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March 11, 2011

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VIA HAND DELIVERY

Honorable Mayor Schneider and Members of the City Council
City of Santa Barbara
735 Anacapa Street
Santa Barbara, CA 93101

RE: Appeal of March 3, 2011 Planning Commission Decision
415 Alan Road, APN 047-091-024
MST 2009-00083

Dear Mayor Schneider and Members of the City Council:

This appeal letter is submitted on behalf of the applicants, Mr. and Mrs. Andrew Seybold, and requests the City Council reverse the Planning Commission's March 3, 2011 decision and grant approval of the proposal to create one new single family residential parcel. The approvals required for this project include a Tentative Parcel Map, Lot Area Modification and Coastal Development Permit and a corresponding General Plan Amendment, Local Coastal Plan Amendment and Zoning Map Amendment.

The proposed project would allow for the future construction of one new, modest-sized, single-family home in a nearly built-out neighborhood. The Seybolds plan to build a one-story, three to four bedroom home that is compatible with the character and scale of surrounding homes. This would be a "smart home," showcasing the most current home automation technologies and including solar power and many other energy efficient and sustainable features.

Project History

On June 11, 2009, the Planning Commission voted 3-2 to deny the Seybolds' application to initiate a General Plan Amendment, Coastal Plan Amendment and Zone Change. On November 10, 2009, the City Council upheld the Seybolds' appeal and initiated a Zone Change, General Plan Amendment and Local Coastal Plan Amendment for APN 047-091-024. At that hearing, Council directed the Seybolds to work with staff to determine the appropriate density to meet the project goals and be consistent with City policy and practices.

In the following year, the Seybolds worked with staff and reached the conclusion that three dwellings per acre is an appropriate density for the proposed new single family residential lot and is consistent with the designated density for other hillside areas. During that same period, City staff prepared a Land Use Map as part of the General Plan Update which included a change to the land use designation for the surrounding Braemar Tract and Alan Road neighborhood from one dwelling per acre to three dwellings per acre. This General Plan change is intended to make the land use designation for this neighborhood more consistent with the existing zoning and actual development pattern in the neighborhood.

On September 29 and 30, 2010, the Planning Commission conducted hearings on the General Plan Update and forwarded its recommendations to the City Council. Its recommendations included a change to the General Plan land use designation for the Braemar Tract and Alan Road neighborhood, including 415 Alan Road, to three dwellings per acre.

In a report to the Planning Commission for the March 3, 2011 hearing, Planning staff recommended approval of the Seybolds' application. On a vote of 3-2, the Planning Commission denied the application.

Requested Action

Mr. and Mrs. Seybold respectfully request the City Council reverse the Planning Commission's March 3, 2011 decision and approve the following:

1. General Plan Amendment to change the land use designation for a portion of 415 Alan Road (proposed Parcel B) from Residential, One Dwelling per Acre to Residential, Three Dwellings per Acre (14,520 sq. ft. per unit).

2. Local Coastal Plan Amendment to change the land use designation for a portion of 415 Alan Road (proposed Parcel B) from Residential, One Dwelling per Acre to Residential, Three Dwellings per Acre (14,520 sq. ft. per unit) and to change the zoning map designation as described below.

3. Zoning Map Amendment to rezone a portion of 415 Alan Road (proposed Parcel B) from A-1/S-D-3 (Single Family Residential) to E-3/SD-3 (Single Family Residential).

4. Tentative Subdivision Map to allow the division of one parcel into two parcels, resulting in one new developable parcel.

5. Lot Area Modification to allow the remainder parcel (proposed Parcel A) to be less than the required lot size of 1.5 acres required for lots with slopes of 10-20 percent slope in the A-1 zone district.

6. Coastal Development Permit for development within the non-appealable jurisdiction of the Coastal Zone.

Reasons to Support the Proposal

This project has received broad support from the surrounding neighborhood, is consistent with existing City policies and good planning practice, and would create one new developable parcel with appropriate development limitations to make it a substantial benefit to the surrounding neighborhood and community as a whole.

1. **The project will create parcels that are compatible with the neighborhood.** The proposal takes advantage of an infill housing opportunity while not changing the character of the neighborhood. There are relatively few places in the City where additional housing can be provided without changing the character of the neighborhood, and this is one of those places. The proposed new 14,601 square-foot parcel is similar in size to surrounding properties which have an average lot size of 13,970 square feet.

Further, consistent with City Council direction at the June 2009 hearing to evaluate scenarios that would result in a home that provides a substantial community benefit, the Seybolds propose to include a deed restriction limiting future development on the new lot to a one-story, 2,000 square-foot home with a 500 square-foot garage, and to keep development on the front of the lot to avoid the steepest slopes on the property which are at the rear. The floor area ratio (FAR) of 0.17 for this new home would match the prevailing FAR in the surrounding neighborhood. The existing house, which would remain on a 45,056 square-foot parcel, would have the same FAR (0.09) as the four parcels adjacent to it along Cliff Drive that were part of the original subdivision that created the 415 Alan Road parcel.

2. **It is good housing policy to encourage small scale infill development.** Encouraging small scale infill where it is compatible with the existing neighborhood is an important tool in planning for the City's housing needs and is supported by current City policy. The City's adopted Housing Element includes the following provisions:

> Protect existing neighborhood character while encouraging compatible infill development. (Goal 3.)
>
> Where appropriate and legally possible, reduce or remove governmental constraints to the maintenance, improvement, and development of housing. (Goal 5.)
>
> Support the development of infill residential projects in the City. (Implementation Strategy 4.1.10.)

3. **It is good planning policy to encourage infill where services already exist.** This property is already served by all utilities and is located less than 200 feet from a bus stop on Cliff Drive with direct service to the Mesa, downtown, and La Cumbre Plaza. It is also close to numerous bicycle routes that provide access to all areas of the City and is a short walk or bike ride to recreation areas including Arroyo Burro Beach, the Douglas Preserve and Elings Park.

4. **The proposed project would allow for better use of an odd-shaped lot and more efficient use of scarce vacant land in the City.** The proposed new parcel already appears to be a separate lot because it is physically separated from the existing house and yard area. The established infrastructure and lack of significant natural resources on the property make this an ideal location for infill development that fits with the existing scale and character of the neighborhood. The enclosed visual simulation shows a bird's eye view of the neighborhood as it exists today and as it would appear with the additional home.

5. **The project would result in no significant impacts on the environment.** With the proposed limitations on the size and scale of development, future development of this new lot would not require excessive grading. Further, as stated in the March 3, 2010 staff report to the Planning Commission, the site is a disturbed area devoid of native vegetation, is over 200 feet from Arroyo Burro Creek and riparian areas, contains soils suitable for residential development, and contains no archaeological resources. Moreover, the site is served by existing public services and surrounding intersections have the capacity for additional residential development.

6. **The land use designation change for this neighborhood corrects a discrepancy between the land use designation and zoning for the Braemar Tract/Alan Road neighborhood that has lingered for too long.** Principles of sound community planning, as reflected in California law, hold that a general plan should be consistent with all other land use regulations, including the zoning ordinance (Government Code §65860). While Santa Barbara is exempt from this legal requirement because it is a charter city, general plan and zoning consistency is nonetheless good planning practice. The Seybolds' proposed change in the General Plan land use designation for the new parcel is consistent with the staff-proposed change in the General Plan for the entire area. Both changes reflect the actual density and development pattern of this built-out neighborhood. No other parcels would have the potential to be further subdivided to create additional developable lots.

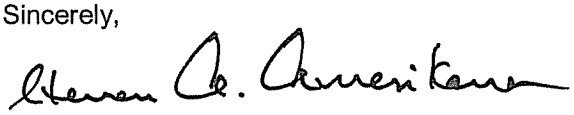
7. **The proposed project is supported by the neighborhood.** The Seybolds have worked hard to keep their neighbors informed of their plans for their property and address any concerns raised. The project is supported by their neighbors who recognize the home can add value to the neighborhood and, with the proposed development limitations, will fit the existing character of Alan Road.

Conclusion

Based on the foregoing, we respectfully request that the City Council reverse the Planning Commission's decision and approve this project.

Thank you for your time and consideration.

Sincerely,



Steven A. Amerikaner

Enclosure

cc: Mr. and Mrs. Andrew Seybold (by email)
Scott Vincent, Assistant City Attorney (by email)
Paul Casey, Community Development Director (by email)
Danny Kato, Senior Planner (by email)
Peter Lawson, Associate Planner (by email)

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415 Alan Road: Today

415 Alan Road: Proposed