



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: January 11, 2017
AGENDA DATE: January 18, 2017
PROJECT ADDRESS: 203 Chapala Street (MST2007-00634)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Irma Unzueta, Acting Senior Planner *IU*
 Tony Boughman, Assistant Planner *TB*

I. PROJECT DESCRIPTION

The project is currently under construction on a 20,553 square-foot site and includes a three-story, seven-unit residential condominium building. The proposed project involves building permit revisions consisting of minor alterations to the approved building. The alterations consist of minor changes to the roof, an open deck, windows, new doors, and a new mirador style bay window on the second story of the north elevation.

The discretionary application required for this project is a Rear Setback Modification to allow the proposed mirador style bay window to encroach into the required northern 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 Sections 15301 (Existing Facilities) and 15305 (Minor Alterations to Land Use Limitations).

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the request for a setback modification subject to the findings in Section V of this report.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Brian Cearnal	Property Owner:	203 Chapala St. LLC
Parcel Number:	033-041-001	Lot Area:	20,553 square feet
General Plan:	Hotel & Residential	Zoning:	R-4/SD-3
Existing Use:	Residential	Topography:	2% slope

Adjacent Land Uses:

North – Residential & Railroad
South – Residential

East - Hotel
West – Residential

IV. DISCUSSION

The seven-unit residential condominium building currently under construction was approved by the Planning Commission in 2009 and the Historic Landmarks Commission (HLC) in 2015. The land use approvals for the project consisted of: a coastal development permit; a tentative subdivision map for condominiums; a modification to allow a portion of the building to remain in the front setback along Yanonali Street; a modification for an accessible parking access aisle to encroach into the front setback along Los Aguajes Avenue; and a modification to allow the second story to encroach into the rear setback on the north side of the property opposite Yanonali Street.

The project is requesting building permit revisions for minor alterations to the approved building. One revision to the building permit proposes to add a bay window projecting from the second-story northern wall of the residential unit at the north side of the building. This is in the area of the building for which a rear setback modification was approved to allow the second story to stack directly over the first floor, six feet from the northern property line rather than observe the required second-story rear setback of ten feet. The proposed bay window has a three foot high sill and protrudes two feet beyond the wall. It does not provide additional floor area within the setback. The Zoning Ordinance allows this type of window to encroach into a front setback, but not into an interior or rear setback.

The approved project demolished the previously existing 11,211 square foot commercial building and reconstructed the historic portion closest to Chapala Street of approximately 1,300 square feet. This structure is on the City's List of Potential Historic Resources as the Chapala Street façade of the previous commercial building is a contributing resource to the West Beach Historic District. The window will not affect the historic integrity of the reconstruction of the front façade of the building

This project was reviewed on the HLC Consent Agenda for the proposed revisions on January 11, 2017, with comments that the proposal is an enhancement to the architecture, is consistent with applicable HLC design guidelines, and the requested setback modification poses no negative aesthetic impacts. Draft minutes of the that meeting are attached.

Staff recommends approval of the requested Rear Setback Modification. Bay windows are allowed encroachments into front setbacks as they are generally considered architectural enhancements to the most visible façade of a building and are unlikely to pose privacy concerns to adjacent neighbors. The location of the proposed bay window in the rear setback is adjacent to surface parking, Mission Creek, and faces the Santa Barbara train station platform 200 feet away. The mirador window enhances the architecture and adds interest to the façade of the building facing the train station where the previous façade was plainer with smaller windows. The proposed larger bay window is located in the master bathroom next to the bathtub. It is not

expected to pose privacy concerns to neighbors as it overlooks the parking lot of the adjacent apartment building and is approximately 55 feet from the nearest wall of the apartment building.

V. FINDINGS

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed Rear Setback Modification for the window encroachment into the northern rear setback is appropriate because it enhances the appearance of the building, it will not adversely affect the adjacent properties due to the minor extent of the encroachment and the distance to development on the adjacent properties.

Exhibits:

- A. Plans (under separate cover)
- B. Applicant's letter, dated December 22, 2016
- C. HLC Consent Agenda Draft Minutes January 11, 2017

Contact/Case Planner: Tony Boughman, Assistant Planner
(TBoughman@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x 4539



City of Santa Barbara California

*** SEPARATELY DISTRIBUTED SITE PLAN ***

Exhibit A: This site plan for this Staff Report has been distributed separately. A copy of the Staff Report, site plan, and exhibits/attachments are available for viewing at the Planning and Zoning Counter at 630 Garden Street, Santa Barbara, CA between the hours of 8:30 a.m. and 4:30 p.m., Monday through Thursday, and every other Friday.

Please check the City Calendar at www.SantaBarbaraCA.gov to verify closure dates.

EXHIBIT A

December 22, 2016

City of Santa Barbara
Community Development, Planning Division
630 Garden Street
Santa Barbara, CA 93101
Attn: Betsy Teeter
Modification Hearing Officer

Re: Modification Request
MST: 2007-00634
203 Chapala Street
Santa Barbara, CA 93101
APN #033-041-001

RECEIVED
DEC 22 2016
CITY OF SANTA BARBARA
PLANNING DIVISION

Dear Betsy,

We are requesting a Modification to allow for the encroachment of a 'Mirador', or bay window, into the Northern side yard setback of the above referenced project.

This architectural feature, which in Spain is called a 'Mirador', conforms with 28.87.062 A.2. However, pursuant to 28.87.062 B.4 it is considered a bay window and thus requires a Modification to encroach into a side yard due to the concern over the privacy of adjacent neighbors.

Our justification for this request is as follows:

1. There is no impact on the privacy of our adjacent neighbor, an apartment complex, due to the fact that the parking serving the apartments is adjacent to the proposed 'Mirador'.
2. The lot configuration along Mission Creek (see site plan) prevents any future privacy issues should there be redevelopment of the adjacent property due to required creek setbacks.

EXHIBIT B

3. The 'Mirador' significantly increases the aesthetics of the North Elevation of the project when viewed from the Train Station & Moreton Bay Fig.

On behalf of Black Valner, LLC, we would like to thank you in advance for processing this Modification request as soon as possible. Should you have any questions or concerns regarding this request, please do not hesitate to contact me at (805) 963-8077, ext. 203

Respectfully,

A handwritten signature in black ink, appearing to read 'B. Cearnal', with a vertical line through the first letter 'B'.

Brian Cearnal, AIA, LEED AP
Partner
Cearnal Collective, LLP

Cc: Alberto Valner

encl

REVIEW AFTER FINAL**A. 203 CHAPALA ST****R-4/SD-3 Zone**

Assessor's Parcel Number: 033-041-001
Application Number: MST2007-00634
Owner: 203 Chapala Street, LLC
Architect: The Cearnal Collective, LLP

(This structure is on the City's List of Potential Historic Resources as a contributing resource to the proposed West Beach Historic District, formally the 7-Up Bottling Plant. Proposal is to demolish 9,909 square feet of an existing 11,211 square foot commercial building and construct a 12,277 square foot addition, resulting in 13,579 square feet of residential floor area. The building would change use from commercial to residential, resulting in seven new three-bedroom residential condominiums. Zoning Modifications were approved for the encroachment of the existing structure into the front setback on Yanonali Street upon the change of use, and the encroachment of the van-accessible parking access aisle into the front setback on Los Aguajes Avenue. The maximum building height is proposed to be 33'-0". Sixteen parking spaces are proposed in seven private garages, two carports, and two uncovered surface guest spaces.)

(Proposal for alterations to the approved building currently under construction. A new mirador style bay window is proposed on the north elevation that encroaches into the required interior setback. Comments Only. Staff Hearing Officer review of a setback modification is requested.)

Continued to the Staff Hearing Officer with the following comments:

1. The proposed bay window on the north elevation enhances the architecture and is acceptable as presented.
2. The proposal is consistent with applicable HLC design guidelines.
3. The requested setback modification poses no negative aesthetic impacts.