

Present: Jules Zimmer, Agent.

Roxanne Milazzo, Associate Planner gave the Staff presentation and recommendation.

The Public Hearing was opened at 9:17 a.m.
A letter from Paula Westbury expressing concern for the project was acknowledged.
The Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report and visited the site and surrounding neighborhood.

ACTION: **Assigned Resolution No. 023-09**
Approved the project making the finding that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on the lot. The benches which will be attached to an existing wall will provide a spot for relaxation, visiting, or a seat while waiting to be picked up, are an improvement that provides a much needed amenity, without adding floor area within a required setback. They area appropriately designed and match the architecture on site, and do not effect the site distance at the corner of Santa Barbara and Arrellaga Streets.

The ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Planning Commission was announced.

ACTUAL TIME: 9:20 A.M.

C. APPLICATION OF BRITT JEWETT FOR BARBARA MATHEWS, 2105 ANACAPA STREET, APN 025-242-011, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00311)

The 9,448 square foot project site is located on the corner of Anacapa and Padre Streets. Current development on site consists of a single family residence and detached garage. The proposed project involves demolition of the existing structures and the construction of a 3,339 square foot single family residence and attached 420 square foot garage. The discretionary applications required for this project are Modifications to allow construction within both thirty-foot front setbacks and the required 1,250 square foot Open Yard Area. (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Present: Britt Jewett, Applicant.

Roxanne Milazzo, Associate Planner gave the Staff presentation and recommendation. Ms. Milazzo clarified that a revised site plan was submitted eliminating a modification for encroachment into the required open yard.

Ms. Reardon questioned the height above grade of the rear deck and within the required open yard. Ms. Reardon clarified that a raised deck located in the setback would require a modification. Ms. Milazzo explained that raised decks in the interior setbacks adjacent to other uses are not typically supported by staff. Mr. Jewett responded that it is possible to drop down to grade so use of a deck is not needed.

Ms. Reardon commented that recent Zoning Ordinance amendments now allow sites with two front yards to have the secondary front yard used as the required open yard.

The Public Hearing was opened at 9:29 a.m.

1. Chuck Maunz, opposed: concerned about a modification which would allow the house to be close to Anacapa Street.
2. Tony Fischer, opposed: addressed noticing issues and staff report project description. Addressed discrepancy in lot size, FAR, slope, misinterpretation of Zoning Ordinance regarding rebuilding of nonconforming structures.

A letter from Paula Westbury expressing concern for the project was acknowledged. The Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report and visited the site and surrounding neighborhood. Mr. Reardon clarified that the modification request before the Staff Hearing Officer is to allow window, door and architectural changes to the portions of the residence within the front setback and are appropriate improvements. Ms. Reardon expressed concern with the project size in relation to neighborhood, but reiterated that for the modification request before the Staff Hearing Officer, size is not in the Staff Hearing Officer purview.

ACTION:

Assigned Resolution No. 024-09

Approved the project making the finding that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed window, door and architectural alterations to the one-story portion of the re-built structure will not provide additional floor area within the setbacks. The proposed architectural changes will upgrade and enhance the structure without impacts to the neighborhood.

The ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Planning Commission was announced.

III. ADJOURNMENT

The meeting was adjourned at 9:45 a.m.

Submitted by,

Gloria Shafer, Staff Hearing Officer Secretary

Date

BARBARA MATHEWS, 2105 ANACAPA STREET, APN 025-242-011, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00311)

The 9,448 square foot project site is located on the corner of Anacapa and Padre Streets. Current development on site consists of a single family residence and detached garage. The proposed project involves demolition of the existing structures and the construction of a 3,339 square foot single family residence and attached 420 square foot garage. The discretionary applications required for this project are Modifications to allow construction within both thirty-foot front setbacks (SBMC §28.15.060). On March 25, 2009, the Staff Hearing Officer made the required findings and approved the request. This is an appeal of that action.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 & 15305.

Case Planner: Roxanne Milazzo, Associate Planner

Email: RMilazzo@SantaBarbaraCA.gov

Roxanne Milazzo, Associate Planner, gave the Staff presentation.

Tony Fischer, gave the appellant presentation.

Britt Jewett, Architect, gave the applicant presentation, joined by Richard Monk, Attorney for the applicant.

Staff stated that the height of the project was not a part of Staff's analysis in the modification request but was considered as the height from the existing grade, and responded to the raised terraces on the Padre Street side and north side terrace elevated above grade as not being considered structures.

Mr. Jewitt acknowledged for the Commission that the plans in the presentation were not consistent with the plans submitted in the Staff Report and explained the first floor plate heights as being 9'6", the garage as 8' and the second level as having an 8' plate height on the inside of the walls with the eaves being lower than 8'.

Chair Thompson opened the public hearing at 3:22 P.M.

Chuck Maunz, neighbor, supported the appellant, citing the mass, bulk, and scale as being out of character with the neighborhood.

Mina Goena Welch, a neighbor, spoke in favor of the project and welcomes the additions to the neighborhood.

With no one else wishing to speak, the public hearing was closed at 3:52 P.M.

In response to changes in the exterior characteristics, Staff stated that they are allowed per the City's code and read the allowable criteria.

The Commissioners made the following comments:

1. Commissioners White and Bartlett and Jostes remained concerned about the basement adding 200 additional square feet; and the Single Family Design Board's (SFDB) 3/3 split vote on the project. Liked the design and cooperation with neighborhood and felt that this is a real upgrade. Thinks the ordinance should have variable setbacks. Commissioner Bartlett would like to see the revised plans be submitted to the SFDB. Collectively supported the modification request and denial of the appeal.
2. Commissioner Jostes agreed with the Mr. Fischer's position on the basement issue and felt loop-holed by the technicality. Does not feel that the 50 per cent credit should be applied in this case and that the applicant stretched to meet the definition for the credit.
3. Commissioner Lodge also shared concerns on how the fill was brought in to make a basement. Liked the project, but felt it is too large for the lot. Would like to see the SFDB reduce the size, bulk, and scale of the project.
4. Commissioner Thompson feels that Mr. Fischer raises some good concerns, but felt that the concerns should be dealt with on a policy level and not by singling out projects. The project is aggressive and would like to see SFDB reduce the massing. The basement issue raises another policy issue.

Regarding the basement issue, Mr. Vincent stated that definition of the FAR calculation and the redesigned definition of grade came out of Neighborhood Preservation Ordinance (NPO). The FAR calculation uses the term grade, defined in the zoning ordinance as the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or within 5' of the building. In this case the finished surface following the addition of fill is the measurement.

MOTION: White/Lodge

Assigned Resolution No. 021-09

Denied the appeal making the findings as outlined in the Staff Report, and upheld the decision of the Staff Hearing Officer, and referred back to the Single Family Design Board with 1) Concern with fill used to transform non-conforming garage into a basement; and 2) Direction to study reduction of the massing to make more compatible with neighborhood and lot size.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Larson, Jacobs)

Chair Thompson announced the ten calendar day appeal period.