



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

AUGUST 31, 2016

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
Megan Lowery, Associate Planner
JoAnne LaConte, Assistant Planner
Andrew Perez, Planning Technician II
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.

Ms. Reardon announced an appeal has been filed on the Staff Hearing Officer's August 17, 2016 denial of a Parking Modification to allow one covered parking instead of the two required for a project located at 246 San Clemente. The appeal has been tentatively scheduled to be heard by the Planning Commission on October 13, 2016.

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

There were no public comments.

II. CONSENT ITEMS:

ACTUAL TIME: 9:01 A.M.

A. APPLICATION OF ALICIA HARRISON, BROWNSTEIN HYATT FARBER SCHRECK, AGENT FOR 800 SANTA BARBARA STREET LLC, APN: 031-012-028, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/HIGH DENSITY RESIDENTIAL (MST2006-00129)

This is a request for a two year time extension for the Tentative Subdivision Map approved by the City Council on September 30, 2008 for 800 Santa Barbara Street. The approved Map will expire on September 30, 2016 with the statutory extensions provided by the State, however the time extension request was timely submitted prior to the expiration date. Due to specific requirements needed for this particular project to obtain building permits, staff is recommending that the Staff Hearing Officer approve a two year time extension to September 30, 2018.

The 2008 approved project consists of the demolition of the existing 1,965 square-foot one-story commercial building and the construction of a 14,747 square-foot, two and three-story mixed-use building containing six residential condominium units and ten commercial condominiums. The residential mix includes five three-bedroom units and one two-bedroom unit, ranging in size from 1,316 square feet to 2,249 square feet to 478 net square feet. Twenty-seven parking spaces are proposed in an underground parking structure, with eleven of those spaces provided per a lease agreement with 223 E. De la Guerra Street. The project is approved under variable density standards applicable in 2008.

Present: Steven Amerikaner, Attorney.

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

Megan Lowery, Associate Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 9:02 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

Ms. Reardon stated that given the Zoning Ordinance update currently underway, the required finding for consistency with the Zoning Ordinance could only be made for a one-year time extension. She indicated that the approval of a one-year time extension would not preclude the applicant from requesting another one-year time extension at a later date.

ACTION: **Assigned Resolution No. 052-16**
Approved a one-year Time Extension to September 30, 2017, for the Tentative Subdivision Map and Development Plan, subject to the original Conditions of Approval contained in the Planning Commission Resolution No. 022-08, dated June 12, 2008.

III. PROJECTS:

ACTUAL TIME: 9:06 A.M.

A. APPLICATION OF MARK MORANDO, APPLICANT FOR BRUCE BIVENS AND LESLIE BRUECKNER, 1127 BATH STREET, APN 039-212-010, R-4 (HOTEL-MOTEL-MULTIPLE RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: HIGH DENSITY RESIDENTIAL (28-36 DU/ACRE) (MST2016-00070)

The 6,026 square foot site is currently developed with 1,100 square foot single-family dwelling, a detached 298 square foot, two-car garage and a rear dwelling of 560 square feet. The proposed project involves the demolition of the existing garage, and replacement with a 480 square foot, two-car garage, alterations to the existing rear deck, the infill of an exterior door out of the utility room, and permit the as-built full bathroom in the utility room.

The discretionary applications required for this project is an Interior Setback Modification to allow the proposed garage to encroach into the required 6-foot interior setback (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 15301 and 15305 (Existing Facilities and Minor Alterations to Land Use Limitations).

Present: Mark Morando, Applicant; and Bruce and Leslie Brueckner, Owners.

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

Andrew Perez, Planning Technician II, gave the Staff presentation and recommendation.

The Public Hearing was opened at 9:15 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

Ms. Reardon questioned that, given the garage was being demolished, why the replacement garage was not proposed to meet the minimum interior dimensions. She also questioned the proposed one inch setback from the interior property line and the ability for future maintenance of that exterior portion of the garage. Ms. Reardon stated that the interior dimension of the replacement garage must meet the minimum requirements and that she could only support a 4-foot encroachment instead of the requested 6-foot encroachment.

ACTION: **Assigned Resolution No. 053-16**
Approved an Interior Setback Modification making the findings as outlined in the Staff Report dated August 25, 2016.

Said approval is subject to the conditions as outlined in the Staff Report dated August 25, 2016, and as revised at the hearing.

ACTUAL TIME: 9:23 A.M.

B. APPLICATION OF WAYNE LABRIE, ARCHITECT FOR WAYNE AND ELIZABETH LABRIE, 288 CANON DRIVE, APN 053-142-010, E-2 SINGLE FAMILY AND SD-2 SPECIAL DISTRICT ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAXIMUM 5 DWELLING UNITS/ACRE) (MST2015-00549)

The 13,721 square-foot site is currently developed with an existing two-story 2,576 square foot single-family residence including an attached 380 square foot two-car garage. The proposed project involves demolition, alterations, and additions to the residence, resulting in a 4,954 square foot, split-four-level single-family residence and basement. The alterations include: 1,143 square foot demolition of the existing 1,671 square foot first level; 528 square feet of the existing first level will remain and includes the existing garage and remodel of the existing floor area for a new laundry room and guest bedroom; excavation and construction of a new of 1,594 square foot basement; construction of 1,326 square foot new main entry level (level two); a 200 square foot addition to the existing master bedroom (level three); and a new 401 square foot master bedroom (level four). Other alterations consist of new and reconfigured decks, two new basement level courtyards, replacement of the existing driveway with new permeable paving, new permeable patios, removal of one existing tree and minor landscaping alterations. The proposed total of 4,954 square feet, located on a 13,721 square foot lot, is 99% of the required maximum floor-to-lot area ratio (FAR). The FAR includes a 797 square foot (50%) basement credit per SBMC §28.15.083.

The discretionary applications required for this project are:

1. Interior Setback Modification to allow for a window replacement located on the first floor and a new window and relocation of a window on the second floor within the required 8-foot interior (north) setback (SBMC §28.15.060 and §28.92.110); and
2. Solar Access Height Limitations Modification to allow changes to the north elevation of the building to exceed solar access height limitations by approximately 5'-4 1/4" (SBMC §28.11 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: Wayne Labrie, Architect and Owner.

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

Andrew Perez, Planning Technician II, gave the Staff presentation and recommendation.

The Public Hearing was opened at 9:35 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

An email in opposition from Shawn Graft expressing concerns for the proposed size, bulk, and scale, and parking on the street was acknowledged.

An email in support received prior to the meeting from Don and Sue Wood was acknowledged.

ACTION: **Assigned Resolution No. 054-16**
Approved the Interior Setback Modification and Solar Access Height Limitations Modification making the findings as outlined in the Staff Report dated August 25, 2016.

Said approval is subject to the conditions as outlined in the Staff Report dated August 25, 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: 9:45 A.M.

C. APPLICATION OF EDWARD DERAS, DESIGNER FOR ALAN LASH, 3058 CALLE ROSALES, APN 053-193-023, E-3 (ONE-FAMILY RESIDENCE) AND SD-2 (SPECIAL DESIGN DISTRICT 2) ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 5 DU/ACRE (MST2016-00286))

The 7,840 square-foot site is currently developed with a 1,220 square foot one-story single-family residence, a detached 322 square foot two-car garage and an “as-built” 46 square foot detached shed. The proposed project involves construction of a new 518 square foot veranda facing Calle Rosales and removal of the “as-built” shed.

The discretionary application required for this project is a Front Setback Modification to allow a new veranda for the dwelling to be located in the required twenty-foot front setback facing Calle Rosales (SBMC §28.15.060, 28.45.008, 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: Edward Deras, Designer and Agent.

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.

The Public Hearing was opened at 9:51 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

ACTION: **Assigned Resolution No. 055-16**
Approved the Front Setback Modification making the findings as outlined in the Staff Report dated August 25, 2016.

Said approval is subject to the conditions as outlined in the Staff Report dated August 25, 2016.

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: 9:55 A.M.

D. APPLICATION OF TOM OCHSNER, ARCHITECT FOR MICHAEL MALENGO, 1721 LA CORONILLA, APN 035-083-002, E-3 (ONE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 3 DU/ACRE (MST2016-00139))

The 6,500 square-foot site is currently developed with 1,363 square foot one-story single family dwelling with an attached 426 square foot two-car garage. The proposed project involves construction of a new 621 square foot second story addition with a new 286 square foot second-story deck. The proposed total of 2,410 square feet is 86% of the maximum required floor to lot area ratio (FAR). The proposal will address violations outlined in a Zoning Information Report (ZIR2014-00202).

The discretionary applications required for this project are:

1. A Front Setback Modification to allow construction of a conforming second-story addition with a new second-story deck that will change the basic exterior characteristics of the existing residence that is nonconforming to the required 30-foot front setback (SBMC § 28.87.030 and SBMC § 28.92.110); and

2. An Interior Setback Modification to allow construction of a conforming second-story addition with a new second-story deck that will change the basic exterior characteristics of the existing residence that is nonconforming to the required 10-foot west interior setback (SBMC § 28.87.030 and SBMC § 28.92.110); and
3. An Interior Setback Modification to allow construction of a conforming second-story addition with a new second-story deck that will change the basic exterior characteristics of the existing residence that is nonconforming to the required 10-foot east interior setback (SBMC § 28.87.030 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 and 15305 (Existing Facilities and Minor Alterations in Land Use Limitations).

Present: Tom Ochsner, Architect; and Michael Malengo, Owner.

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.

The Public Hearing was opened at 10:00 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

A letter in opposition submitted at the hearing from George Mogyoros, Owner of the property at 1717 La Coronilla Dr., was acknowledged.

ACTION: **Assigned Resolution No. 056-16**
Approved the Front Setback Modification and both Interior Setback Modifications making the findings as outlined in the Staff Report dated August 25, 2016.

Said approval is subject to the conditions as outlined in the Staff Report dated August 25, 2016.

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: 10:03 A.M.

E. APPLICATION OF ALLEN CONSTRUCTION, APPLICANT FOR FRIDEN FAMILY TRUST, 541 MOUNTAIN DRIVE, APN 021-103-007, A-1 (ONE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 1 DU/ACRE) (MST2016-00255)

The 18,268 square-foot site is currently developed with a 1,333 square foot one-story single-family residence, an attached 417 square foot two-car garage, an “as-built” detached 174 square foot accessory structure and a detached “as-built” 48 square foot shed. The proposed project involves demolition of the existing garage, covered porch, and “as-built” shed, construction of a new attached 493 square foot two-car garage, a new 251 square foot covered porch, permitting an "as-built" 174 square foot detached accessory structure, and for exterior alterations including “as-built” windows and a door and an interior remodel to the existing dwelling. The proposal will address violations outlined in a Zoning Information Report (ZIR2003-00888).

The discretionary application required for this project is a Front Setback Modification to allow a new garage and alterations with new openings for the dwelling in the required thirty-five foot front setback (SBMC §28.15.060 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: Greg Aragon, Designer and Applicant.

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.

The Public Hearing was opened at 10:13 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

An email from Cody Cammbell was acknowledged regarding concern over the construction dates and times for this project.

ACTION: **Assigned Resolution No. 057-16**
Approved the Front Setback Modification making the findings as outlined in the Staff Report dated August 25, 2016.

Said approval is subject to the conditions as outlined in the Staff Report dated August 25, 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.

IV. ADJOURNMENT

Ms. Reardon adjourned the meeting at 10:21 a.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary