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ENVIRONMENTAL LAW

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CITY CLERK'S OFFICE

August 21, 2014

VIA HAND DELIVERY
City Clerk
City of Santa Barbara
735 Anacapa Street
Santa Barbara, California 93101

RE: Appeal of August 11, 2014 SFDB Approval – 215 La Jolla Drive Project

Dear Clerk:

This office represents Ms. Rhonda Seiter who hereby appeals the August 11, 2014 City Single Family Design Board ("SFDB") Preliminary and Final Approval of the second story addition project at 215 La Jolla Street ("Project").

The Project is the first second story approved on the block and in the nearby neighborhood, which was originally designed and constructed to utilize the sloping topography to create private spaces on each lot, provide vistas over adjacent lots below and achieve a consistent neighborhood character. Once one second story is approved, many other nearby homes will be required to add second story elements to regain lost views and privacy, and the character of the neighborhood will be altered. Notably, the SFDB has previously, up until this Project, rejected all proposals for second stories at surrounding houses based on the incompatibility of second stories with the relevant neighborhood.

The majority of the SFDB approving this Project erred by judging the Project's compatibility with a large "Immediate Neighborhood" as defined by the City's Single Family Residence Design Guidelines (all homes south of Cliff Drive and west of Mesa Lane), rather than comparing the Project to the "Neighborhood Study Area" defined by the Guidelines (the closest 20 homes). The Compatibility Guidelines direct: "[t]o help determine project compatibility with a neighborhood, the Single Family Design Board (SFDB) will generally refer to a "Neighborhood Study Area" defined [as] the twenty (20) closest homes to a proposed project." Single Family Residence Design Guidelines, page 15-C. There are no second story homes among the 20 closest homes, so the SFDB majority expanded the relevant neighborhood and found the Project compatible with the much larger "Immediate Neighborhood" without considering the Project's compatibility with the Neighborhood Study Area.

Ms. Seiter lives uphill from the Project and as configured, the Project will compromise Ms. Seiter's privacy, virtually eliminate the view of the ocean currently enjoyed from her home, and, through the design of the house, introduce lighting that will be visible from a substantial portion of the surrounding neighborhood, including the Douglas Family Preserve. Ms. Seiter has sought to raise these concerns to the SFDB and to City staff, but these concerns have not been

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meaningfully addressed, even though it is possible to achieve the Project purposes without causing such impacts to the neighborhood.

By this appeal, we ask Council to vacate the SFDB's approval of the Project, find the Project to be incompatible with the neighborhood pursuant to the Single Family Residence Design Guidelines, and direct the applicant to revise their remodel design to eliminate the second story element.

I. Background and History of the Neighborhood:

The Project is on La Jolla Drive, a short residential block located one block from the Douglas Family Preserve. The houses are stair-stepped up the street. All are one story houses in the Eichler-design theme. Many have been remodeled, and all previous requests for second story room additions on this block have been denied by the City.

La Jolla Drive is part of the Shoreline Terrace Tract, which was actually two tracts — La Jolla Drive being Tract Shoreline Terrace No. 2 (4/27/1961 R.M. Bk. 55, Pg. 90) while houses to the east, which included the model homes, were part of Tract Shoreline Terrace No. 1 (1/20/1961 R.M. Bk. 55, Pg. 08). La Jolla Drive is unique because of its particular geography and history. All of the houses on La Jolla Drive are located on a terraced hill with an overall design that allows residents views from the south side of their houses. (The north side windows as originally planned face a fence and retaining wall.) The houses on the upper portion of the street starting with 225 La Jolla Drive have views of the ocean and islands. None of the houses on La Jolla Drive meet the current setback requirements, and this close proximity of all of these single story houses is mitigated by the lack of two-story additions on any of the twelve houses.

Another unique feature that sets La Jolla Drive apart from surrounding neighborhoods is that this portion of the tract development was the last row of houses to the west until Tract 20,158 Seacliff R.M. Bk.94, pg. 93-94, (4/18/1978) was built in the late '70's. Due to neighborhood opposition to two-story houses adjacent to the terraced, south-windowed houses on La Jolla Drive, the Seacliff Terrace developer George Meeker and agent James Morris agreed with the Planning Commission that all two-story houses would be eliminated from the final plan, ridge heights would not exceed 15 or 16 feet, and that the homes approved by the Map would all be single story, with the specific exception of three split-level houses located on the upper northwest edge of the development, and thus not impacting any of the then-existing homes in the neighborhood. These agreements also created a pedestrian easement to the Wilcox property, which is now the Douglas Family Preserve. (These agreed upon conditions can be found in the file for 2547 Medcliff Road with the final agreements stated in a letter to James Morris from the Division of Land Use Controls dated April 13, 1977.)

These agreements in response to neighborhood opposition to two-story houses and concerns over the effect of second story homes altering the character of the neighborhood were revisited in

1989 when the owners of 2547 Medcliff Road (also referred to as lot #11 of the Seacliff Terrace subdivision Final Map No. 20,158 dated November 1977) applied for a lot split. Resolution 060-89 states that future development on the lot would be limited to "a height of one story for a maximum of sixteen feet (16') to the highest roof peak above the 150 foot grade contour. This condition shall appear on all the construction plans."

This unique, low sky-line character of La Jolla Drive and north-south Selrose Lane has continued to be preserved as recently as 2007 when a second story proposal at 229 La Jolla Drive was reduced to a single story with an increased ridgeline, and again in 2009 when a second story proposal at 214 Selrose Lane was denied. A remodel at 2547 Medcliff Road added a loft, however neither of the neighborhood notifications (SFDB and SHO) indicated that the remodel included a second story and it must be assumed this is also a single story structure designed and built in accordance with these applications and the aforementioned Final Map conditions.

Corroborating the above, David Van Hoy, the Project architect and a former resident in the block, described the architectural intention, design and construction history of the La Jolla Drive homes and the original Shoreline Terrace subdivision as follows:

> "A little bit of history on the immediately adjacent neighborhood of La Jolla. It was developed, actually designed by Ken Kruger and built in 1959 and 1960. It's a wonderful street of like 26 homes that are one story tall, been well cared for for 49 years, that are designed in a way that they step up the hill. They're pretty much glass on the south elevation, open to their private yards. And it's just a genius design. Unfortunately the proposed project really, really peers directly into three or four of those homes because they're sort of open to that side and really compromise the privacy and the enjoyment, quiet enjoyment of those particular properties.
>
> When the Selrose Project, all of Selrose was developed in, I'm told about 1979 just a few years before my family moved into the neighborhood, and there was some negotiation with the neighborhood at that point in time and you'll notice this as mentioned that the two story homes were only located on the uphill, opposite side of the street, and there was respect for the La Jolla neighborhood and the one story homes along that side of the street where the project was proposed so that there was some compatibility between massing, which has been successful ever since then."

David Van Hoy comments to the Single Family Design Board, 10/26/2009, re: second story project proposed for 214 Selrose Lane.

La Jolla Drive is the second street east of the Douglas Family Preserve, and the project is visible from various places near the Douglas Family Preserve's Medcliff Road entrance. While the

structural elements of other houses is visible from this vantage, there are no other large or tall windows visible from the Medcliff Road entrance area, and the extensive glass on the southern and western sides of the second story will create a "lantern effect" as the glass and underside of the large roof overhangs are illuminated by interior lighting. Persons accessing the Douglas Family Preserve via Medcliff Road can view the second story structure from the road, including the windows and the underside of the roof overhang.

II. Project Background

The proposed Project involves the demolition and expansion of the existing garage (pursuant to SHO-approved modification), remodeling of the interior of the existing house, and the addition of a new second story with a bedroom and bathroom. This appeal concerns only the second story approved by the SFDB.

The lot is shown by survey at 5996 square feet (59.96' X 100.0'), although the applicant's calculation of FAR appears to have been based on a 6,000 square foot ("SF") lot. The project increases first floor area from 1111 SF Net to 1,914 SF Net, and adds a new second story with 379 SF Net interior plus an 86 SF exterior, second floor deck towards the center of the lot. The Staff Hearing Officer approved a setback modification that allowed expansion of the garage to meet Transportation Department requirements, however the record of that proceeding is unclear and it is uncertain whether the garage revisions were included fully in the FAR calculations. The applicant calculated the FAR at 84.85% of maximum. Single Family Residence Design Guidelines impose additional submittal requirements for projects in excess of 85% maximum FAR.

The design of the house and remodel is modern, and the second floor structure is accentuated by a large flat roof element that overhangs approximately 6 feet on all sides. The second story design includes continuous windows on the south and west sides, including clerestory windows (north, south and west walls), sliding glass doors (north and west side) and picture windows (south side), all facing and visible from the Douglas Family Preserve.

More importantly for the uphill neighbors, the Project includes 3 clerestory windows, a sliding glass door and a large window, all facing north.

In response to concerns that the Project's second story floor height will be the same as the house at 225 La Jolla Drive, and thus cause substantial impacts to privacy, the SFDB relied on the applicant's agreement with the intervening neighbor to plant bamboo to screen views, and identified additional bamboo on the landscaping plan.

III. Single Family Design Board Proceedings

The SFDB reviewed the Project several times, and some members continuously expressed concerns and reservations about the second story elements of the Project. The Project evolved through the SFDB review, but the second story element remained a part of every iteration. On July 28, 2014 the six (6) SFDB members present conducted a straw vote whether they could support a second story. Three could and three could not. The Chair proposed to allow the applicant to bring the Project back whenever they wanted, but cautioned the applicant to be mindful of members' vacation schedules. The Project was brought back at the next hearing, and on August 11 the Project was approved by a 4-3 vote, with the previously absent member stating he had not done a site visit or seen the story poles, and not addressing whether he had in fact reviewed any of the previous hearings, which were referenced extensively at the final hearing. There was no disclosure of *ex parte* communications at any point in the proceeding, except the Chair's disclosure of a prior business relationship with the applicant's attorney.

Central to the SFDB's deliberations, and the foundation for the split between the members' vote was the issue of what was the relevant neighborhood for purposes of determining the compatibility of the second story with the neighborhood under the Neighborhood Preservation Ordinance and the Single Family Residence Design Guidelines compatibility. Only by comparing the Project's second story to hundreds of homes in the West Mesa neighborhood from Cliff Drive to Mesa Lane was a bare majority of the SFDB able to find the project compatible.

IV. Neighborhood Preservation Ordinance and Single Family Residence Design Guidelines

The Neighborhood Preservation Ordinance (NPO) was adopted and the Single Family Design Board authorized to address the problem of oversized and incompatible houses being constructed, altering the character of neighborhoods for the worse. It addresses, inter alia, the goal of preserving and protecting Santa Barbara's natural charm and beauty and style, qualities and characteristics of the buildings, structures and architectural features associated with and established by its long, illustrious and distinguished past. It authorized the adoption of written Guidelines to "provide direction and appropriate guidance to decisionmakers". SBMC § 22.69.020.L.

The NPO requires that approval of any projects subject to the SFDB's jurisdiction must be supported by a series of Findings. SBMC § 22.69.050. These include Findings that the project is consistency with the scenic character of the City and will enhance the appearance of the neighborhood, that the project is compatible with the neighborhood, that the project "generally complies with the Good Neighbor Guidelines regarding privacy, landscaping, noise and lighting, and that the project preserves significant public scenic views. (*See* SBMC § 22.69.050.A.)

The definition of the relevant neighborhood is critical to the determination whether the Project is compatible with the neighborhood. The SFRD Guidelines provide direction regarding the relevant neighborhood to be analyzed, the size of which varies depending on particular circumstances. Discussed below, the "Neighborhood Study Area" of which 215 La Jolla Dr. is a part, is characterized exclusively by single-story and split level houses. Due to the hillside topography which allows for each home to have a view above its neighbor, the densely packed small lots, and other neighborhood characteristics described below, allowing the neighborhood to transition to two-story homes would fundamentally and adversely alter its character and diminish the desirability of the neighborhood's living environment. The Immediate Neighborhood, is also dominated with single story homes. Three split level homes are present on the outer fringes of the neighborhood, but are part of the Seacliff Tract 20,158 and not part of the Shoreline Terrace subdivisions. A second story home exists on a double sized lot at the top of the hill on Selrose Lane, which also is not a part of either the Shoreline Terrace or Seacliff subdivisions. Additionally, its location is such that it does not affect privacy or ocean views for the La Jolla Drive neighborhood.

a. Neighborhood Compatibility Guidelines

Pursuant to SBMC § 22.69.020, council must find that "[T]he proposed development is compatible with the neighborhood, and its size, bulk, and scale is appropriate to the site and neighborhood".

The SFRD Guidelines identify a number of Compatibility Guidelines including neighborhood, volume/bulk/massing/scale, and height. "The Compatibility Guidelines . . . **are more important for two-story homes than for one-story homes because two-story homes can appear more prominent in a neighborhood.**" (Guidelines p. 39-TS (emphasis added).)

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With respect to determining whether a given project is compatible with the neighborhood and maintains a desirable living environment[1], the SFRD Guidelines provide:

> When a change is made in an established neighborhood, it is essential to properly balance that change with a respect for the design features and characteristics of surrounding properties. Homes are more likely to be compatible when their volume and bulk are at an appropriate scale with their neighbors. This is the concept of neighborhood compatibility. New and remodeled houses can maintain a desirable living environment when they:
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> - Have an appropriate volume, bulk, massing and scale
> - Have a size that is not significantly larger than the immediate neighborhood
> - Use materials and designs that area compatible with their surroundings
> - Are sited such that they **do not block light and views** for other existing homes
> - **Minimize privacy impacts** to surrounding properties.

(SFRD Guidelines, p. i (emphasis added).)

The 215 Project demonstrably blocks views for other existing homes in the neighborhood and fails to minimize privacy impacts to surrounding properties, including 225 La Jolla. The 215 Project fails to maintain a desirable living environment since the design of the second story adds heights and volumes not currently experienced in the neighborhood, blocks light and views for other homes, and fails to minimize privacy impacts.

i. The "Neighborhood Study Area"

The SFRD Compatibility Guidelines establish: "**To help determine project compatibility with a neighborhood, the Single Family Design Board (SFDB) will generally refer to a "Neighborhood Study Area" defined below. A Neighborhood Study Area allows the SFDB to efficiently review homes for compatibility**." (SFRD Guidelines p. 15-C, emphasis added.) The SFRD Guidelines define "Neighborhood Study Area" as the twenty closest lots to a proposed project, as depicted by example on p. 15-C as follows:

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[1] "According to the City of Santa Barbara General Plan, 'Santa Barbara has, as its primary . . . [goal], the provision of a particularly desirable living environment.' . . . Home designs which achieve the following contribute to a desirable living environment: compatible with the surrounding neighborhood; preserve the City's visual resources; promote long-term sustainability." (SFRD Guidelines, p. i.)

Neighborhood Study Area: 20 Closest Homes Example

Ironically, the SFRD Guidelines Neighborhood Study Area example can be overlain upon La Jolla Drive and the relevant neighborhood, as contemplated by the Guidelines, can be easily ascertained.

ii. Defining and Describing the Applicable Neighborhood for 215 La Jolla

The Neighborhood Preservation Ordinance requires homes to be "compatible with their neighborhood." Pursuant to the SFRD Guidelines, the SFDB should focus their compatibility analysis on the "Neighborhood Study Area" or 20 closest homes. This focus is required by the SFRD Guidelines regardless of FAR.[2]

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[2] The SFDB majority, and some staff, have contended that the Neighborhood Study Area is only relevant and only considered when a project exceeds 85% of maximum FAR, and since this project is only 84.85%, the Neighborhood Study Area is not part of the SFDB analysis. Comments made by SFDB members and the applicant's counsel endorse this misreading of the Guidelines.

All 12 houses on La Jolla Drive have a low-lying Eichler-style design[3] forming a uniform and deliberate neighborhood architectural aesthetic that is itself worthy of preservation[4] and threatened by the proposed Project. The design of the original subdivision provided spaciousness despite the small lots by placing them just uphill from one another, siting the structure on the northern side and private yard space on the southern side of each parcel to afford privacy to the yards and south facing windows while allowing each single-story home to have a view above its neighbor (that for many homes includes ocean and island views). The neighboring subdivision to the west, between La Jolla and the Douglas Family Preserve deliberately eliminated second-story designs and imposed height limits of 15 to 16 feet in the development plans, in consideration of the fact that the adjacent existing homes on La Jolla Drive were all single story.

A former neighbor described the La Jolla Drive neighborhood to the SFDB in 2009 as follows:

> A little bit of history on the immediately adjacent neighborhood of La Jolla. It was developed, actually designed by Ken Kruger and built in 1959 and 1960. It's a wonderful street of like 26 homes that are one story tall, been well cared for for 49 years, that are designed in a way that they step up the hill. They're pretty much glass on the south elevation, open to their private yards. And it's just a genius design.

(Transcribed comments by member of the public, David Van Hoy to SFDB, 10/26/2009, concerning a second story addition that was proposed and rejected at 214 Selrose Lane.)

> When the Selrose Project, all of Selrose was developed in, I'm told about 1979 just a few years before my family moved into the neighborhood, and there was some negotiation with the neighborhood at that point in time and you'll notice this as mentioned that the two story homes were only located on the uphill, opposite side of the street, and **there was respect for the La Jolla neighborhood** and the **one story homes along that side of the street where the project was proposed so that there**

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[3] Eichler style has been characterized as "[m]odern, one-story wood and glass, architect-designed subdivision homes (unique to the postwar suburban building boom of the 1950s and '60s) that emphasize casual indoor-outdoor living." http://www.sunset.com/home/room-ideas/elements-of-eichler-style.

[4] Several communities in the state have prohibited second-stories and otherwise constrained development in Eichler neighborhoods, recognizing the value of the Eichler aesthetic, as well as the unique impacts to Eichler-style neighborhoods when new development dwarfs and looms over the existing small low-lying homes. (I.e. Community pressure resulted in Palo Alto, Sunnyvale, and San Rafael enacting single-story height limits for Eichler neighborhoods (http://totheweb.com/highlandsvoice/eichler_only_zoning.html).)

> **was some compatibility between massing, which has been successful ever since then.**

Id., (emphasis added).

As noted above, the SFRD Guidelines require that the design for a proposed remodel "carefully consider the neighborhood study area for a project." (SFRD Guidelines p. 15-C) The Neighborhood Study Area for 215 La Jolla would eliminate nine of these 29 closest homes, honing in on an even smaller area. Whether SFDB looks to the 20 closest homes, or the 29 closest homes to determine neighborhood compatibility, it is clear that low building heights and an absence of second-story development characterize the relevant neighborhood. The neighborhood beyond these 29 closest homes does not share the same characteristics that make the immediate neighborhood surrounding 215 La Jolla Dr. so unique. Accordingly, SFDB should not consider a larger area when considering neighborhood compatibility under the SFRD Guidelines and the Compatibility Guidelines.

iii. The "Immediate Neighborhood"

The SFDB majority's compatibility analysis relied exclusively on an inappropriately expansive definition of the Immediate Neighborhood that includes a large number of different size and style homes, and is in an area bounded by Mesa Lane to the east and Cliff Drive to the north (and DFP and the ocean). This was defined in repeated comments by the Chair as the area within a 15 minute walk of the Project.

This truncated definition ignored the remainder of the language in the Guidelines. There, the "Immediate neighborhood" is a neighborhood "**that has a combination of the following characteristics in common**:

- Similar Zoning
- **Properties built as part of the same original subdivision**
- Common access routes
- Walkable Radius (15 minutes, usually quarter mile radius)
- Similar architectural styles
- Similar tree and landscaping patterns
- Main streets, bridges, or railroad corridors as a boundary"

(Single Family Residence Design Guidelines, page 15-C, emphasis added.)

While zoning is similar throughout the western Mesa (E-3/S-D-3), the La Jolla Drive pocket neighborhood was conceived, designed and built as one phase of a 2 phase subdivision (the Shoreline Terrace Tract, which was processed as two maps recorded 3 months apart in 1961. Ja Jolla Drive was part of Shoreline Terrace No. 2 (4/27/1961 R.M. Bk. 55, Pg. 90) while houses to

the east (Balboa Drive and the western side of Via Sevilla) were part of Tract Shoreline Terrace No. 1 (1/20/1961 R.M. Bk. 55, Pg. 08).

The last row of houses to the west was not developed until Tract 20,158, named Seacliff, was approved in the late 1970's. Final Map No 20,158, recorded at Bk.94, pg. 93-94, 4/18/1978. See Exhibit B.

Exhibit A is the Parcel Map reflecting three subdivisions, two of which form the Immediate Neighborhood as defined by the Guidelines and the third of which is relevant to the character of the area.

The lots on La Jolla Drive, Medcliff Road and Selrose Lane were created by these three related subdivisions and share a number of common characteristics. Many were built in the Eichler-style, they are nearly exclusively single-story or split level houses, they are located on a more steeply sloping hill than the relatively flatter terrain of the neighborhoods to the immediate east or north, they share an open spacious feel as a result of neighborhood opposition to two-story and excessive bluff development, and they share close proximity to the Douglas Family Preserve. These shared characteristics indicate that the "Immediate Neighborhood" as defined by the SFRD Guidelines surrounding 215 La Jolla is limited to the homes in the Shoreline Terrace Tract Maps and not the entire neighborhood to Cliff Drive and Mesa Lane.

iv. The Immediate Neighborhood and Neighborhood Study Area Is Characterized by an Absence of Second-Story Development

As noted above, even the applicant's architect acknowledged that the low-lying design of homes in the immediate neighborhood was deliberate. Among the 30 homes closest to 215 La Jolla, 29 are single-story or split level houses. The split level homes are part of the original subdivision design, being located on the edge of the tract and do not block neighbors' views or invade their privacy. Moreover, no second stories have ever been approved on La Jolla Drive. An addition at 209 La Jolla Drive resulted in a minor increase in roof height. The 2002 staff report for a proposed second story remodel at 205 La Jolla Drive stated "The project proposes to increase the size of an existing single story residence by adding to each elevation, ***thereby maintaining the single-story pattern of residences in the neighborhood***." (*See* Exhibit C, Planning Commission Staff Report 12/13/02, p. 4 (emphasis added).) Significantly, the Applicant at 205 La Jolla revised their design and found a "solution [that] avoids the need to add a second story addition to address the programmatic needs on this constrained site." Exhibit D, Letter, David Van Hoy to City Planning Department, 10/9/2002, re: 205 La Jolla Drive revisions.

In 2009 SFDB rejected a second-story proposal at 214 Selrose Lane, and after unanimous opposition to a second-story at the concept review hearing, rejected the project. (Exhibit E, SFDB Minutes 10/26/09, Item # 6, 214 Selrose Lane).[5]

If approved, the 215 La Jolla Project would constitute approval of the first second-story addition on La Jolla Drive, and instigate the need for each home on the block to seek a second story to preserve Ocean and Island views, causing a neighborhood loss of privacy and change in character and imposing significant cumulative impacts upon the Douglas Family Preserve and neighborhood streets. The SFDB must consider the precedential and cumulative effects of other homes in the neighborhood similarly adding second stories, since approving one second story addition to this block, under SFRD Guidelines, initiates a change to the character of the Immediate Neighborhood and Neighborhood Study Area that re-sets the standards for review of subsequent similar proposals.

We respectfully ask the SFDB to recognize the importance of preserving the single story character of La Jolla Drive and issue direction to the applicant herein similar to guidance issued by the SFDB to other applicants seeking second stories in this block - revise plans to accomplish the desired enhancements in a single story design.

b. The Volume, Bulk, Massing and Scale of the Second-Story Addition Is Incompatible with Neighboring Houses

The Neighborhood Compatibility Guidelines direct applicants to "[d]esign structures to be compatible with neighboring houses in terms of volume, bulk, massing, and scale." (SFRD Guidelines p. 17-C.) Among the "[i]ssues that the SFDB considers related to volume, mass, bulk, size and scale" include "[h]ow compatible is the structure's volume, bulk, and scale with the volume, bulk, and scale of the existing neighborhood homes and structures" and "[h]ow does the second story volume affect the streetscape or neighboring backyards?" (SFRD Guidelines p. 20-C.)

The proposed addition at 215 La Jolla Drive, including the first-story and second-story additions, results in a 49.6% increase in floor area. This substantial increase would appreciably increase the volume, bulk, massing, and scale of the home, rendering it more prominent than neighboring houses. The second-story addition in particular will affect both the streetscape, DFP and

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[5] For completeness, we acknowledge the existence of a second-story home at 2540 Selrose Lane, however this home enjoys several important distinguishing features. First, it is the only home in the Immediate Neighborhood located on a double-lot, which offers increased opportunities for bigger setbacks not available for the proposed Project or any other existing home in the Immediate Neighborhood. Moreover, that home is located at the top of the hill where the privacy and view impacts of the second-story upon surrounding homes are substantially diminished.

neighboring backyards, as was demonstrated by the story poles erected on the site on Friday July 25. See Exhibit F for DFP visibility. The reduced front and side setbacks of 215 La Jolla Drive do not meet City standards and concomitantly increase the impacts of additions to all the non-conforming structures on the block. Additionally, the impact to privacy in neighboring backyards is especially pronounced due to the neighborhood topography, in which each home is slightly elevated above its neighbor. A second story addition that might on flatter terrain only be visible from the immediately adjacent neighbors' homes, is in this case prominently visible from the backyards of many uphill neighbors and concomitantly opens sight lines into the back yards of the two uphill properties.

c. Floor to Lot Area Ratio (FAR)

The Compatibility Guidelines direct applicants to "[s]trive for a project which falls in the "less than 85% of maximum FAR" range for the proposed lot size." (SFRD Guidelines p. 21C.) The proposed Project purportedly is at 84.85% FAR, 2 square feet less than the 85% FAR. The Project documents "round up" to 85% FAR. As proposed the Project is either at or above 85% FAR or insignificantly less than 85% FAR. Downsizing the Project such as by eliminating the second-story addition is necessary for the Project to comply with the "less than 85% maximum FAR" range.

d. The Second-Story Addition Crowds and Overwhelms Neighboring Residences

The SFRD Guidelines explain that "[t]he Compatibility Guidelines . . . are more important for two-story homes than for one-story homes because two-story homes can appear more prominent in a neighborhood." (SFRD Guidelines p. 39-TS.) Design techniques to address the compatibility of Second-Stories include "[a]void crowding or overwhelming neighboring residences." (SFRD Guidelines p. 39-TS.) In light of the tightly packed homes on La Jolla coupled with the topography, height increases that may be appropriate elsewhere have the effect of crowding and overwhelming neighboring residences. The story poles erected on the site on July 25 demonstrated this effect.

e. The Project Fails to Conform with the Good Neighbor Guidelines

The findings the SFDB must make to approve the Project pursuant to SBMC § 22.69.050 include: "The project generally complies with the Good Neighbor Guidelines regarding privacy, landscaping, noise and lighting." Discussed below, the Project and in particular the second-story addition and centrally-located deck does not comply generally with the Good Neighbor Guidelines since it conflicts with several express requirements, and accordingly may not be approved.

i. Privacy Impacts Are not Avoided

The Good Neighbor Privacy Guidelines direct applicants to "Avoid or minimize the number of decks that over-look neighboring properties." (Guideline 36.1, SFRD Guidelines p. 68-N.) "[C]onsider the pattern of building separation in the immediate neighborhood and design a project compatible with this pattern." (Id.) "Locate second-story balconies and decks to avoid direct sight lines from the deck or balcony to neighbors' windows, open yard, patio, deck, and/or loggia areas." Guideline 36.2.3.

In the case of 215 La Jolla Drive, the topography and building orientation of the homes on La Jolla is such that the main living area of each home looks out just over the roof of its downhill neighbor. The result of the second-story addition at 215 La Jolla Drive, is that a new view is created for 215 Project occupants to look from the outdoor deck directly into the two uphill neighbor's homes and backyards. Concomitantly, the project enables new views from the neighboring properties, in particular from 225 La Jolla Drive, into the 215 Project's second story and exterior deck.

The City has previously been asked by residents of this pocket neighborhood to recognize that second story structures create sight lines into interior areas that are otherwise isolated by topography. In 2009 the applicant's architect raised concerns about a second story proposed at 214 Selrose Road. SFDB minutes 10/26/2009 state: "David Van Hoy, concerned about detrimental precedent to the neighborhood and privacy impacts." David Van Hoy to the Single Family Design Board, 10/26/2009, re: second story project proposed for 214 Selrose Road. The project was rejected by the SFDB, in part due to these concerns.

It is ironic that Mr. Van Hoy, while he was a resident in this pocket neighborhood, expressed such concerns over the effect of a second story upon privacy in nearby homes and the precedential effect in the neighborhood, but later, after leaving the area, considers such concerns immaterial.

ii. Landscaping With Bamboo Hedges is Unenforceable and Has Adverse Consequences

The Landscaping Guidelines clarify that any hedges approved by SFDB must comply with SBMC 28.87.170. This recently-amended section of the municipal code provides that hedges located within the setbacks on residentially zoned parcels shall not exceed eight feet in height. (SBMC 28.87.170.D.1.) An exception increasing the height can only be granted where specific findings are made including:

> a. If the subject screen or hedge is located on, or within the required setback of, an interior property line, the adjacent property owner(s) that share a common property line nearest to the screen or hedge have agreed to the requested exception;

b. The granting of such exception will not create or exacerbate an encroachment into the necessary sightlines for safe operation of motor vehicles;

c. The screen or hedge will be **compatible with the character of the neighborhood** (the Community Development Director may seek advice from the appropriate design review body when considering this finding);

d. The proposed height of the screen or hedge will respect the height limitation applicable to structures for the protection of solar access as specified in Section 28.11.020 of this Code; and

e. **The granting of such exception will not be detrimental to the use and enjoyment of other properties in the neighborhood.**

At the SFDB's concept review hearing for 215 La Jolla Drive, the applicant proposed growing a tall bamboo hedge at both 215 and 221 La Jolla Drive to screen the second story from 221 (and block ocean views at 225) to provide additional privacy. The neighbor at 221 La Jolla Drive begrudgingly agreed to a bamboo hedge on their property as a solution for their privacy concerns, to the substantial detriment to the use and enjoyment of 225 La Jolla Drive.

There are several of the above findings that cannot be made for such a proposed hedge, including findings c. and e. Tall hedges are not currently a feature of the neighborhood, and given the lot layout, home orientation, and topography, tall hedges would not be compatible with the character of the neighborhood. Moreover, as discussed above, the La Jolla Drive pocket neighborhood was deliberately designed to afford homes' ocean and island views above the roofs of their downhill neighbors. In light of this, tall hedges that are proposed to screen an incompatible structure to mitigate impacts to privacy have the additional adverse effect of obstructing scenic views of the ocean currently available from the main living spaces (living rooms, back and side yards) of surrounding and uphill houses, resulting in a detriment to the use and enjoyment of those properties.

iii. Lighting

The Lighting Guidelines provide that lighting "should be designed in a way that is not detrimental to neighboring properties" and that avoids or minimizes "night glow" (illumination of the night sky). (SFRD Guidelines p. 75-N.) The Guidelines require applicants and decisionmakers to "Consider Distant Views. Light sources must not be objectionable when seen from a distance.") Guidelines 39.4, page 76-N.) As approved by SFDB, the second-story addition includes large windows sited just below the roof overhang on the southern and western sides of the structure and clerestory windows, sliding doors and a picture window on the north side facing the uphill neighbors. The effect of this window placement, as noted by SFDB, is to create a "lantern effect" that illuminates the night-sky and the underside of the large roof overhang and is readily visible and intrusive to neighboring properties and the Douglas Family Preserve.

iv. Private Views Are Unnecessarily Compromised

While City Staff have been quick to respond to concerns over the Project's view impacts that the City "does not protect private views", private views are specifically required to be considered as part of the SFRD Guidelines "Good Neighbor Tips." Good neighbors are directed to use "good design" to avoid or minimize impacts to neighbor's views. (78-N). Good neighbors "[m]inimize the visibility of fences and hedges from neighboring houses" and "avoid tall landscaping . . . that interfere with your neighbors' views." (79-N).

Mr. Van Hoy has himself raised concerns to other neighbors' use of tall landscaping due to its impacts to his private views. SFDB Minutes, 7/18/2011, re: 2541 Medcliff ("David Vanhoy, neighbor, expressed concerns regarding the proposed trees, their quantities, and location **with regard to protecting his private views**." (emphasis added).

Mr. Van Hoy asks your SFDB to apply a double standard – his private views deserve (and received) protection, but others' do not.

f. NPO Findings - Public Views

As noted above, the Project is visible from the Douglas Family Preserve Medcliff Lane entrance. See Exhibit F, photograph. While the Project structure itself may not cause substantial incremental impacts due to the existence of other structures in the viewshed, the Project's south and west-facing glass will be illuminated at night, creating a "lantern effect" visible from the DFP.

SBMC § 22.69.050.A.7 requires a finding that the project "preserves significant public scenic views (of and from the hillside)."[6] SBMC § 22.69.060.A provides that the SFDB should refer the project to the Planning Commission for comments on projects that are highly visible to the public. As proposed, the Project will degrade public views, not preserve them, by introducing a new source of glare and illumination visible form within a popular City park that is well-used at dawn, dusk and in the evenings.

Appellants raised this issue to the SFDB, noting the high levels of public use of the DFP, the dusk, dawn and nightime lantern effect, and the applicable Local Coastal Plan and General Plan policies (discussed below). The SFDB refused to consider the issue, directing appellants to prepare a photometric study for SFDB's consideration to evaluate the Project's nighttime impacts. (Comments, SFDB Chair Sweeney, August 11, 2014).

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[6] It is evident that the protection of public views for NPO findings at SBMC § 22.69.050.A.7 must apply to non-hillside settings.

The Council should recognize the potential for the second story to adverse effect public views from DFP as a further reason to deny the second story element of this Project.

V. Precedent - This Is The First Second Story Element in the Immediate Neighborhood, And Will Induce Others to Do Likewise and Change the Character of La Jolla Drive

The Mesa neighborhood surrounding La Jolla Drive is characterized by small lots, yet has a spacious open feeling resulting largely from the relative lack of second-story development in the immediate neighborhood. Approving the proposed second story at 215 La Jolla Dr. would likely begin a neighborhood transition to two-story homes, which would seriously compromise the character of this unique neighborhood.

For the reasons discussed below, the proposed second-story addition and second-level deck fail to conform to the Single Family Residence Design Guidelines ("SFRD Guidelines") including Compatibility Guidelines related to neighborhood compatibility, volume/bulk/massing/scale, two-story design concepts, and Good Neighbor Guidelines concerning privacy, landscaping, and lighting. These conflicts result in a project that cannot be approved consistent with the SFRD Guidelines and the Santa Barbara Municipal Code ("SBMC").

The proposed first-floor addition will provide the applicant with additional living space, with fewer impacts to neighborhood character and privacy of surrounding residences. The first floor floor plan can be substantially expanded and reconfigured to provide comparable if not equal amounts of additional living space to meet the stated programmatic needs of the occupants. Accordingly, we respectfully request that you deny the second-story addition and second-level deck components of this Project.

VI. Planning and Land Use Issues

a. CEQA

The City has processed this Project as a Categorical Exemption under CEQA, contending there is no possibility of a significant impact. A Categorical Exemption cannot be employed in this case for the following three interrelated reasons.

i. Location – Particularly Sensitive Environment

CEQA disallows use of a Categorical Exemption when the Project's ordinarily insignificant effects may be significant due to a sensitive environmental setting. CEQA Guidelines § 15300.2(a).

This project has a significant impact as a result of its location. Specifically, located within the sight of a public park – the Douglas Family Preserve - and causing dusk, dawn and nighttime lighting impacts interfering with the views to and along this scenic area distinguish the project from ordinary additions in residential neighborhoods.

ii. Significant Effect

CEQA disallows use of a Categorical Exemption when there is a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances. CEQA Guidelines § 15300.2(c).

This is the first second story addition in this neighborhood and will open views to, and from the Douglas Family Preserve. The extensive glass on the south and western sides create a lantern effect that is potentially significant for visitors to the Douglas Family Preserve.

iii. Cumulative effects

CEQA disallows use of a Categorical Exemption when the cumulative impact of successive projects of the same type, over time, is significant. CEQA Guidelines § 15300.2(b).

In this case, the approval of one second story addition to a block of homes that is exclusively single story, and which was designed to provide both privacy from and ocean and horizon views over houses below, will cause a number of other homes to seek second stories to regain the views and privacy lost as a result of this Project. These homes will be more visible from the Douglas Family Preserve and local roadways, causing cumulative visual effects. Further, there will be a cumulative impacts from the conversion of the pocket neighborhood to become dominated by second story buildings.

iv. The Project's Impacts to Public Views Require the City to Consider Private Views Under CEQA

Private views become relevant to a project's visual impacts under CEQA when the project also has an effect on public views, as the 215 Project has upon the Douglas Family Preserve. *Ocean View Estates Homeowner's Association v. Montecito Water District* (2004) 116 Cal. App. 4th 396, 402 ("That a project affects only a few private views may be a factor in determining whether the impact is significant. But here there is more involved than private views. [The project] will be visible from public [hiking] trails.")

Under these circumstances, the City cannot determine the Project is exempt from CEQA and some form of CEQA environmental review document is required.

b. California Coastal Act

i. A Coastal Development Permit Is Required

The Project is "development" located in the coastal zone, and thus requires a Coastal Development Permit (CDP). While SBMC § 28.44.070 allows the exclusion of certain coastal development from the CDP, the exclusion does not apply for improvements to single family residences that "involve the risk of adverse environmental effect." SBMC § 28.44.070.D.

As noted above, the unique location within the view of a scenic coastal park and potential for cumulative effects from serial projects disallow the CEQA exemption, which then precludes the use of the CDP Exclusion in the Santa Barbara Municipal Code.

Notably, the City determined a CDP was required for the single story addition at 205 La Jolla Drive in 2002. During that process, the City Staff reviewed the project's consistency with the Local Coastal Plan, in particular LCP policy 9.1, as well as Conservation Element Policy 3.0. That project, which included a taller single story element but no second story just two doors away from the proposed project, was recognized to potentially affect Douglas Family Preserve views. The Staff Report reported that the Project was found to have "been designed in such a way as to protect visual resources of the area adjacent to the Douglas Family Preserve. The proposed development is limited to a single story addition with a roof deck that has been designed to limit impact on adjacent uses. In conclusion, the proposed addition to the residence will not significantly impact existing views to and from the ocean, or obstruct scenic view corridors. As proposed, the development is consistent with LCP Policies 9.1 and 9.3 and Visual Resources Policy 3.0 of the Conservation Element." Exhibit C, 205 La Jolla Drive, Staff Report page 6.

ii. Local Coastal Plan Policy Inconsistencies

All actions taken by the City must conform to the Local Coastal Plan and General Plan.

The California Coastal Act, Section 30251, provides as follows: "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas."

City LCP Policy 9.1 states: "The existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced. This may be accomplished by one or more of the following: (1) Acquisition of land for parks and open space; (2) Requiring view easements or corridors in new developments; (3) Specific development restrictions such as additional height

limits, building orientation, and setback requirements for new development; (4) Developing a system to evaluate view impairment of new development in the review process."

LCP Policy 9.3 provides: "All new development in the coastal zone shall provide underground utilities and the undergrounding of existing overhead utilities shall be considered high priority."

This Project must be subjected to an LCP policy consistency analysis, and reduced to a single story to avoid these policy inconsistencies.

Coastal Act § 30251 requires that "scenic and visual qualities of coastal areas shall be considered and protected," but there was no consideration of this issue whatsoever. The Coastal Act requires that the City site and design development, including the proposed Project, to protect views to and along the ocean and scenic coastal areas. The Douglas Family Preserve entrance qualifies as a scenic coastal area and the Coastal Act directs the City to site and design development to protect this coastal resource, Development must to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas, so it is inappropriate to suggest that since this area is degraded, there is no requirement to consider the visual impacts and seek its enhancement.

Similarly, City LCP Policy 9.1 requires protection, preservation, and enhancement of scenic coastal areas. It suggests "development restrictions such as additional height limits, building orientation, and setback requirements" and "a system to evaluate view impairment of new development in the review process." These has been no system or analysis of view impairment, ignoring the requirements of the Local Coastal Plan for all development in the coastal zone.

Significantly, the SFDB process utilized to approve this development is not part of the City's certified LCP, and so while the SFDB process may not be entirely moot, the City must comply with the provisions of its certified LCP, which entail a different set of processes for the consideration of this project.

iii. General Plan Inconsistencies

All city actions must be consistent with the General Plan. Gov. Code § 65302.

The Conservation Element directs that the City shall "[p]rotect significant open space areas from the type of development which would degrade the City's visual resources."

The Douglas Family Preserve is a significant open space area, and the Project will degrade the City's visual resources since it will be visible from various portions of the DFP Medcliff Road entrance, as well as for visitors passing La Jolla Drive on their way to and from the Douglas Family Preserve.

ensure that important coastal zoning ordinance, Local Coastal Plan and General Plan policies and requirements are considered during the design review process.

Discussed above, the proposed Project is inconsistent with many aspects of the applicable Single Family Residence Design Guidelines. The Project, and in particular the second-story addition and deck, are clearly incompatible with the Immediate Neighborhood and the Neighborhood Study Area. The 215 Project threatens to both materially compromise the privacy of and intrude into and block scenic views from neighboring properties. The 215 Project will impact scenic views and cast light into the Douglas Family Preserve in violation of applicable Local Coastal Plan policies. For these reasons, the findings required for design approval articulated in SBMC § 22.69.050 cannot be made for this Project.

Allowing this special Mesa neighborhood to transition to two-story development would result in a permanent loss of its low-lying architectural aesthetic and spaciousness. Further it would block light and views of other existing homes, and result in privacy impacts to surrounding properties. Overall approval of the 215 Project would result in a less desirable living environment in this charming Mesa neighborhood. These would constitute potentially significant CEQA impacts that the City must identify and evaluate in an environmental review document before it could take action to approve this Project.

We request that the City Council find that the proposed design is not compatible with the Immediate Neighborhood or otherwise consistent with the applicable City Design Guidelines and based on this conclusion, reject the proposed Project, and direct the applicant to return with a single story remodel instead. A revised single-story addition will allow the applicant to enlarge their living space, but to do so in a manner that properly respects the neighborhood character and surrounding public resources.

Respectfully submitted,

LAW OFFICE OF MARC CHYTILO

Marc Chytilo

Exhibits

Exhibit A: Assessor's Parcel Map 041-36, Shoreline Terrace Numbers 1 & 2 and Seacliff, T.M. 20,158.

Exhibit B: Seacliff Subdivision, Final Tract Map No. 20,158, recorded at Bk.94, pg. 93-94, 4/18/1978.

Exhibit C: Planning Commission Staff Report 12/13/02, 205 La Jolla Drive

Exhibit D: Letter, David Van Hoy to City Planning Department, 10/9/2002, re: 205 La Jolla Drive revisions

Exhibit E: SFDB Minutes, 10/26/2009, Item # 6, 214 Selrose Lane

Exhibit F: Photo, Project story poles from Douglas Family Preserve

POR. PUEBLO LANDS

041-36

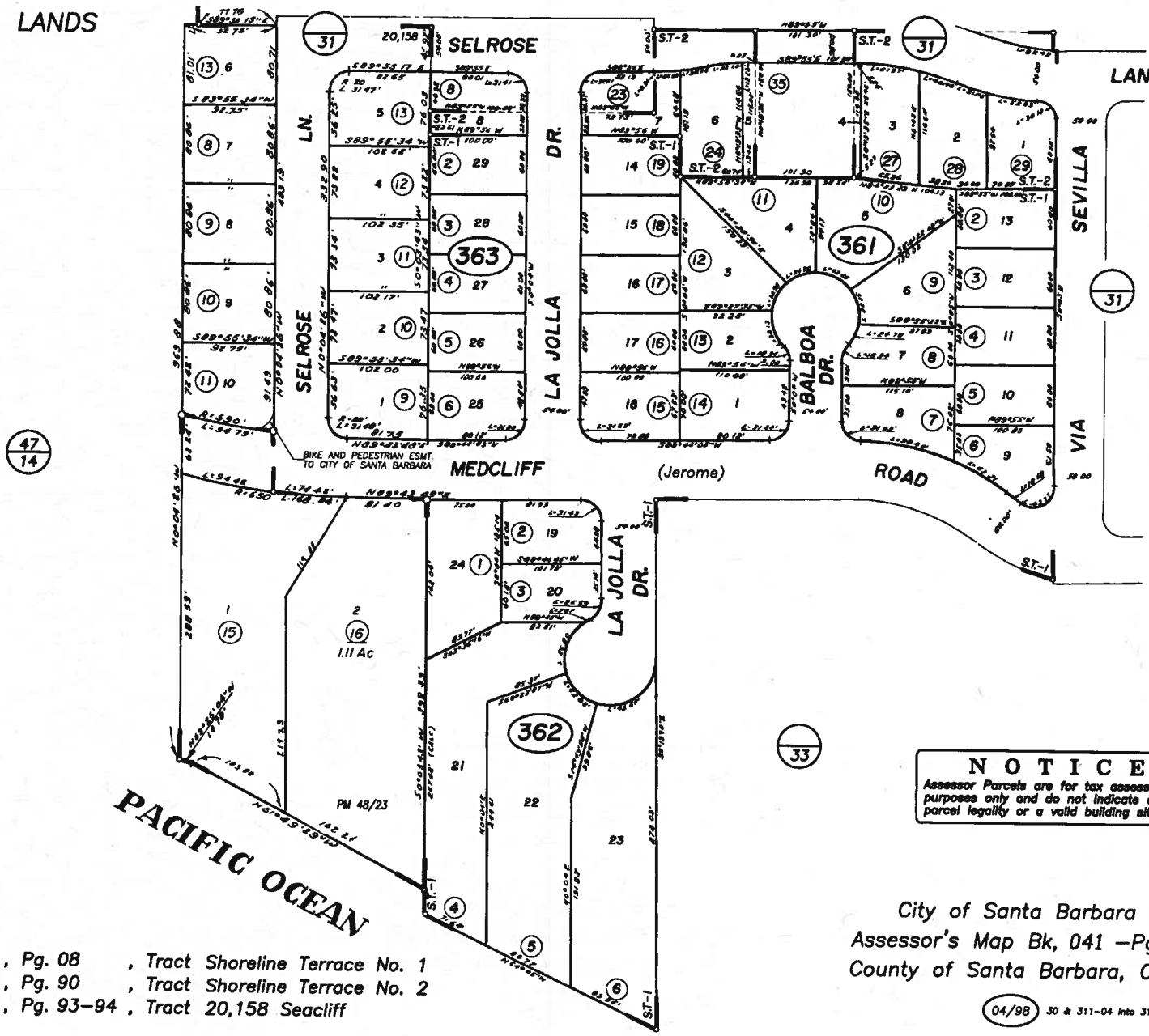


EXHIBIT A

NOTICE
Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

City of Santa Barbara
Assessor's Map Bk, 041 –Pg, 36
County of Santa Barbara, Calif.

04/98 30 & 311-04 into 311-029

1/20/1961 R.M. Bk. 55 , Pg. 08 , Tract Shoreline Terrace No. 1
4/27/1961 R.M. Bk. 55 , Pg. 90 , Tract Shoreline Terrace No. 2
4/18/1978 R.M. Bk. 94 , Pg. 93–94 , Tract 20,158 Seacliff

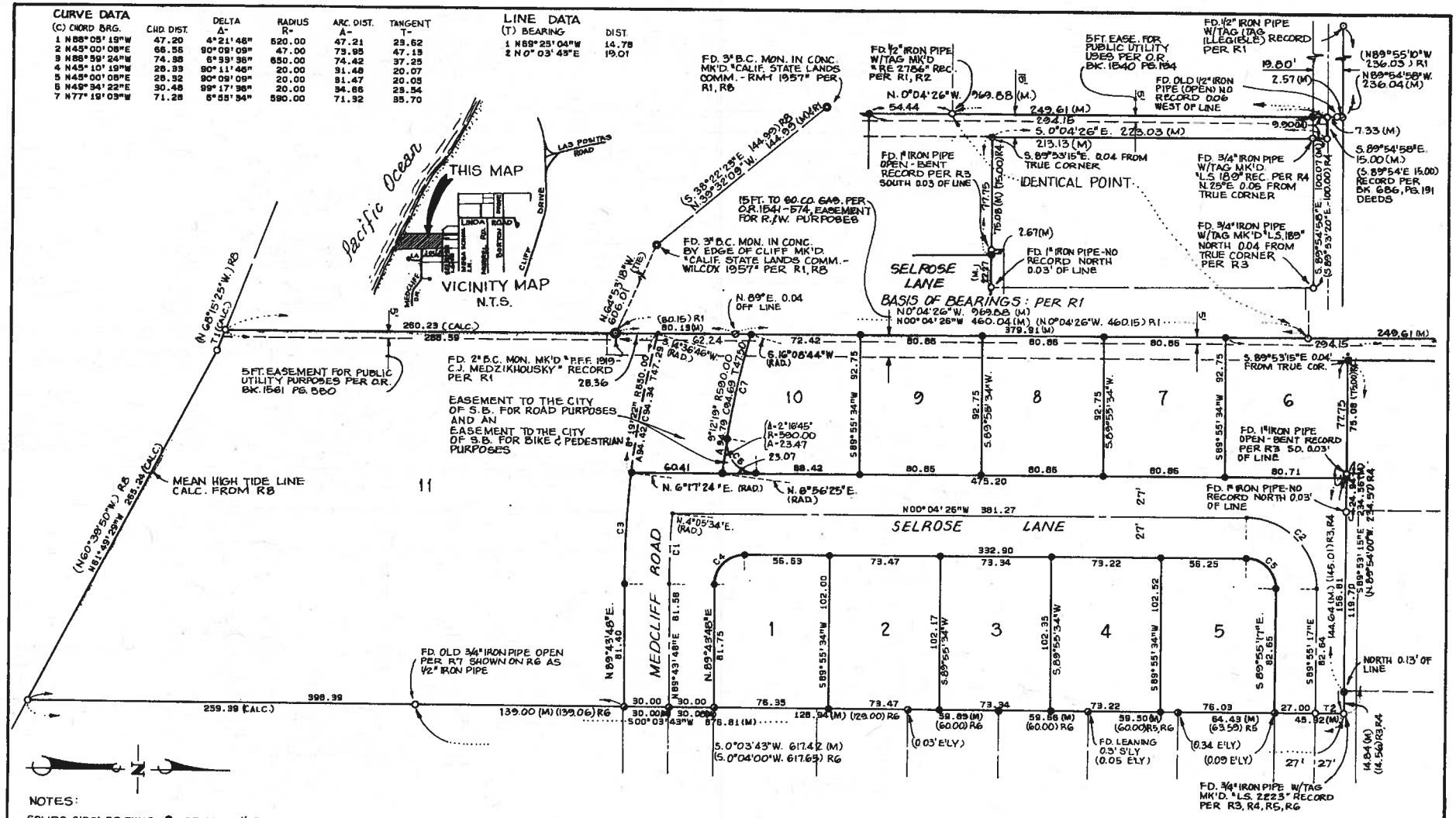
EXHIBIT B

CURVE DATA

(C) CHORD BRG.	CHD. DIST.	DELTA Δ-	RADIUS R-	ARC. DIST. A-	TANGENT T-
1 N88°05'19"W	47.20	4°21'46"	620.00	47.21	23.62
2 N45°00'08"E	66.55	90°09'09"	47.00	73.93	47.13
3 N88°59'24"W	74.38	6°33'36"	650.00	74.42	37.25
4 N45°10'19"W	28.33	90°11'46"	20.00	31.48	20.07
5 N45°00'08"E	28.32	90°09'09"	20.00	31.47	20.05
6 N49°34'22"E	30.48	99°17'36"	20.00	34.66	23.54
7 N77°19'03"W	71.28	6°55'34"	590.00	71.32	35.70

LINE DATA

(T) BEARING	DIST.
1 N69°25'04"W	14.78
2 N0°03'48"E	19.01



NOTES:

SOLIDS CIRCLES THUS ● DENOTE 1/2" IRON PIPE SET W/TAG MK'D "L.S. 3873"

CIRCLES THUS ⊙ DENOTE FD. 1/2" IRON PIPE W/TAG MK'D. "RE. 8462

CIRCLES THUS ⊘ DENOTE FD. 1/2" IRON PIPE W/TAG MK'D. "RE 3162 - L.S. 3253"

CIRCLES THUS ⊙ DENOTE FD. 1" IRON PIPE W/TAG MK'D. "L.S. 2223"

OPEN CIRCLES THUS O DENOTE NO MONUMENT FOUND OR SET UNLESS OTHERWISE NOTED.

R1 - RECORD PER BOOK 86, PAGE 68 R/S.
R2 - RECORD PER BOOK 34, PAGE 63 R/S.
R3 - RECORD PER BOOK A, PAGE 79 S.B.C.L.S.
R4 - RECORD PER BOOK C, PAGE 1 S.B.C.L.S.
R5 - RECORD PER BOOK 55, PAGE 90 MAPS
R6 - RECORD PER BOOK 55, PAGE 8 MAPS
R7 - RECORD PER BOOK 18, PAGE 225 M&S.
R8 - RECORD PER BOOK 41, PAGE 61 MISC. MAPS
M - MEASURED

Penfield & Smith ENGINEERS INC.
111 EAST VICTORIA ST. • SANTA BARBARA, CA. 93102

SHEET 2 OF 2 SHEETS

FINAL MAP NO. 20,158
FOR
SEACLIFF
CITY OF SANTA BARBARA CALIFORNIA
SCALE: 1" = 40' NOVEMBER 1977

W.O. 4437

V.A.

City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE: December 13, 2002

AGENDA DATE: December 19, 2002

PROJECT ADDRESS: 205 La Jolla Drive (MST2002-00598)

TO: Planning Commission

FROM: Planning Division, (805) 564-5470
Janice Hubbell, AICP, Senior Planner JAH
Trish Allen, Assistant Planner TA

I. SUBJECT

The proposed project consists of a single-story addition of 914 square feet to the existing 1,140 square foot residence located on a 6,815 square foot lot. The addition is proposed to encroach 9 feet into the required 20-foot front yard setback. The proposal includes a new garden wall that encroaches one foot into the required 10-foot front yard setback area. There is an existing two-car garage.

The discretionary applications required for this project are:

1. A Coastal Development Permit to allow an addition to an existing single-family residence in the appealable jurisdiction of the Coastal Zone (§28.45.009);
2. A Modification to allow the residence to encroach into the required 20-foot front yard setback in the E-3 Zone (SBMC §28.15.060); and,
3. A Modification to allow a wall in excess of three and a half feet in height located in the required 10-foot front yard setback in the E-3 Zone (SBMC § 28.87.170).

II. EXECUTIVE SUMMARY

The project proposes to increase the size of the residence in a manner that is compatible with the surrounding residences in the neighborhood. Other than the encroachment into the front yard and the garden wall, the proposal complies with all applicable E-3/SD-3 Zone requirements. The project would not significantly impact existing views to and from the ocean, or obstruct scenic view corridors.

Project approval requires that the Planning Commission find the project consistent with the Coastal Act, the Local Coastal Plan and the Municipal Code. No significant issues are associated with the project. The project is designed such that it can be found consistent with applicable Local Coastal Plan Policies related to hazards and visual resources. Staff recommends that the Planning Commission approve the project subject to the proposed Conditions of Approval contained in Exhibit A.

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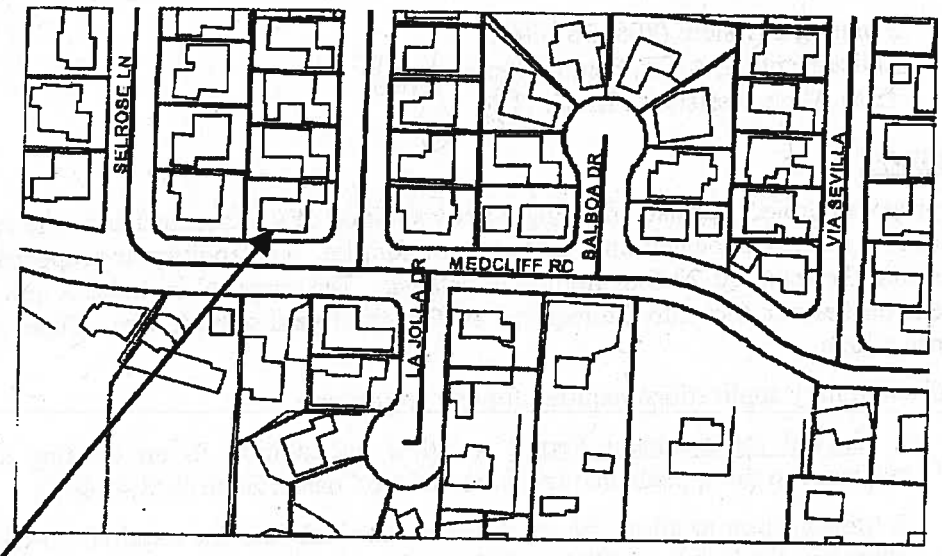
EXHIBIT C

DATE APPLICATION ACCEPTED: November 21, 2002
DATE ACTION REQUIRED: January 20, 2003



Project Site

Vicinity Map for 205 La Jolla Drive

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III. SITE DESCRIPTION

Applicant:	David VanHoy, LYVA
Property Owner:	Kristen and Robert Kemp
Project Address:	205 La Jolla Drive
Parcel Number:	041-363-006
General Plan:	Residential, 5 Units per Acre
Zoning:	E-3/SD-3
Environmental Assessment:	Categorically Exempt per CEQA: §15301 Existing Facilities (e); and §15303 New Construction or Conversion of Small Structures
Existing Use:	Single-Family Residential
Proposed Use:	Single-Family Residential
Topography:	Relatively flat
Access:	La Jolla Drive
Adjacent Land Uses:	
North:	Single-Family Residential
South:	Single-Family Residential
East:	Single-Family Residential
West:	Single-Family Residential

IV. SITE STATISTICS

LOT AREA: 6,815 sq. ft.

LOT COVERAGE:

	Existing		Proposed	
-Building:	1,620 sq. ft.	23%	2,534 sq. ft.	36%
-Paving/Driveway:	575 sq. ft.	8%	no change	8%
-Landscaping:	4,622 sq. ft.	69%	3,708 sq. ft.	57%

OPEN YARDS:

-Required:	1,250 sq. ft.
-Provided:	1,250 sq. ft

PARKING:

-Existing:	2-car garage
-Required:	2 covered spaces
-Provided:	2 covered spaces

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V. PROJECT DESCRIPTION

The project proposes to increase the size of an existing single story residence by adding to each elevation, thereby maintaining the single-story pattern of residences in the neighborhood. The project site is located on the corner of La Jolla Drive and Medcliff Road in the Mesa neighborhood, a block east of the Douglas Family Preserve.

The existing residence is 1,166 square feet with a two-car garage on a 6,815 square foot lot. The residence is currently non-conforming to the standards of the E-3 Single Family Residential Zone in that the southern portion of the house encroaches six feet into the required 20-foot front yard setback. The proposed additions, a total of 915 square feet, occur at the entry fronting on La Jolla Drive, on the northern side of the residence by extending the wall to the existing eave line, and on the southwest side of the residence to increase the size of the master bedroom and bath. The project includes a new roof deck above the master bedroom. A portion of the roof deck encroaches into the front yard area and is considered part of the same zoning modification as the first floor encroachment. The proposal was designed in such a way as to preserve the open yard area as well as to preserve the existing mature tree in front of the residence. The project requires a Coastal Development Permit for a residential addition in the appealable jurisdiction of the Coastal Zone, a zoning modification to allow the residence to encroach into the front yard, and a zoning modification to allow an over-height garden wall in the required 10-foot setback area.

VI. OTHER COMMITTEE REVIEW

A. DEVELOPMENT APPLICATION REVIEW TEAM (DART)

The project was submitted for 30-day review in September 2002. The initial design proposed the front yard encroachment to be 11 feet into the 20-foot front setback area. Staff requested that the Architectural Board of Review (ABR) provide comments with reference to the proposed encroachments. The project was technically exempt from ABR review because the addition is less that 50% of the existing floor area. Although the property's site constraints were acknowledged by staff, a corner lot with two large front yard setbacks, staff indicated that an addition that increased an existing non conforming encroachment would be difficult to support. In general, an addition requiring a zoning modification that results in uniform construction has consistently been supported by staff.

B. ARCHITECTURAL BOARD OF REVIEW (ABR)

The ABR reviewed the project on October 28, 2002 (Exhibit C). The Board was requested to focus their review on the aesthetics of the addition into the front setback area and on neighborhood compatibility. The majority of the Board felt that the encroachment was reasonable due to the resulting architecture. The Board raised concerns regarding the roof deck, stating that the deck railing should be in line with the wall of the existing residence at the front as well as be set back from the side. The Board felt that the garden wall encroachment was acceptable and an overall improvement to the existing fence configuration.

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C. ENVIRONMENTAL REVIEW

The project was reviewed by the Environmental Analyst and found to be exempt per CEQA Categorical Exemption §15301, which provides an exemption for minor alterations to existing structures.

VII. ISSUES

A. ZONING COMPLIANCE

The project site is located in the E-3/SD-3 Single-Family Residential Zone which requires a 20-foot front yard setback area. The property is situated on a Road corner, which, by definition, is a property that contains two front yards. Providing two front yard setbacks is considered a constraint to property improvements. The front yard on Medcliff Road essentially functions as a side yard – a consistent pattern along this portion of Medcliff Road. The existing residence is non-conforming to the front yard setback requirement in that the south side encroaches nine feet into the setback area. With the modifications granted to allow the addition and garden wall in the front setback, the project would comply with all zoning standards.

1. Modification to Encroach into the Front Yard Setback

The initial project design did not explore all conforming opportunities for the addition; for example, there was remaining area in the side yard up to the setback line where the addition could have been proposed. Through ABR and Staff reviews, the applicant has responded by reducing the encroachment area from 11 feet to 9 feet, only 3 feet beyond the existing wall of the residence. The roof deck, above the addition area, is setback from the side property line by 12 feet including the planter area and is in line with the wall of the existing residence below. In this case, staff does not feel that the roof deck encroachment would negatively affect neighbors because it is adequately set back from the side neighbor and faces the street.

The six-foot high garden wall would encroach into the front yard one foot. The ABR found that the garden wall is an overall aesthetic improvement to the existing wooden fence located on the property line. As a result, the proposed modifications can be found consistent with the intent of the Zoning Ordinance.

B. LOCAL COASTAL PLAN CONSISTENCY

The project must be found consistent with the City's Local Coastal Plan (LCP) because the site is located in the Coastal Zone. The project site is located in Component Two of the City's Coastal Land Use Plan, which is also known as the East Mesa Neighborhood as defined by the Land Use Element of the General Plan. The area is almost entirely developed as single-family residences. The neighborhood is described as uniformly developed with small-lot, single-family residences with exception of the multi-family district near Reef Court and Shoreline Avenues. The project site is located on the

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of La Jolla Drive and Medcliff Road, one block east of the Douglas Family Preserve (DFP). The proposed project would not negatively affect public access, or recreation, nor would it result in an adverse visual impact to the DFP. The project's consistency with applicable LCP Policies is discussed below.

1. **Housing**

The principal coastal policy (Policy 5.3) that pertains to an existing residence in the coastal zone proposing an addition is that the development be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. The action in which this policy is carried out is through review by the Architectural Board of Review. The ABR has indicated that the project is consistent with the neighborhood and is supports the design.

2. **Visual Resources**

LCP Policy 9.1 states that the, *"existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced."* Visual Resources Policy 3.0 of the Conservation Element states that, *"new development shall not obstruct scenic view corridors, including those of the ocean and lower elevations of the City viewed respectively from the shoreline and upper foothills, and of the upper foothills and mountains viewed respectively from the beach and lower elevations."* In addition, LCP Policy 2.5 states that, *"vista points shall be provided and maintained in areas where such use by the public has been established."*

The proposed addition has been designed in such a way as to protect visual resources of the area adjacent to the Douglas Family Preserve. The proposed development is limited to a single story addition with a roof deck that has been designed to limit impact on adjacent uses. In conclusion, the proposed addition to the residence will not significantly impact existing views to and from the ocean, or obstruct scenic view corridors. As proposed, the development is consistent with LCP Policies 9.1 and 9.3 and Visual Resources Policy 3.0 of the Conservation Element.

C. COASTAL DEVELOPMENT PERMIT (SBMC §28.45.009)

The project is consistent with the policies of the California Coastal Act, with all applicable policies of the City's Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Municipal Code. The major coastal issue that relates to this project is neighborhood compatibility. The project is limited to a single story addition, has received positive architectural comments from the ABR and the size and massing of the project are consistent with the surrounding neighborhood.

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VIII. RECOMMENDATION/FINDINGS

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the Local Coastal Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined below, and subject to the conditions of approval in Exhibit A.

1. The project is necessary to secure an appropriate improvement on a lot.
2. The project is consistent with the policies of the California Coastal Act.
3. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code.
4. The Chapter 3 policies of the Coastal Act (Commencing with Section 30200) regarding public access and public recreation are not applicable to this project.

Exhibits:

A. Conditions of Approval
B. Site Plan
C. ABR Minutes
D. Applicant's letter, Dated October 9, 2002

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LYVA
a california corporation

David VanHoy
architect

October 9, 2002

Santa Barbara Community Development
Planning Division
630 Garden Street
Santa Barbara, CA 93101

RECEIVED
OCT 09 2002
CITY OF SANTA BARBARA
PLANNING DIVISION

RE: 205 La Jolla Drive, APN# 041-363-006, E-3/SD3

Dear Planning Division

The existing single family residence at 205 La Jolla Drive was constructed in 1960 as part of a 25 home subdivision known as Shoreline Terrace. The lot size is 6815 s.f. (.15 acres) The existing single story 1,140 s.f. house and detached 2- car garage were constructed with permits and complied with the yard setbacks required by ordinance at the time of construction. The corner site is bounded by La Jolla Drive on the East and Medcliff Road on the South. The existing house encroaches 6 feet into the current required front setback on the southern side of the property. The existing garage encroaches 4 feet into the current required front setback on the eastern side of property and encroaches 7 inches into the interior setback on the northern side of the property. An existing 6 foot tall fence is located along the Southern property line which does not comply with the required 10 foot setback for fences over 3.5 feet in height.

The proposal involves interior remodeling of the existing structure, a master suite addition to the rear of the existing house on the westerly side of the property and expansion of the living / dining area to provide for the functional needs of the client family. The additional area totals approximately 892 s.f. All additional area will be one story in height. Alterations to the existing structure include increasing the size of the windows on the southern facade. Also included in the proposal is a 6 foot tall fence along a portion of the southern side of the property, a distance of 9 feet from the property line. The proposal includes approximately 48 cubic yards of fill.

There are two modification requests required for the project. The first modification being requested is to allow the single story master suite addition to encroach 11 feet into the required 20 foot front yard setback, and to allow alterations to the façade of the existing structure that currently encroaches into the front yard set back on the southern side of the property. The encroachment will allow for the master suite addition to work within the site constraints and provide for the 1,250 s.f. private outdoor living space requirement on the North side of the site, away from the public street. The increase in window sizes on the South side of the existing structure will allow natural light into the remodeled bedrooms and bathroom.

The second modification being requested is to allow for a 6 foot tall privacy fence to encroach 1 foot into the required 10 foot front yard setback for fences over 3.5 feet in height. The proposed location will allow 5 feet between the existing structure and the fence. The project site is located approximately 300 feet from the main entrance to the Douglas Family Preserve. The only parking for the preserve is on the public streets in the area. On-street parking along Medcliff Road is filled most weekdays and always on weekends. The proposed fence will provide privacy from the adjacent public street for the remodeled bedrooms and bath along the southern side of the house with adequate setback for landscaping between the fence and the public sidewalk. The proposed fence will not impede sightlines for vehicle traffic at the street intersection.

15 West Mason Street Santa Barbara, California 93101 P: 805.966.5539 F: 805.966.3349
www.lyva.com

Digitally SCANNED Document

EXHIBIT D

LYVA
a california corporation

David VanHoy
architect

Approval of these two modifications will result in a project that will continue to be compatible with the neighborhood. The proposed design is a practical solution for this modest sized property, which will allow for more useable interior family space and private outdoor space while maintaining privacy from the adjacent public street and sidewalk. The solution avoids the need to add a second story addition to address the programmatic needs on this constrained site.

We are seeking a Coastal Development Permit, which requires Planning Commission approval.

Cordially,

David VanHoy

CC: ☐Owner ☐City ☐Consultant ☐File ☐Contractor
Planning Commission 020902.doc

15 West Mason Street Santa Barbara, California 93101 P: 805.966.5539 F: 805.966.3349
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City of Santa Barbara
Planning Division

SINGLE FAMILY DESIGN BOARD
MINUTES

Monday, October 26, 2009 David Gebhard Public Meeting Room: 630 Garden Street 3:00 P.M.

BOARD MEMBERS: WILLIAM MAHAN, CHAIR
PAUL ZINK, VICE-CHAIR
BERNIE BERNSTEIN
ERIN CARROLL
GLEN DEISLER
GARY MOSEL
DENISE WOOLERY

CITY COUNCIL LIAISON: DALE FRANCISCO
PLANNING COMMISSION LIAISON: STELLA LARSON

STAFF: JAIME LIMÓN, Design Review Supervisor
TONY BOUGHMAN, Planning Technician
GLORIA SHAFER, Commission Secretary

Website: www.SantaBarbaraCa.gov

SINGLE FAMILY DESIGN BOARD OF REVIEW SUBMITTAL CHECKLIST (See SFDB Guidelines & Design Review Submittal Requirements for Details)		
CONCEPT REVIEW	Required	Master Application & Submittal Fee - (Location: 630 Garden Street) Photographs - of the existing building (if any), adjacent structures, composite panoramic view of the site, surrounding areas & neighborhood streetscape - mounted or folded to no larger than an 8.5" x 14" photo display board. Plans - three sets of folded plans are required at the time of submittal & each time plans are revised. Vicinity Map and Project Tabulations - (Include on first drawing) Site Plan - drawn to scale showing the property boundaries, existing & proposed structures, building & area square footages, building height, areas to be demolished, parking, site topography, conceptual grading & retaining walls, & existing landscaping. Include footprints of adjacent structures. Exterior elevations - showing existing & proposed grading where applicable.
	Suggested	Site Sections - showing the relationship of the proposed building & grading where applicable. Plans - floor, roof, etc. Rough sketches are encouraged early in the process for initial design review to avoid pursuing incompatible proposals. However, more complete & thorough information is recommended to facilitate an efficient review of the project.
PRELIMINARY REVIEW	Required	Same as above with the following additions: Plans - floor, roof, etc. Site Sections - showing the relationship of the proposed building & grading where applicable. Preliminary Landscape Plans - required for commercial & multi-family; single-family projects where grading occurs. Preliminary planting plan with proposed trees & shrubs & plant list with names. Plans to include street parkway strips.
	Suggested	Color & Material Samples - to be mounted on a board no larger than 8.5" x 14" & detailed on all sets of plans. Exterior Details - windows, doors, eaves, railings, chimney caps, flashing, etc. Materials submitted for preliminary approval form the basis for working drawings & must be complete & accurate.
FINAL & CONSENT	Required	Same as above with the following additions: Color & Material Samples - to be mounted on a board no larger than 8.5" x 14" and detailed on all sets of plans. Cut Sheets - exterior light fixtures and accessories where applicable. Exterior Details - windows, doors, eaves, railings, chimney caps, flashing, etc. Final Landscape Plans - landscape construction documents including planting & irrigation plan. Consultant/Engineer Plans - electrical, mechanical, structural, & plumbing where applicable.

EXHIBIT E

PLEASE BE ADVISED

- The approximate time the project will be reviewed is listed to the left of each item. It is suggested that applicants arrive 15 minutes early. The agenda schedule is subject to change as cancellations occur. Staff will notify applicants of time changes.
- The applicant's presence is required. If an applicant is not present, the item will be postponed indefinitely. If an applicant cancels or postpones an item without providing advance notice, the item will be postponed indefinitely and will not be placed on the following Single Family Design Board of Review (SFDB) agenda. In order to reschedule the item for review, a rescheduling fee will be paid and the applicant must fill out and file a Supplemental Application Form at 630 Garden Street (Community Development Department) in addition to submitting appropriate plans.
- All approvals made by the SFDB are based on compliance with Municipal Code Chapter 22.68 and with adopted SFDB guidelines. Some agenda items have received a mailed notice and are subject to a public hearing.
- The SFDB may grant an approval for any project scheduled on the agenda if sufficient information has been provided and no other discretionary review is required. Substitution of plans is not allowed, if revised plans differing from the submittal sets are brought to the meeting, motions for preliminary or final approval will be contingent upon staff review for code compliance.
- The Board may refer items to the Consent Calendar for Preliminary and Final SFDB approval.
- Conceptual comments are valid for one year. Preliminary SFDB approval is valid for one year from the date of the approval unless a time extension has been granted. Final SFDB approval is valid for two years from the date of final action unless a time extension has been granted or a Building Permit has been issued.
- Decisions of the SFDB may be appealed to the City Council. For further information on appeals, contact the Planning Division Staff or the City Clerk's office. Appeals must be in writing and must be filed with the City Clerk at City Hall, 735 Anacapa St. within ten (10) calendar days of the meeting at which the Board took action or rendered its decision.
- **AMERICANS WITH DISABILITIES ACT:** In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the Planning Division at 805-564-5470. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.
- **AGENDAS, MINUTES and REPORTS**: Copies of all documents relating to agenda items are available for review at 630 Garden St. and agendas and minutes are posted online at www.SantaBarbaraCa.gov/sfdb. **Materials related to an item on this agenda submitted to the SFDB after distribution of the agenda packet are available for public inspection in the Community Development Department located at 630 Garden St., during normal business hours.** If you have any questions or wish to review the plans, please contact Tony Boughman, at (805) 564-5470 between the hours of 8:30 a.m. to 4:30 p.m., Monday through Friday. We are closed every other Friday; please check our website for closure dates.

LICENSING ADVISORY:

The Business and Professions Code of the State of California and the Municipal Code of the city of Santa Barbara restrict preparation of plans for certain project types to licensed professionals. Applicants are encouraged to consult with Building and Safety Staff or Planning Staff to verify requirements for their specific projects.

Unlicensed persons are limited to the preparation of plans for:

- Single or multiple family dwellings not to exceed four (4) units per lot, of wood frame construction, and not more than two stories and basement in height;
- Non-structural changes to storefronts; and,
- Landscaping for single-family dwellings, or projects consisting solely of landscaping of not more than 5,000 square feet.

NOTICE:

1. On October 21, 2009 at 4:00 p.m., this Agenda was duly posted on the indoor and outdoor bulletin boards at the Community Development Department, 630 Garden Street, and online at www.SantaBarbaraCa.gov.

2. This regular meeting of the Single Family Design Board will be broadcast live and rebroadcast in its entirety on Wednesday at 8:00 a.m. on Channel 18.

CALL TO ORDER.

The Full Board meeting was called to order at 3:00 p.m. by Chair Mahan.

ROLL CALL:

Members present: Bernstein, Deisler, Mahan, Mosel (in at 3:03), Woolery, Zink.
Members absent: Carroll

Staff present: Boughman, Shafer

GENERAL BUSINESS:

A. Public Comment:

No public comment.

B. Approval of Minutes:

Motion: Approval of the minutes of the Single Family Design Board meeting of October 12, 2009, as amended.
Action: Zink/Bernstein, 5/0/0. Motion carried. (Carroll/Mosel absent.)

C. Consent Calendar:

Motion: Ratify the Consent Calendar of October 19, 2009. The Consent Calendar was reviewed by Glen Deisler with the exception of the landscaping for Items A and B reviewed by Erin Carroll.
Action: Woolery/Zink, 6/0/0. Motion carried. (Carroll absent.)

Motion: Ratify the Consent Calendar of October 26, 2009. The Consent Calendar was reviewed by Glen Deisler with landscaping reviewed by Erin Carroll.
Action: Bernstein/Woolery, 6/0/0. Motion carried. (Carroll absent.)

D. Announcements, requests by applicants for continuances and withdrawals, future agenda items, and appeals.

1. Mr. Boughman made the following announcements
   a) Mr. Boughman announced that Item 3, 117 E. Islay Street, scheduled for 4:15, will not be heard. The applicant requested a two week postponement.
   b) Erin Carroll will be absent.
2. William Mahan announced that he will not attend the November 9 SFDB meeting.
3. Mr. Zink announced that he will step down from Item #7.
4. Ms. Bernstein announced that she will step down from Item #5.

E. Subcommittee Reports - None.

SFDB-CONCEPT REVIEW (CONT.)

1. 1010 ROBLE LN **E-1 Zone**

(3:15) Assessor's Parcel Number: 019-241-026
Application Number: MST2009-00396
Owner: Kevin C. Almeroth
Architect: Dawn Sherry

(Proposal for alterations to decks, trellises, stairs, railings, and trash enclosure. The lot is currently developed with a three-story 2,304 square foot residence and 393 square foot attached garage on an 8,883 square foot lot in the Hillside Design District.)

(Second Concept Review. Action may be taken if sufficient information is provided.)

Actual time: 3:09

Present: Dawn Sherry, Architect.

Public comment was opened at 3:17 p.m. A letter from in opposition from Paula Westbury was acknowledged. As no one wished to speak, public comment was closed.

Chair Mahan stated that in this case the 15 foot setback guideline is being waived due to the existing deck within the setback.

Motion: **Preliminary Approval of the project with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code and return on Consent Calendar with the following comments:**

1) The project provides quality materials; high-quality details; scale is not increasing; project is a minor remodel project; in this case, the 11 foot deck setback is acceptable because the deck is existing.
2) Change the garage door header to wood.
3) Consider 6x8 corbels under the deck.
4) Study the octagonal roof vent for fire safety.
5) Provide a color board and details.

Action: Zink/Deisler, 6/0/0. Motion carried. (Carroll absent.)

The ten-day appeal period was announced.

FINAL REVIEW

2. 581 LAS ALTURAS RD **E-1 Zone**

(3:45) Assessor's Parcel Number: 019-281-007
Application Number: MST2009-00170
Owner: Bradley Vernon
Architect: Leonard Grant

(After preliminary approval was granted, in preparation of building plans a survey of the property was conducted which discovered that the proposed house and garage, as well as the previous house, encroach into the front setback. Staff Hearing Officer approval of a Modification is requested to allow the front setback encroachment. Proposal to demolish an existing 2,040 square foot one-story single-family residence and 616 square foot garage and construct a 3,520 square foot two-story single-family residence and 440 square foot attached two-car garage with 124 square feet of accessory space. Also proposed is a new swimming pool with a covered pavilion and 36 square foot half-bathroom. The proposed total of 4,120 square feet on the 18,962 square foot lot in the Hillside Design District is 93% of the maximum guideline floor to area ratio.)

Actual time: 3:29

Present: Leonard Grant, Architect; Benny Herrera, Project Manager; Bradley Vernon, Owner/Contractor.

Chair Mahan expressed concern that the project changes are not in Substantial Conformance with the plans that received Preliminary Approval on May 26, and directed the Board to review the massing and details giving reconsideration to changes.

Public comment was opened at 3:54 p.m. As no one wished to speak, public comment was closed.

Motion: **Continued to the Full Board with the following comments:**

1) Applicant to either return the project into conformance with the design which received Preliminary Approval on May 26, 2009, or submit an application for preliminary approval of the new, larger project.
2) The Board can support the rotated cabana.
3) Verify with the Building Division where wood can be used as veneer due to fire protection standards.
4) Study chimney sizes for proportions with buildings.

Action: Woolery/Bernstein, 6/0/0. Motion carried. (Carroll absent.)

SFDB-CONCEPT REVIEW (CONT.)

3. 117 E ISLAY ST **E-1 Zone**

(4:15) Assessor's Parcel Number: 027-041-011
Application Number: MST2009-00203
Owner: Jeffrey and Cheryl Long
Architect: Brian Nelson

(Proposal to combine two existing houses and garages into one single-family residence. A permit was issued in 1987 for this work but the work was not completed and the permit expired. The project includes a 785 square foot addition to the first-floor, a new 806 square foot second-story, demolition of 186 square feet of a garage within the setback, a new 405 square foot detached two-car garage, a covered roof deck tower element, a new patio and trellis, and complete remodeling. The portions of the existing houses that encroached into the interior setback will remain. The proposed total of 3,609 square feet on the 10,473 square foot lot is 94.7% of the maximum floor to lot area ratio.)

(Second Concept Review. Action may be taken if sufficient information is provided.)

Postponed two weeks at the applicant's request.

The Board recessed from 4:25 p.m. until 4:30 p.m.

FINAL REVIEW

4. 1689 FRANCESCHI RD **A-1 Zone**

(4:45) Assessor's Parcel Number: 019-021-019
Application Number: MST2009-00141
Owner: Jason Yardi
Architect: Jeff Shelton

(Proposal to demolish an existing one-story 1,677 square foot single-family residence and detached garage, and construct a new two-story 2,196 square foot single-family residence and two 231 square foot detached one-car garages, one garage will have a 231 square foot accessory space above. The project is located on a 42,000 square foot lot in the Hillside Design District. The proposed total of 2,889 square feet is 58% of the maximum guideline floor to area ratio.)

Actual time: 4:32

Present: Jeff Shelton, Architect; Alexa Schloh, Associate; Jason Yardi, Owner.

Public comment was opened at 4:50 p.m.

Maxine Jagiello-Watling, neighbor, has no problem allowing driveway access, but is concerned that legal issues must be addressed to attorneys (submitted written comments).
A letter in opposition from Paula Westbury was acknowledged.

Public comment was closed at 4:52 p.m.

Mr. Mahan stated that because there is confusion regarding the easement and its extent, the applicant, the neighbor Maxine Wagiello-Watling, and their respective attorneys are to resolve the matter.

Motion: **Final Approval of the project as submitted with the comment that the applicant is to resolve the easement issue prior to proceeding to the Building Division.**
Action: Diesler/Mosel, 5/1/0. Motion carried (Bernstein opposed. Carroll absent.)

The Board recessed from 5:05 p.m. until 5:10 p.m.

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

5. 2215 EDGEWATER WAY **E-3/SD-3 Zone**
(5:15)
Assessor's Parcel Number: 041-350-014
Application Number: MST2008-00119
Owner: John Sharrat
Applicant: Raymond Appleton

(Proposal for a lot line adjustment between the properties at 2215 Edgewater and 2305 Edgewater which will create two bluff top properties. The scope of work for the proposed western lot, 2305 Edgewater Way, includes the construction of a 400 square foot two-car garage for the existing 2,219 square foot two-story single-family residence and the total of 2,619 square feet on the 21,999 square foot lot is 56% of the maximum guideline floor to lot area ratio. The scope of work for the proposed eastern lot, 2215 Edgewater Way, includes demolition of the existing 283 square foot carport and construction of a 400 square foot detached two-car garage and conversion of the existing 627 square foot guest house to a single-family residence and the proposed total of 1,027 square feet on the 31,392 square foot lot is 21% of the maximum guideline floor to lot area ratio. Approval of Modifications are requested to allow the garages to encroach into the front setback, and for fences, gates, and trellis to exceed 3.5 feet in height within 10 feet of the front lot lines. The project is located in the appealable jurisdiction of the coastal zone. Planning Commission approval of a Coastal Development Permit, a Lot Line Adjustment, and Modifications is requested.)

(Comments only; project requires environmental assessment and Planning Commission approval of a Lot Line Adjustment and a Coastal Development Permit.)

Actual time: 5:10

Present: John Sharrat, Owner/Architect; Carrol Gross, Landscape Architect.

Public comment was opened at 5:33 p.m.

A letter from in support of the project from Laura Bridley was acknowleged.
A letter in opposition to the project from Paula Westbury was acknowledged.
Bruce Venturelli, in favor with conditions (submitted written support signed by 13 neighbors)
Gwen Hildred, opposed: not opposed to the stone wall, concerned about garages in setback, sidewalks, trash enclosure.

Public comment was closed.

Motion: **Continued indefinitely to the Full Board with the following comments:**
1) The lot line adjustment is supportable by a majority of the Board.
2) The garages in the setbacks are not supportable. Provide information on the setback of the neighbor's garage. A glass garage door is not compatible with the neighborhood. Study the garage door width to be narrower.

3) Refine the architecture of the guest house garage to be compatible with the original house.
4) Consider a five foot high fence along the eastern property line to the bluff top.
5) The landscape design is acceptable as presented.
6) Trim the Pittoisporum tree.
7) Design the project to provide room for future sidewalk widening.

Action: Zink/Woolery, 5/0/0. Motion carried. (Bernstein stepped down. Carroll absent.)

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

6. 214 SELROSE LN **E-3/SD-3 Zone**

(5:50) Assessor's Parcel Number: 041-363-011
Application Number: MST2009-00451
Owner: Severance Laurence and Judith Long
Contractor: Cesar Cruz

(Proposal for a new 600 square foot second-story for an existing 2,274 square foot one-story single-family residence with an attached 445 square foot two-car garage. The project is located on a 7,493 square foot lot in the non-appealable jurisdiction of the Coastal Zone. The proposed total of 3,319 square feet is 108% of the maximum floor to lot area ratio. Planning Commission approval is requested for a Modification to exceed the maximum floor to lot area ratio.)

(Comments only; project requires environmental assessment and Planning Commission approval of a Modification. Five members of the SFDB must vote in support for the floor to lot area Modification to be approvable by the Planning Commission.)

Actual time: 6:07

Present: Cesar, Cruz, Contractor; Larry Severance and Judith Long, Owners.

Public comment was opened at 6:18 p.m.

Thirteen letters in opposition of the project were acknowledged.
Rhonda Seiter, opposed, concerned about two-story homes in the neighborhood (provided photos of 26 single-story neighborhood homes).
John Williams, opposed, concerned about negative visual impacts.
Frank Wascoe, opposed: concerned about negative precedent.
Jeri Wasco, opposed. concerned about buildings too large for small lots.
Robyn Palmquist, opposed, project is not compatible with the neighborhood.
David VanHoy, concerned about detrimental precedent to the neighborhood and privacy impacts.
Susan Shank, opposed: concerned about increased density and blocked view.
Keith Lawler, opposed: concerned about size, bulk, scale, increased height, loss of ocean views; concerned about setting negative precedent.
Lynn Raber, opposed: project is not compatible with the neighborhood.

Public comment was closed at 6:34 p.m.

Straw votes:
How many board members can support a floor to lot area ratio of 108%? 0/6/0 No support.
How many can support a second-story on the project side of the street? 0/6/0. No support.

Motion: **Continued indefinitely to the Full Board with the following comments:**
1) The Board can not support project as designed.
2) Applicant advised to redesign for a single-story project.

Action: Zink/Woolery, 6/0/0. Motion carried. (Carroll absent.)

PRELIMINARY REVIEW

7. 233 LAS ONDAS **E-3/SD-3 Zone**

(6:25) Assessor's Parcel Number: 045-152-005
Application Number: MST2009-00313
Owner: Bengt J. and Janis M. Johansson
Architect: Paul Zink

(Revised proposal for remodeling and a new 552 square foot second-story, a 173 square foot addition to the first-floor, front entry and second-story master bathroom are revised, and demolition of 15 square feet of the house. The existing 388 square foot two-car garage is now proposed to remain. The existing 1,870 square foot one-story single-family residence is located on a 8,021 square foot lot in the Coastal Zone. Staff Hearing Officer approval is requested to increase the size of an existing window and add a window to the portion of the house in the front setback. The proposed total of 2,968 square feet is 93% of the maximum floor to lot area ratio.)

(Fourth Review. Project requires compliance with Staff Hearing Officer Resolution No. 083-09.)

Actual time: 6:43

Present: Paul Zink, Architect; Bengt and Janis Johansson, Owners.

Public comment was opened at 6:50 p.m.

A letter in opposition from Paula Westbury was acknowledged.

Public comment was closed.

Motion: **Preliminary Approval of the project with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code with the following comments:**
1) Project provides quality materials, permeable paving; neighborhood compatible.
2) Lower light fixtures at driveway to be below fence height.
3) Study the stucco color to work with shingles.
4) The brick veneer should wrap around the front corner.
5) Provide an irrigation plan.
6) Project may return for Final Approval on Consent Calendar.

Action: Mosel/Woolery, 5/0/0. Motion carried. (Zink stepped down. Carroll absent.)

The ten-day appeal period was announced.

The Full Board meeting was adjourned at 7:02 p.m.

CONSENT CALENDAR (11:00)

FINAL REVIEW

A. 1669 LAS CANOAS RD **A-1 Zone**

Assessor's Parcel Number: 021-071-009
Application Number: MST2009-00428
Owner: McNamara Family Trust
Architect: Peter Novak

(Proposal to rebuild a house and garage destroyed in the Jesusita Fire. The project would expand the prior house by 189 square feet, resulting in a 3,566 square foot one-story single-family residence and 521 square foot attached two-car garage. The existing pool will remain. The proposed total of 4,087 square feet on the two acre lot in the Hillside Design District is 74% of the maximum guideline floor to lot area ratio.)

(Final approval of the architecture and landscaping is requested.)

Final Approval of the architecture as submitted. Show patios and hardscape on landscape plan. Provide irrigation plan.

FINAL REVIEW

B. 1325 W MOUNTAIN DR **A-1 Zone**

Assessor's Parcel Number: 021-050-027
Application Number: MST2009-00398
Owner: Grant and Therese Gibson

(Proposal to rebuild a house and carport destroyed in the Tea Fire. The project involves relocating a 2,130 square foot one-story single-family residence from 1297 W. Mountain Drive. The house will be moved in five sections and placed at the northern portion of the property. Also proposed is a 480 square foot detached two-car carport, 1,540 square feet of patios and decks, and 493 cubic yards of cut and 490 cubic yards of fill grading to be balanced on site. The proposed total of 2,610 square feet on the 1.82 acre lot in the Hillside Design District is 39% of the maximum guideline floor to lot area ratio.)

(Final approval of the architecture and landscaping is requested.)

Postponed one week at the applicant's absence.

NEW ITEM

C. 762 WESTMONT RD **R-1 Zone**

Assessor's Parcel Number: 013-103-001
Application Number: MST2009-00468
Owner: Arnold Christensen
Architect: Vadim Hsu

(Proposal to rebuild a house and garage destroyed in the Tea Fire. Proposed is a two-story 3,226 square foot single-family residence and attached 480 square foot two-car garage. The proposed total of 3,706 square feet on the 20,876 square foot lot in the Hillside Design District is 79% of the maximum guideline floor to lot area ratio.)

(Action may be taken if sufficient information is provided.)

Preliminary Approval of the architecture with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code with the following comments: 1) Reduce second floor plate height to eight feet. 2) Study a visual break between the first and second stories. 3) Study planting pockets in front of garage. 4) Study permeability of hardscape. 4) Provide a landscape plan and show trees. 5) Provide details and colors. 6) The project provides quality architecture, is compatible with the neighborhood, and preserves trees.

CONTINUED ITEM

D. 954 ROBLE LN **E-1 Zone**

Assessor's Parcel Number: 019-251-016
Application Number: MST2009-00481
Owner: Randall J. Tinney

(This proposal is a revision to a project approved by the ABR under MST2005-00379. Proposal for a 400 square foot addition to an existing 1,512 square foot dwelling, with an attached 520 square foot garage, on a 7,127 square foot lot in the Hillside Design District. The proposed total of 2,510 square feet includes an existing 78 square foot accessory building on the 7,127 square foot lot and is 84% of the maximum floor to lot area ratio.)

(The project received approval at ABR in 2005. Second Review of the revised project to reduce the size of the approved second-story addition.)

Public comment: Nancy Duffy: worked out a solution with the applicant involving an eight foot fence and trimming the oleander hedge to that height; Jovan Nicholic: preserve access to sewer cleanout.

Final Approval of the project with conditions: 1) Remove spotlights. 2) Return to Staff with a fence detail showing a wood fence, or equivalent that is eight feet tall, and with exterior lighting details.

NEW ITEM

E. 1444 JESUSITA LN **A-1 Zone**

Assessor's Parcel Number: 055-240-015
Application Number: MST2009-00462
Owner: Irene Elias
Contractor: Superior Pool and Spa

(Proposal for a new 16 by 80 foot in-ground pool, spa, and equipment for an existing single-family residence)

(Action may be taken if sufficient information is provided.)

Continued one week with comments 1) Show the pool fencing on the site plan. 2) Provide details of the fencing and gates. 3) Confirm if the retaining wall and existing fence suffice for pool fencing to the south. 4) Show information of pool equipment enclosure. 5) Show detail of appearance of spa surround.

Items on Consent Calendar were reviewed by Glen Deisler and Erin Carroll. Staff present: Tony Boughman, Planning Technician II.

City of Santa Barbara
Planning Division

SINGLE FAMILY DESIGN BOARD
MINUTES

Monday, July 18, 2011 **David Gebhard Public Meeting Room: 630 Garden Street** **3:00 P.M.**

BOARD MEMBERS: GLEN DEISLER, CHAIR - PRESENT
DENISE WOOLERY, VICE- CHAIR - PRESENT
BERNI BERNSTEIN - PRESENT
BRIAN MILLER - PRESENT
JIM ZIMMERMAN - PRESENT
FRED SWEENEY - PRESENT

CITY COUNCIL LIAISON: DALE FRANCISCO - ABSENT
PLANNING COMMISSION LIAISON: MICHAEL JORDAN - ABSENT

STAFF: JAIME LIMÓN, Design Review Supervisor - ABSENT
MICHELLE BEDARD, Planning Technician - PRESENT
KATHLEEN GOO, Commission Secretary - PRESENT

Website: www.SantaBarbaraCa.gov

SINGLE FAMILY DESIGN BOARD SUBMITTAL CHECKLIST (See ABR Guidelines & Design Review Submittal Requirements for Details)		
CONCEPT REVIEW	Required	Master Application & Submittal Fee - (Location: 630 Garden Street) Photographs - of the existing building (if any), adjacent structures, composite panoramic view of the site, surrounding areas & neighborhood streetscape - mounted or folded to no larger than an 8.5" x 14" photo display board. Plans - three sets of folded plans are required at the time of submittal & each time plans are revised. Vicinity Map and Project Tabulations - (Include on first drawing) Site Plan - drawn to scale showing the property boundaries, existing & proposed structures, building & area square footages, building height, areas to be demolished, parking, site topography, conceptual grading & retaining walls, & existing landscaping. Include footprints of adjacent structures. Exterior elevations - showing existing & proposed grading where applicable.
	Suggested	Site Sections - showing the relationship of the proposed building & grading where applicable. Plans - floor, roof, etc. Rough sketches are encouraged early in the process for initial design review to avoid pursuing incompatible proposals. However, more complete & thorough information is recommended to facilitate an efficient review of the project.
PROJECT DESIGN APPROVAL	Required	Same as above with the following additions: Plans - floor, roof, etc. Site Sections - showing the relationship of the proposed building & grading where applicable. Preliminary Landscape Plans - required for commercial & multi-family; single-family projects where grading occurs. Preliminary planting plan with proposed trees & shrubs & plant list with names. Plans to include street parkway strips.
	Suggested	Color & Material Samples - to be mounted on a board no larger than 8.5" x 14" & detailed on all sets of plans. Exterior Details - windows, doors, eaves, railings, chimney caps, flashing, etc. Materials submitted for Project Design Approval form the basis for working drawings & must be complete & accurate.
FINAL & CONSENT	Required	Same as above with the following additions: Color & Material Samples - to be mounted on a board no larger than 8.5" x 14" and detailed on all sets of plans. Cut Sheets - exterior light fixtures and accessories where applicable. Exterior Details - windows, doors, eaves, railings, chimney caps, flashing, etc. Final Landscape Plans - landscape construction documents including planting & irrigation plan. Consultant/Engineer Plans - electrical, mechanical, structural, & plumbing where applicable.

PLEASE BE ADVISED

- The approximate time the project will be reviewed is listed to the left of each item. It is suggested that applicants arrive 15 minutes early. The agenda schedule is subject to change as cancellations occur. Staff will notify applicants of time changes. , Present
- The applicant's presence is required. If an applicant is not present, the item will be postponed indefinitely. If an applicant cancels or postpones an item without providing advance notice, the item will be postponed indefinitely and will not be placed on the following Single Family Design Board (SFDB) agenda. In order to reschedule the item for review, a rescheduling fee will be paid and the applicant must fill out and file a Supplemental Application Form at 630 Garden Street (Community Development Department) in addition to submitting appropriate plans.
- All approvals made by the SFDB are based on compliance with Municipal Code Chapter 22.69 and with adopted SFDB guidelines. Some agenda items have received a mailed notice and are subject to a public hearing.
- The SFDB may grant an approval for any project scheduled on the agenda if sufficient information has been provided and no other discretionary review is required. Substitution of plans is not allowed, if revised plans differing from the submittal sets are brought to the meeting, motions for Project Design Approval or Final Approval will be contingent upon staff review for code compliance.
- The Board may refer items to the Consent Calendar for Project Design Approval and Final SFDB approval.
- Conceptual comments are valid for one year. Project Design Approval is valid for one year from the date of the approval unless a time extension has been granted. Final SFDB approval is valid for two years from the date of final action unless a time extension has been granted or a Building Permit has been issued.
- Decisions of the SFDB may be appealed to the City Council. For further information on appeals, contact the Planning Division Staff or the City Clerk's office. Appeals must be in writing and must be filed with the City Clerk at City Hall, 735 Anacapa St. within ten (10) calendar days of the meeting at which the Board took action or rendered its decision.
- **AMERICANS WITH DISABILITIES ACT:** In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the Planning Division at 805-564-5470. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.
- **AGENDAS, MINUTES and REPORTS**: Copies of all documents relating to agenda items are available for review at 630 Garden St. and agendas and minutes are posted online at www.SantaBarbaraCa.gov/sfdb. Materials related to an item on this agenda submitted to the SFDB after distribution of the agenda packet are available for public inspection in the Community Development Department located at 630 Garden St., during normal business hours. If you have any questions or wish to review the plans, please contact Michelle Bedard at 805-564-5470 extension 4551, or by email at mbedard@santabarbaraca.gov. Our office hours are 8:30 a.m. to 4:00 p.m., Monday through Thursday, and every other Friday. Please check our website under *City Calendar* to verify closure dates.

LICENSING ADVISORY:

The Business and Professions Code of the State of California and the Municipal Code of the city of Santa Barbara restrict preparation of plans for certain project types to licensed professionals. Applicants are encouraged to consult with Building and Safety Staff or Planning Staff to verify requirements for their specific projects.

Unlicensed persons are limited to the preparation of plans for:

- Single or multiple family dwellings not to exceed four (4) units per lot, of wood frame construction, and not more than two stories and basement in height;
- Non-structural changes to storefronts; and,
- Landscaping for single-family dwellings, or projects consisting solely of landscaping of not more than 5,000 square feet.

NOTICE:

1. That on Thursday, July 14, 2011, at 4:00 p.m., this Agenda was duly posted on the indoor and outdoor bulletin boards at the Community Development Department, 630 Garden Street, and online at www.SantaBarbaraCa.gov/sfdb.

2. This regular meeting of the Single Family Design Board will be broadcast live on City TV-18, or on your computer via http://www.santabarbaraca.gov/Government/Video/ and then clicking City TV-18 Live Broadcast. City TV-18 will also rebroadcast this meeting in its entirety the following Wednesday morning at 8:00 a.m. An archived video copy of this meeting will be viewable on computers with high speed internet access the following Wednesday at www.santabarbaraca.gov/sfdb and then clicking *Online Meetings*.

CALL TO ORDER.

The Full Board meeting was called to order at 3:00 p.m. by Chair Deisler.

ATTENDANCE:

Members present: Bernstein, Deisler, Miller, Woolery, Zimmerman, and Sweeney.
Members absent: None.

Staff present: Bedard and Goo.

GENERAL BUSINESS:

A. Public Comment:

Any member of the public may address the Single Family Design Board for up to two minutes on any subject within their jurisdiction that is not scheduled for a public discussion before the Board on that day. The total time for this item is ten minutes. (Public comment for items scheduled on today's agenda will be taken at the time the item is heard.)

No public comment.

B. Approval of the minutes of the Single Family Design Board meeting of **July 5, 2011**.

Motion: Approval of the minutes of the Single Family Design Board meeting of **July 5, 2011**, as amended.
Action: Bernstein/Miller, 4/0/2. Motion carried. (Sweeney/Zimmerman abstained).

C. Consent Calendar.

Motion: Ratify the Consent Calendar for **July 11, 2011**. The Consent Calendar was reviewed by **Brian Miller** and **Denise Woolery**.
Action: Woolery/Sweeney, 5/0/1. Motion carried. [Deisler abstained (from Item C)].

Motion: To amend the action for Consent Item E, 2521 Medcliff Road, from the July 18, 2011 Consent agenda, as such: "Continued indefinitely to Staff Hearing Office, and return to *Full Board*, subsequent to the Staff Hearing Officer review." (instead of *Consent*).
Action: Bernstein/Deisler, 6/0/0. Motion carried unanimously.

Motion: Ratify the Consent Calendar for **July 18, 2011, as amended**. The Consent Calendar was reviewed by **Brian Miller** and **Denise Woolery**.
Action: Woolery/Zimmerman, 5/0/1. Motion carried. [Deisler abstained (from Item A)].

D. Announcements, requests by applicants for continuances and withdrawals, future agenda items, and appeals.

Ms. Bedard announced a correction to the previously mailed notice for a proposed project at 2324 Santa Barbara Street, which will be reviewed at the August 1, 2011 meeting at the applicant's request instead of at today's meeting.

E. Subcommittee Reports: None.

CONCEPT REVIEW - NEW ITEM

1. 1724 MIRA VISTA AVE **E-1 Zone**

Assessor's Parcel Number: 019-090-039
Application Number: MST2011-00271
Owner: Todd and Susan Black
Applicant: Elizabeth Conklin

(Proposal for a complete façade and interior remodel and an 83 square foot addition to an existing one-story, 2,344 square foot, single-family residence. The proposal includes the installation of a new roof-mounted photovoltaic solar panel system, a new swimming pool and pool related equipment. The existing house is built over two existing parcels, which total 38,029 square feet and project approval is contingent on the approval of a voluntary lot merger prior to issuance of a building permit. The proposed total of 2,427 square feet, on the combined parcel total of 38,029 square feet, is 50% of the maximum guideline floor-to-lot area ratio. The project will address violations listed in ZIR2011-00017.)

(Action may be taken if sufficient information is provided. Compliance with the Tier 3 Storm Water Management Program (SWMP) is required prior to granting Final Approval.)

(3:23)

Present: Elizabeth Conklin, Applicant.

Public comment opened at 3:35 p.m. As no one wished to speak, public comment was closed.

The Board inquired about the existing site violations and abatement status listed in the Zoning Information Report (ZIR2011-00017).

Motion: Project Design Approval with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code and continued indefinitely to the Full Board with comments:

1) The Board had positive comments regarding the project's mass, size, and bulk, consistency and appearance, quality of architecture and materials, safety, compatibility with the neighborhood, good neighbor guidelines, and details.
2) Provide a landscape plan, including hardscape/softscape, and security pool fencing/gate.
3) Study the fencing for the use of more natural colors and materials.
4) Provide compliance with the Tier 3 Storm Water Management Program (SWMP) requirements.

Action: Woolery/Zimmerman, 5/1/0. Motion carried. (Miller opposed).

The ten-day appeal period was announced.

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

2. 1507 ALAMEDA PADRE SERRA **E-1 Zone**

Assessor's Parcel Number: 029-060-030
Application Number: MST2011-00266
Owner: Fleming Family Trust
Designer: Jason Carter Design & Drafting

(Proposal to construct a new 298 square foot second floor addition to an existing three-level, 2,284 square foot single-family residence and detached 511 square foot two-car garage. The proposed total of 3,093 square feet, located on a 20,038 square foot lot in the Hillside Design District, is 66% of the floor-to-lot area ratio.)

(Action may be taken if sufficient information is provided. Compliance with the Tier 2 Storm Water Management Program (SWMP) is required prior to granting Final Approval.)

(3:56)

Present: Jason Carter, Designer; and Reece Fleming, Owner.

Public comment opened at 4:06 p.m. As no one wished to speak, public comment was closed.

Motion: Project Design Approval and Final Approval with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal with the comments:

1) The Board had positive comments regarding the project's style, consistency and appearance, neighborhood compatibility, quality of architecture and materials, safety, good neighbor guidelines, and public views.
2) The Board recommends a single window be located at the north elevation of the property, as discussed.
3) Provide an Arborist Report to ensure proper trimming of the existing oak trees.
4) Document on plans the Tier 2 Storm Water Management Program (SWMP) compliance with the replacement of the existing driveway with permeable paving material, and the incorporation of French drains.

Action: Miller/Woolery, 6/0/0. Motion carried unanimously.

The ten-day appeal period was announced.

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

3. 103 ONTARE HILLS LN **A-1 Zone**

Assessor's Parcel Number: 055-160-061
Application Number: MST2011-00261
Owner: JWM Revocable Trust
Architect: Bill Wolf

(Proposal to construct a new one-story 3,036 square foot single-family residence and a 722 square foot detached three-car garage on a 42,123 square foot vacant lot located in the Hillside Design District. The proposed total of 3,759 square feet is 76% of the guideline floor-to-lot area ratio. A total of 1,097 cubic yards of grading is proposed, which includes 232 cubic yards of cut and 99 cubic yards of fill under the building footprint and 463 cubic yards of cut and 303 cubic yards of fill on the site. Two trees are proposed to be removed. This parcel was created as a result of a nine-lot subdivision which was approved by the Planning Commission on April 28, 2005. Project requires compliance with Planning Commission Resolution No. 032-05.)

(Comments only; project requires Environmental Assessment and compliance with Planning Commission Resolution No. 032-05.)

(4:15)

Present: Bill Wolf, Architect; and Jack Maxwell, Owner.

Public comment opened at 4:23 p.m. As no one wished to speak, public comment was closed.

Mr. Wolf stated that the owner spoke to the neighbors to comply with good neighbor policy.

Motion: **Continued indefinitely to the Full Board with comments:**

1) Provide a landscaping plan, and site walls and entry gate details; specify whether a swimming pool will be proposed as part of the project and include location and details on the plans.
2) Provide verification that the project's style is compatible with the adjacent historical adobe structure.
3) Provide driveway material details.
4) Provide roof details and study for future potential solar photovoltaic panels system.
5) Provide compliance with the Tier 3 Storm Water Management Program (SWMP) requirements.

Action: Bernstein/Sweeney, 6/0/0. Motion carried.

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

4. 3134 LUCINDA LN **E-3 Zone**

Assessor's Parcel Number: 055-192-007
Application Number: MST2011-00257
Owner: Jacobs-Allen Trust
Applicant: Bryan Pollard

(Proposal to construct 961 square feet of residential additions to an existing two-story 1,460 square foot single-family residence. The proposed addition includes the conversion of the existing 636 square foot garage to habitable area, construction of a new 400 square foot two-car garage and a new 325 square foot second-story addition above. A new 107 square foot second floor deck is proposed above the new garage. A total of 29 cubic yards of grading is proposed. The proposal will result in a 2,821 square foot single-family residence, located on a 6,891 square foot lot, and is 97% of the maximum floor-to-lot area ratio.)

(Action may be taken if sufficient information is provided. Compliance with the Tier 2 Storm Water Management Program (SWMP) is required prior to granting Final Approval.)

(4:48)

Present: Bryan Pollard, Architect.

Public comment opened at 5:01 p.m. As no one wished to speak, public comment was closed.

The Applicant provided staff with a copy of a signed petition of 10 neighborhood supporters of the proposed project from along Lucinda Lane.

Motion: **Continued indefinitely to Full Board with comments:**

1) A majority of the Board found the mass, bulk, scale, and FAR acceptable.
2) Study the garage doors, upper deck, guest bedroom, and the shed roof to better integrate these elements into the project's whole design.
3) Provide more detailed information on the roof design, i.e. sections, perspective sketches; Study the garage door to consider one garage door rather than two individual doors.
4) Study and provide alternatives to the front upper level deck, in size and configuration, and the relation to the front entry (provide sections).
5) Provide compliance with the Tier 2 Storm Water Management Program (SWMP) requirements.

Action: Woolery/Bernstein, 6/0/0. Motion carried.

**** MEETING ADJOURNED AT 5:26 P.M. ****

CONSENT CALENDAR:

REVIEW AFTER FINAL

A. 1035 CIMA LINDA LN **A-2 Zone**

Assessor's Parcel Number: 015-202-004
Application Number: MST2010-00142
Owner: Peter Sadowski
Architect: Harrison Design Associates, Inc.

(Proposal to construct a retaining wall ranging from 4 feet 4 inches to 7 feet in height and 140 feet long at the north side of the property. The project will replace a wall that was removed without a permit and includes approximately 100 cubic yards of grading. The proposal will address violations of ZIR2010-00055 and ENF2007-00709.)

(Review After Final for alterations to change the 42-inch sandstone wall to a cmu stucco wall with heights varying 3-feet to 5-feet.)

Approved as submitted of the Review After Final.

REVIEW AFTER FINAL

B. 722 CALLE ALELLA **E-1 Zone**

Assessor's Parcel Number: 041-381-003
Application Number: MST2009-00366
Owner: Arthur Honegger
Designer: Eric Swenumson

(Proposal to add two new second-floor balconies totaling 407 square feet, replace all windows and doors in same size openings, replace garage door, replace two windows with doors at the new rear balcony, and replace one window with door at the new front balcony. The existing 1,872 square foot two-story single-family residence and attached 420 square foot garage are located on a 10,603 square foot lot in the Hillside Design District.)

(Review After Final for a proposed retaining wall with heights varying between 2 to 6 feet.)

Approved as submitted of the Review After Final.

REVIEW AFTER FINAL

C. 1436 MANITOU RD **E-1 Zone**

Assessor's Parcel Number: 049-222-001
Application Number: MST2011-00126
Architect: Lori Kari
Owner: Yukari Okamoto

(Proposal to construct a 294 square foot second-floor addition and a 42 square foot first-floor addition to an existing 1,570 square foot one-story single-family residence with an attached 478 square foot two-car garage. The proposed total of 2,384 square feet, on a 10,875 square foot lot in the Hillside Design District, is 62% of the maximum floor-to-lot area ratio. The proposal will address the violations listed under ZIR2010-00515.)

(Review After Final to change the window styles on the north, west, and east elevations to windows without the divided lights, and replace two window styles to double-hung windows on the north elevation.)

Approved as submitted of the Review After Final.

PROJECT DESIGN AND FINAL REVIEW

D. 1547 SHORELINE DR **E-3/SD-3 Zone**

Assessor's Parcel Number: 045-173-041
Application Number: MST2009-00234
Owner: DC Duncan Susan Duncan Trustees
Applicant: Mark Sauter
Applicant: Dan Morlan
Agent: Mark Morando
Landscape Architect: Arcadia Studio

(Proposal to remove a portion of an existing patio that has been undermined by erosion on the coastal bluff on a 20,300 square foot lot located in the Appealable Jurisdiction of the Coastal Zone and developed with an existing 4,835 square foot single-family residence. The proposal includes the "as-built" removal of one eucalyptus tree from the coastal bluff area and a proposed new site landscape plan. The project requires Planning Commission review for a Coastal Development Permit. The project will address the violations listed in ENF2008-00430 and ENF2010-00829.)

(Project requires compliance with Planning Commission Resolution No. 013-11. Project Design Approval and Final Approval is requested.)

Michael Baugus, neighbor, expressed concern with the location and placement of the proper tree species with regard to the blocking of his private views.

Continued one week to Consent with the comment for the applicant to consider eliminating the "canary date" palm tree and/or provide a small flowering canopy tree replacement.

NEW ITEM

E. 2521 MEDCLIFF RD **E-3/SD-3 Zone**

Assessor's Parcel Number: 041-330-034
Application Number: MST2011-00208
Owner: Thomas Caesar Family Trust
Designer: Marcia Vail

(Proposal to permit the "as-built" replacement of an existing 74 linear foot six-foot tall wood fence located within required front setback and the right-of-way along La Jolla Circle, and to relocate an "as-built" 64 linear foot 3.5-foot tall wood fence located in the right-of-way along Medcliff Road. The parcel is currently developed with an existing one-story single-family residence. The improvements will address the enforcement issues identified in ENF2011-00086. The project requires Staff Hearing Officer review for a requested zoning modification to allow a portion of the existing "as-built" fence to exceed 3.5 feet in height within the required setback. This proposal also requires an encroachment permit from the Public Works Department to allow the construction of the fences to be located within the public right-of-way.)

(Comments only; project requires Environmental Assessment and Staff Hearing Officer review for a requested zoning modification.)

David Vanhoy, neighbor, expressed concerns regarding the proposed trees, their quantities, and location with regard to protecting his private views.

Emails and Letters expressing concerns from Susan Belloni, and Patricia and Anthony Craddock were acknowledged.

Continued indefinitely to Staff Hearing Officer (SHO) and return to Full Board with comments:

1) The Board would prefer the location of the proposed fence be located on the property line, and not in the public right-of-way.
2) The proposed height (maximum 6-feet) and materials are acceptable.
3) All flood lights are to be removed and replaced with the standard light fixtures with minimal wattage and use of opaque glass to comply with the Outdoor Lighting Design Guidelines.

NEW ITEM

F. 1667 LAS CANOAS RD **A-1 Zone**

Assessor's Parcel Number: 021-071-010
Application Number: MST2011-00277
Architect: Thompson Naylor Architects
Owner: Jeffrey Howard Frank Trust

(Proposal to construct a new one-story 2,755 square foot single-family residence and an attached 420 square foot two-car garage located in the Hillside Design District. The previous house and garage were destroyed in the Jesusita Fire. The proposal includes the demolition of the existing pool and pool deck and a portion of the existing driveway. A total of 274 cubic yards of grading is proposed, which includes 178 cubic yards of cut & fill under the building footprint and 96 cubic yards of fill elsewhere on site. The proposed total of 3,175 square feet, located on a 1.3 acre lot, is 62% of the guideline floor-to-lot area ratio.)

(Comments only; project requires Environmental Assessment and Geo/Soils report prior to issuance of a Building Permit.)

Project [illegible] **the finding that the Neighborhood Preservation Ordinance criteria have be** [illegible] **22.69.050 of the City of Santa Barbara Municipal Code and continu** [illegible] **ith the comment that the Board looks forward to seeing a solutio** [illegible]

NEW ITEM

G. 1312 N [illegible] **R-2 Zone**

Assessor's Parcel [illegible] 029-092-011
Application Number: MST2010-00383
Owner: Ian M. Jones

(Proposal to construct a 312 square foot one-story addition to an existing 888 square foot one-story single family residence and a 180 square foot detached one-car garage located on a 4,850 square foot lot in the Lower Riviera Special Design District. The proposed total of 1,380 square feet is 58% of the maximum guideline floor-to-lot area ratio.)

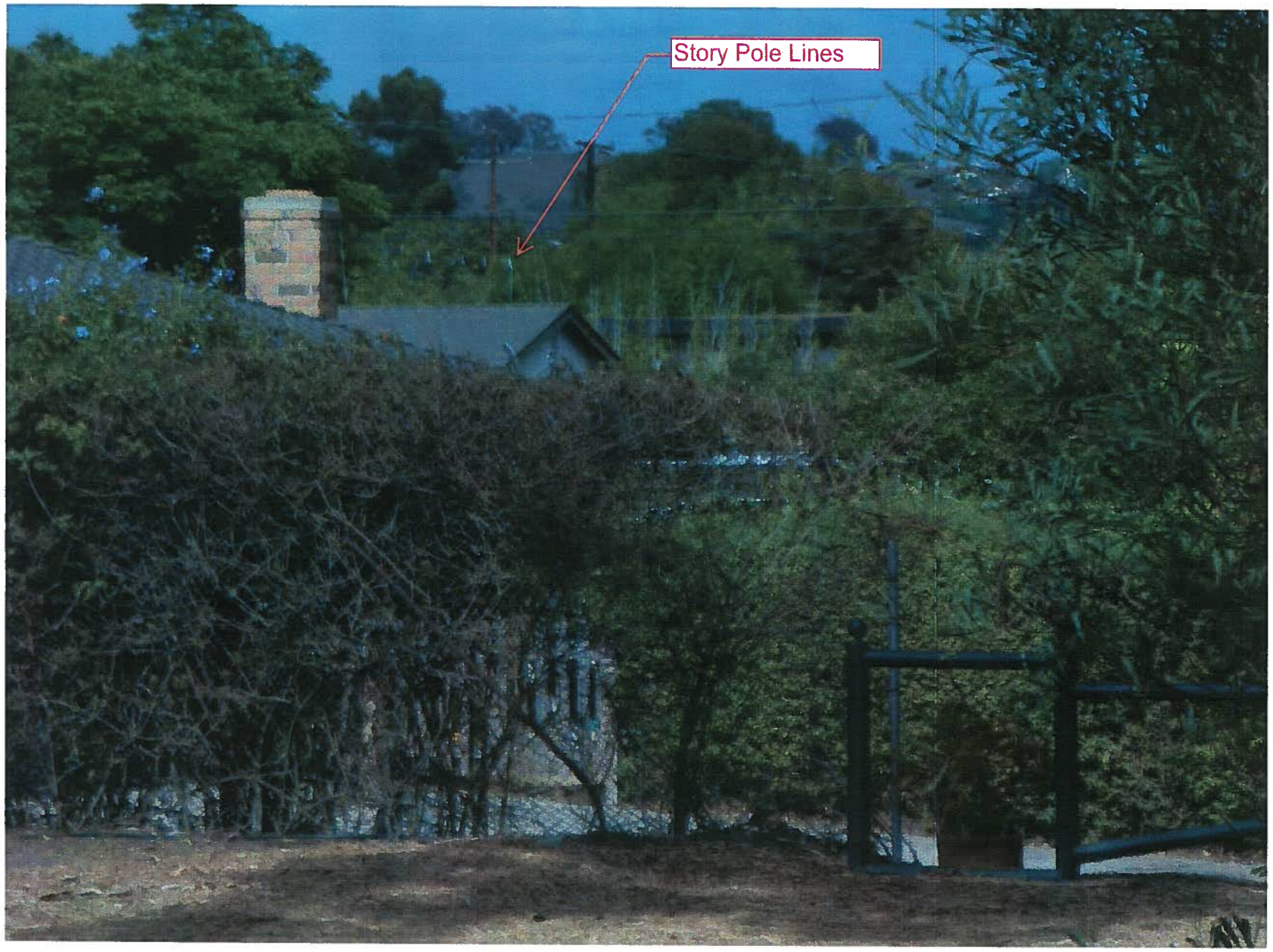
(Comments only; project requires Environmental Assessment.)

Continued indefinitely to Consent with positive comments:

1) The Board finds the proposed addition to be a compatible design solution to the existing residence, and ready for Project Design Approval, pending submittal and approval of the Environmental Report.

Items on Consent Calendar were reviewed by **Brian Miller** and **Denise Woolery**.

View of 215 La Jolla Drive Story Poles from Douglas Family Preserve



July 26, 2014

EXHIBIT F