assigned Resolution No. 027-16**
Approved the Front Setback and Parking Modifications making the findings as outlined in the Staff Report dated April 21, 2016.

Said approval is subject to the conditions as outlined in the Staff Report dated April 21, 2016, 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: 10:16 A.M.

B. APPLICATION OF VANGUARD PLANNING, LLC, APPLICANT FOR KENNETH OLSEN, 329 E. CANON PERDIDO STREET, APN: 029-301-048, C-2 (COMMERCIAL) ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/MEDIUM HIGH RESIDENTIAL (15-27 DU/ACRE) (MST2015-00483)

The 2,468 square-foot site is currently developed with a 683 square foot one-story single family dwelling and an “as-built” shed. The proposed project involves demolition of the existing development on site, construction of a new three-story 1,418 square foot single-family residence with a 161 square foot cellar, a new 668 square foot garage, a new roof deck with exterior stairway, a new balcony, new walls, stairs and associated grading. The proposed total of 2,086 square feet is 95% of the maximum guideline floor to lot area ratio (FAR). The proposal will address violations outlined in a Zoning Information Report (ZIR2015-00023) and an Enforcement Case (ENF2015-00115).

The discretionary applications required for this project are:

1. Front Setback Modification to allow a new garage to encroach into the required 20 foot front setback for parking that backs out onto the street and to allow the dwelling and steps to encroach into the required 15-foot front setback for three-story buildings (SBMC § 28.21.060 and SBMC § 28.92.110); and
2. Interior Setback Modification to allow the new garage, exterior stairway, roof deck and dwelling to be located in the required 10-foot interior setback to the east (SBMC § 28.21.060 & SBMC §28.92.110); and
3. Interior Setback Modification. to allow the new dwelling, balcony and steps to be located in the required 10-foot interior setback to the west (SBMC §28.21.060 and SBMC § 28.92.110); and

4. Rear Setback Modification to allow the new exterior stairway to be located in the required six-foot rear setback for the ground floor and to allow the new exterior stairway, roof deck and dwelling in the required 10-foot rear setback for the second and third story portions (SBMC §28.21.060 and SBMC § 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 15303 & 15305 (New Construction and Minor Alterations in Land Use Limitations).

Present: Jarrett Gorin, Applicant; and John Beauchamp, Architect.

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

JoAnne LaConte, Assistant Planner, gave the Staff presentation and recommendation.

Public comment opened at 10:53 a.m.

- 1) Lang Sligh expressed general support for the project and proposed modifications in the mixed-use neighborhood.

Public comment closed at 10:54 a.m.

ACTION: **Assigned Resolution No. 028-16**
Approved the Front Setback and West Interior Setback Modifications and a portion of the East Interior Setback and Rear Setback Modifications making the findings as outlined in the Staff Report dated April 21, 2016, and as revised at the hearing.

Said approval is subject to the conditions as outlined in the Staff Report dated April 21, 2016, 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: 11:11 A.M.

C. APPLICATION OF DON SWANN, DESIGNER FOR SAILER FAMILY TRUST, 1526 LA VISTA DEL OCEANO DR, 035-170-020, E-3 ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 5 DU/ACRE) (MST2015-00094)

Proposal to construct 171 square feet of first-floor additions and 617 square feet of second-floor additions to an existing 1,277 square foot, one-story, single-family residence with a detached 219 square foot, one-car garage. The project includes a new 400 square foot two-car garage, retaining walls, exterior steps, removal of an

80 square foot storage shed from the rear yard, and 88 cubic yards of grading to be exported off site. The proposed total of 2,263 square feet of development on a 5,005 square foot lot in the Hillside Design District is 93% of the required maximum floor-to lot area (FAR). The project includes Staff Hearing Officer review for requested zoning modifications to allow additions and alterations in the front setback and westerly interior setback. This project will address violations in Zoning Information Report ZIR2014-00300.

The discretionary applications required for this project are:

1. Front Setback Modification to allow a new two-car garage to encroach into the required 20-foot front setback for parking that backs out onto the street, and to allow a new French door, Juliet balcony, and eyebrow roof on the south elevation to also encroach into the 20-foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. Interior Setback Modification to allow the new garage to encroach into the required 6-foot interior setback to the west (SBMC § 28.15.060 and SBMC § 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 & 15305 (Existing Facilities and Minor Alterations in Land Use Limitations).

Present: Don Swann, Designer.

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

David Eng, Planning Technician II, gave the Staff presentation and recommendation.

The Public Hearing was opened at 11:19 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

ACTION: **Assigned Resolution No. 029-16**
Approved the Front and Interior Setback Modifications making the findings as outlined in the Staff Report dated April 21, 2016.

Said approval is subject to the condition added 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.

IV. ADJOURNMENT

Ms. Reardon adjourned the meeting at 11:26 a.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary