

City of Santa Barbara
City Clerk's Office
City Council

March 14th, 2008

Appeal of Decision by the Planning Commission

We are appealing the Coastal Development Permit approval by the Planning Commission on March 6, 2008, regarding 565 Yankee Farm Road (MST2005-00759).

[APPLICATION OF JESSICA GRANT & NILS HAMMERBECK AGENTS FOR ANDREAS VON BLOTNITZ, 565 YANKEE FARM ROAD, 047-030-005 A-1/SD-3 ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL (MST2005-00759)]

~~We are also appealing any Planning Commission approval having to do with other than the Coastal Development permit approval, on the grounds that the project does not comply with the zoning ordinances.~~

~~We appeal all planning commission approvals on the following grounds:~~

1. The Planning Commission made a mistake in their judgement when they made the finding that the house was compatible with the neighborhood because they used the wrong neighborhood.
2. The project is not compatible with the Braemar Ranch neighborhood in terms of size, mass, bulk and scale and rural design character.
3. The project creates adverse impacts on the public's views of the hillside, including views from both the ocean and scenic drives.
4. The project has extremely excessive grading of thousands of yards and creates scaring on a very visible hillside.
5. The project's unusual glass roof (huge 30 foot diameter, all glass, sloped) will beam light up into the sky at night and will be seen by much of the entire neighborhood.
6. The height of the building does not conform to the ordinance. (the maximum FAR guideline for this project is 85% of the FAR guideline because the grading exceeds 500 yards and the slope of the lot exceeds 30% [per ordinance 28.15.083]).
7. The square footage of the house exceeds the maximum guidelines of the FAR in the NPO, and exceeds 85% of the guideline. (since the basement is legally a story per the zoning ordinance, the project is in fact 3 stories instead of the 2 stories claimed by the applicant).
8. The runoff pollution from the project will impact local drainages that lead into the ocean.

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9. Due to the basement under-story, the effective height of the projects exceeds the 30 foot height limit. The Single Family Design Guidelines state that the apparent height should not exceed 30 feet. The Single Family Design Guidelines also state hillside projects should have a height of only 25 feet where the slope exceeds 25% as this project does.

10. Glare from the photovoltaic solar panels located on a visible 45% slope will be reflected into much of the neighborhood.

11. The applicant called the first floor a basement, using faulty calculations but in fact it is an actual "story" to be counted in the FAR. Therefore the Planning Commission approved the project based on the assumption of a faulty FAR. This house exceeds the maximum FAR guidelines to a greater extent than the Planning Commission realized. They would very likely have never approved it had they known the true FAR.

12. A portion of the proposed project is being built on slopes greater than 30%, which is not allowed by City ordinance. The Planning Commission would not have approved the project had they known. (the solar panels support structure is proposed to be built on a 45% slope which is not allowed.)

13. The Planning Commission exceeded its authority by sending the project on to the ABR instead of the Single Family Design Board because the project had not made it to the preliminary ABR approval in the process at the time the Ordinance was passed in order to be able to avoid going to The Single Family Design Board.

14. The Planning Commission mistakenly associated the project as being part of the Campnil Hill neighborhood instead of the Braemar Ranch neighborhood. This project has its only access from the Braemar Ranch neighborhood. All the residents of the Braemar Ranch neighborhood consider this house as being part of their neighborhood. It is the Braemar Ranch neighborhood that is visually impacted by the view of this excessively large house right on the ridge from the public streets of the Braemar Ranch neighborhood.

15. The applicant's overall project size is really 8542 square feet, while the average house size in the Braemar Ranch neighborhood is around 3000 square feet, therefore the project is totally out of scale and compatibility of the neighborhood. It is simply way too large!!!

16. The Planning Commission was favorably swayed by the applicants' statement that this project will be carbon neutral. The project is green but is certainly not fully carbon neutral. Contrary to the applicants' claims, the project— due to its overall massive size— is not fully sustainable and even with the green features of the project, may use more water, electricity, and natural gas than the typical house in the neighborhood, as well as use more material and energy to make and install all that material. The house uses an excessive amount of cement. To manufacture that massive amount of cement in the walls and floors, it will create up to 500 tons of CO₂ green house gases, because manufacturing one-ton of cement creates 5 tons of CO₂ greenhouse gases.

17. The Single Family Design Guidelines say applications for projects over 85% of the guideline FAR will be accepted for processing without a modification request if slope is less than 30% and height is less than 25 feet and in the Hillside Design District if grading is less than 500 yards.

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