City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE: May 7, 2009

AGENDA DATE: May 14, 2009

PROJECT ADDRESS: 1642 &1654 Calle Cañon, 2418 Calle Montilla (MST 99-00606)
Rancho Blanco Subdivision

TO: Planning Commission

FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner DK
Daniel Gullett, Associate Planner DAG

I. PROJECT DESCRIPTION

The project consists of a subdivision of two lots of 225,285 sf and 99,333 sf into six lots. The project location is within the Alta Mesa General Plan neighborhood and in an area designated as High Fire and Major Hillside. Due to slope density requirements, each of the six proposed lots is required to provide more than the minimum lot area for the zone. The larger existing lot is zoned A-2, and currently developed with two residences accessed from a common driveway on Calle Cañon. The smaller existing lot is split-zoned A-2 and E-1, and currently developed with a single-family residence fronting Calle Montilla. The three existing single-family residences are proposed to remain. Multiple retaining walls up to approximately 20 ft in height would be necessary to construct the proposed driveways. New curb, gutter, sidewalk, and parkway are proposed along the Calle Cañon frontage.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. Lot Area Modification to allow the creation of a 10,188 square foot lot (Lot 6) where a 22,500 square foot lot is required with slope density in the E-1 Zone (SBMC §28.15.080 and §28.92.110.A);
2. Street Frontage Modification to allow Lot 2 less than the required A-1 Zone 100 feet of street frontage (SBMC §28.15.080 and 28.92.110.A);
3. Street Frontage Modification to allow Lot 3 less than the required A-1 Zone 100 feet of street frontage (SBMC §28.15.080 and 28.92.110.A);
4. Street Frontage Modification to allow Lot 4 less than the required A-1 Zone 100 feet of street frontage (SBMC §28.15.080 and 28.92.110.A);
5. Wall Height Modification to allow retaining walls to exceed 3.5 feet in height within ten feet of the front lot line on Calle Cañon and on either side of the

driveway for Lots 1-4 within 20 feet of the front lot line (SBMC§28.87.170.B and 28.92.110.A);

6. Tentative Subdivision Map to allow the division of two lots into six lots (SBMC 27.07);

7. Public Street Waiver to allow the creation of Lot 2 without frontage on a public street (SBMC §22.60.300);

8. Public Street Waiver to allow the creation of Lot 3 without frontage on a public street (SBMC §22.60.300); and

9. Public Street Waiver to allow the creation of Lot 4 without frontage on a public street (SBMC §22.60.300).

III. RECOMMENDATION

Staff recommends that the Planning Commission deny the project due to inconsistency with General Plan policies related to hillside development, visual resources, and biological resources, making the findings outlined in Section VI of this report.

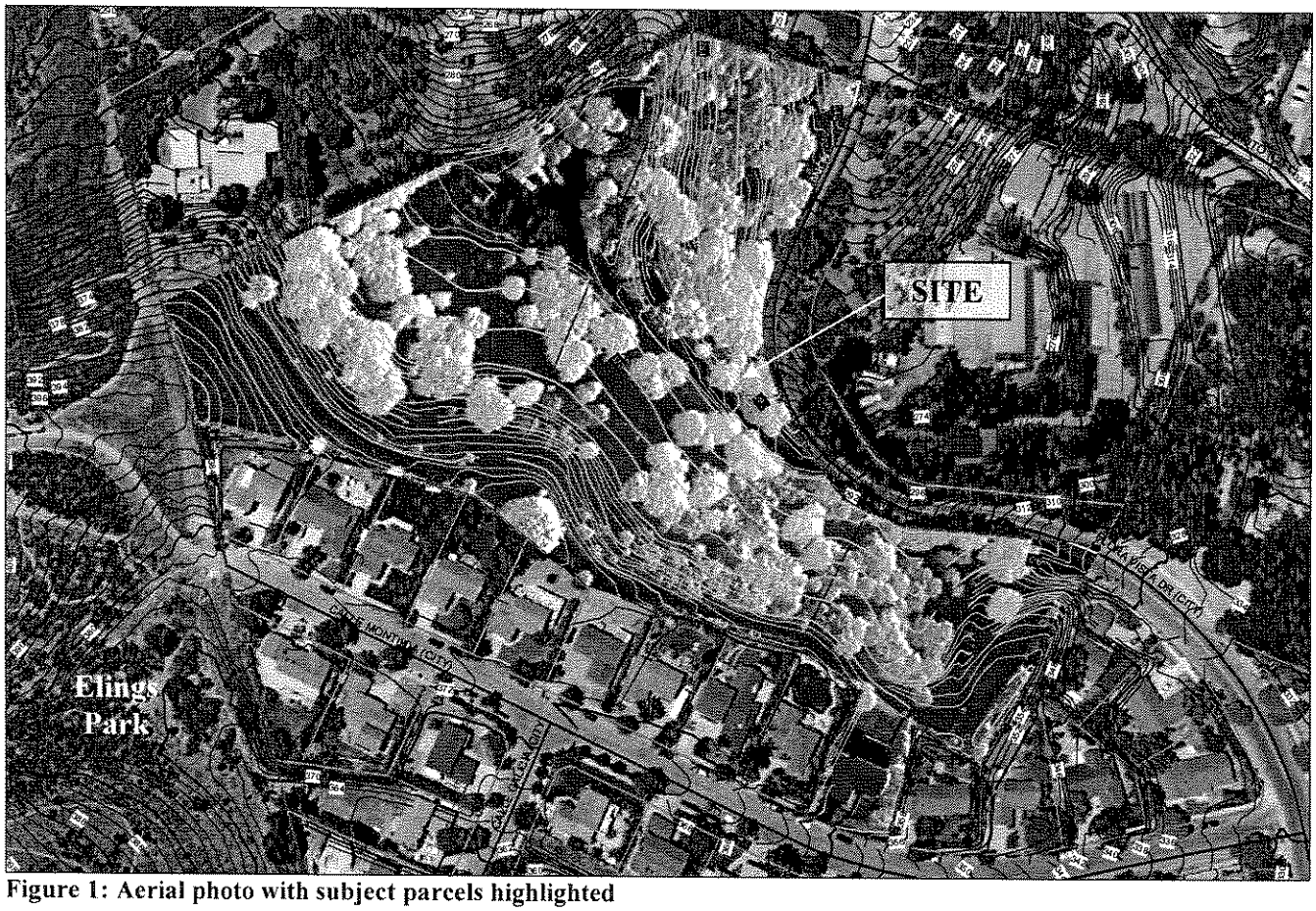

Figure 1: Aerial photo with subject parcels highlighted

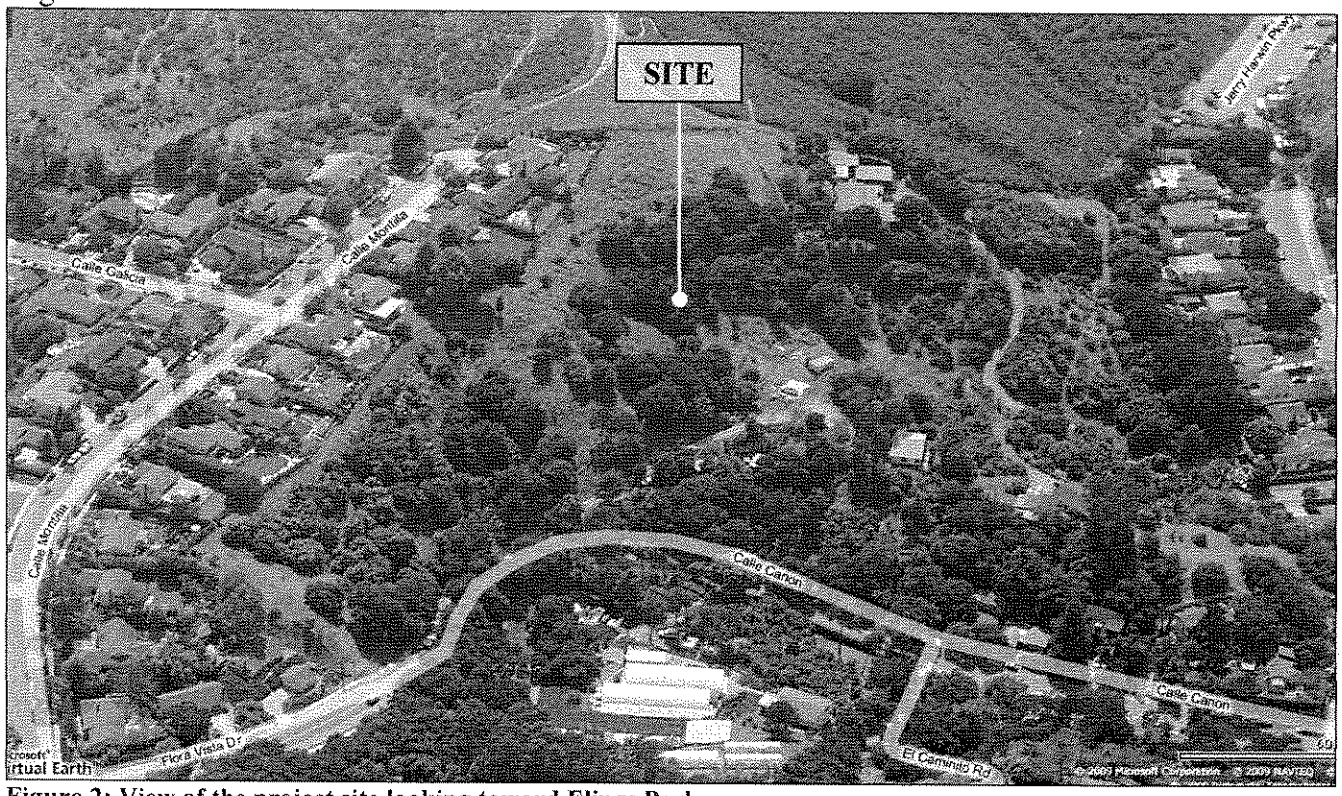

Figure 2: View of the project site looking toward Elings Park

SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Peter Ehlen	Property Owner:	Carolyn & Joseph McGuire
1642 & 1654 Calle Cañon			
Parcel Numbers:	041-140-008, -009	Lot Area:	225,285 sf
General Plan:	Major Hillside	Zoning:	A-2
Existing Development:	815 sf SFR, 1,040 sf SFR	Topography:	Average Slope 28%
2418 Calle Montilla			
Parcel Number:	041-140-006	Lot Area:	99,333 sf
General Plan:	Major Hillside	Zoning:	E-1, A-2
Existing Development:	2,400 sf SFR	Topography:	Average Slope 30%
Adjacent Land Uses:			
North – Single Family Residential		East – Agriculture (landscape nursery)	
South – Single Family Residential		West – Elings Park	

B. PROJECT STATISTICS

Lot	1	2	3	4	5	6
Gross Area (sf)	80,730	38,067	54,172	52,316	99,333	12,975
Net Area (sf)	76,846	38,067	54,172	52,316	78,861	10,188
Average Slope	34%	18%	24%	27%	35%	12%
Slope Multiplier	3x	1.5x	2x	2x	3x	1.5x
Required Area (sf)	75,000	37,500	50,000	50,000	75,000	22,500
(Net Area – Required Area)	1,846	567	4,172	2,316	3,861	-12,312*
Building Envelope Area (sf)	4,527	13,037	7,633 (north)† 7,329 (middle) 2,618 (south)‡	24,696	6,478	n/a
Average Building Envelope Slope	31%	6%	11% (north) 26% (middle) 28% (south)	25%	8%	n/a

IV. ISSUES

A. DEVELOPMENT CONSTRAINTS

Lot 1

- Although this lot is 80,730 sf, the proposed building envelope is only 4,527 sf with 31% average slope
- The existing residence was permitted by the Planning Commission in 1957 subject to the condition that the building was *to be used solely as a guest house in conjunction with the existing main dwelling and under present ownership* - subsequent permits refer to the 1957 approval as a *variance for a second dwelling*
- Contains a portion of the Lavigia Fault
- Contains public road easement
- The existing driveway does not meet City standards

Lot 2

- Contains the flattest developable area of the subject property and the existing 1,040 sf residence
- The existing driveway does not meet City standards

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* Lot area modification is required for Lot 6
† Due to it's location below unstable soil, this envelope is designated for accessory purposes only
‡ No access is provided to this envelope

Lot 3

- Contains portions of the Lavigia Fault and oak woodland habitat
- The northern building envelope is designated for accessory uses only due to the location of the landslide on the parcel
- The southern building envelope has no access is currently proposed
- The middle building envelope is 7,329 sf with 26% slope, contains 14 oaks trees and is located adjacent to the fault

Lot 4

- Contains portions of the Lavigia Fault and oak woodland habitat
- Development includes construction of a driveway over a landslide and through oak woodland habitat
- Building envelope is on a ridgeline and adjacent to an area of Elings Park that provides unimpeded views of the Riviera and mountains

Lot 5

- Contains portions of the Lavigia Fault, oaks and three landslides
- Driveway proposed over historical agricultural access and requires grading on slopes exceeding 30%
- Contains public road easement
- Placement of the building envelope is proximate to existing development

Lot 6

- Lot previously existed in the proposed configuration as Lot 61 of Westwood Hills Unit 3 (created in 1962)
- The current lot configuration was as result of a lot split in 1971
- Due to the zoning map and General Plan amendments of 1975, the lots on Calle Montilla became non-conforming with regard to lot size and density

V. PROJECT HISTORY

A. APPLICATION REVIEW

Development Review Committee ***November 1996***

The Development Review Committee provided a comment letter on a five lot subdivision contiguous with the current project's boundaries exclusive of proposed Lot 6. The letter noted the required approvals, applicable policies, and environmental constraints. It also advised the applicant to redesign the subdivision to reduce the number of lots and provide for lots with development envelopes on slopes less than 30% and, preferably on slopes less than 20%.

Pre-application review ***August 1999***

The pre-application was for a six lot subdivision on the two subjects lots. In City's review letter staff conveyed concerns regarding the steep topography and vegetation on the site, noted General Plan inconsistency with regard to hillside development, and indicated that the proposed

subdivision exceeded the number of lots appropriate for the topography. In the review letter, staff identified information required for application submittal, including a fault study and soils report, and indicated that an Initial Study would be required to determine the appropriate level of environmental review.

Initial application submittal ***October 2000***

The applicant submitted a tentative map, road improvement plan, and fault investigation with the application. In response, staff reiterated the concern that the proposed number of lots was excessive for the topography and neighborhood and noted concerns with General Plan consistency, in particular the Open Space, Land Use, and Conservation Elements discussions of Major Hillside areas and preservation of oak woodlands. Staff also discussed the proposed modifications and identified a General Plan density issue with Lot 6 (referred to as Lot B at the time). Staff suggested that the project be redesigned to either site building envelopes at lower elevations or concentrate building envelopes in one area to maximize contiguous open space area. Staff requested plan corrections, a slope map, additional information regarding access, hazardous materials (a former varnishing workshop was located on the property and was destroyed by fire in 1998), utility connections, grading and drainage, public improvements, biology, information on the Lavigia Fault, a soils report, and a visual study.

Submittal 2 ***August 2001***

The applicant provided a tentative map, site plan, and wall sections, drainage study and biological resources evaluation. The plans indicated an eight foot wall at the driveway access for Lots 1-4 off of Calle Cañon. In the response letter, staff noted the need for modifications for over-height walls in interior setbacks and indicated that wall height modifications would not be supported, noting concerns regarding proposed grading and height. Staff encouraged the applicant to redesign the driveway. Staff expressed concerns with the project's consistency with the Single Family Residence guidelines with regard to retaining wall height and extent and disturbance on areas with slopes greater than 30%, particularly on Lots 4 and 5 (then Lot A). Staff stated that it may be necessary to reduce the number of lots to comply with the Single Family Residence Guidelines. Staff indicated general support of the configuration of Lot 6 (then Lot B) despite the General Plan density and zoning lot area requirements, since proposed Lot 6 was consistent with the pattern of development and density of the surrounding neighborhood (an accurate slope density factor of Lot 6 was not known until the eighth application submittal, it was reported as 8.3% in the Submittal 2 review). Staff requested plan corrections; access information; photos of Lots 3, 4, and 5 from Elings Park; a biological assessment; soils report; fault location study; and a Phase II Hazardous Materials site assessment.

Submittal 3 ***April 2002***

The applicant submitted a revised tentative map, biological resources evaluation, fault location study and soils report addendum, site assessment and slope map. In response, staff noted that the resubmittal did not propose alternative lot configurations and reiterated staff concerns regarding General Plan inconsistency pertaining to development on Lots 4 and 5. Staff recommended that the applicant apply for Planning Commission concept review to receive

feedback regarding General Plan consistency with Lots 4 and 5. Staff requested revised plans, a revised biological resources study, hydrology calculations, and drainage information.

Planning Commission Concept Review ***July 2002***

The staff report for this Concept Review requested that the Commission consider the appropriateness of the proposed subdivision design in the context of General Plan policies related to hillside design, particularly for Lots 4 and 5. The plans submitted for the concept hearing did not include a slope map or show landslides on the property, which limit site developability. At that time, the access to Lot 4 was configured to avoid the oak woodland area by wrapping the driveway around the woodland to the south, and a cul-de-sac was proposed between Lots 2 and 3. At the review some Planning Commissioners expressed concerns with the developability of Lots 3, 4 and 5 due to steep slopes, vehicular access, view issues, and neighbor privacy. Some Planning Commissioners also expressed an interest for a revised proposal with clustered development. Minutes from this review are attached as Exhibit C.

ABR site visit with story poles on Lots 4 and 5 ***March 2003***

Planning Commission Lunch Meeting ***September 2004***

The Planning Commission also provided comments on site access and public improvements associated with the project at a lunch meeting on September 16, 2004. There are no minutes from the lunch meeting, however a summary of the meeting was provided by staff in the City's fourth application review letter in September 2004 (discussed below). According to the letter, the Commission stated that the driveway improvements to serve Lots 1, 2, 3, and 4, including the then-proposed 17 foot high retaining wall, were necessary in order to meet Fire Department access requirements, and requested the architect work with Architectural Board of Review (ABR) to design the walls for compliance with the Neighborhood Preservation Ordinance in order to soften the potential visual impact of the wall. The Commission also stated that the public improvements along the Calle Cañon frontage were an overall benefit to the neighborhood providing better pedestrian circulation, and that because of the proposed public improvements, the Planning Commission could support the requested street frontage modifications. The Commission restated concerns from the previous review regarding proposed Lot 4. Although some Commissioners did not find the overall density an issue, the consensus was that Lot 4 was not accessible.

Submittal 4 ***September 2004***

The owner retained a new applicant who submitted revised plans, an updated biological resources evaluation, and drainage analysis. In response, staff stated that the design of Lot 4 was not supported due to visual impacts to Elings Park visitors and the community, policy inconsistency with regard to hillside development, and the length of the driveway to access Lot 4 and related grading (the location of the Lot 4 driveway was outside of the delineated landslide area at that time). Staff requested a revised site plan with development envelopes, redesign of the Calle Cañon sidewalk, and additional information with regard to construction, drainage, and slope information. Staff recommended providing a trail between Elings Park and Escondido Park. Staff also conveyed comments from the Planning Commission's lunch meeting of September 16, 2004.

Submittal* 5** ***July 2005

The applicant submitted revised plans, an engineering geology investigation, preliminary foundation investigation, and an updated biological resources investigation. After receiving additional slope and geologic information, staff conveyed increased concern that the subdivision could not be supported as designed. Staff specifically stated that the creation of Lot 4 would not be supported due to policy inconsistency issues and potential visual impacts of the driveway and future residence, and that access improvements to Lot 5 would be inconsistent with Conservation Element Implementation Strategy 2.1, since significant grading on slopes exceeding 30% would be required to meet driveway standards. Staff noted that an Environmental Impact Report may be necessary due to inconsistency with the General Plan in addition to identified geologic and biologic issues. Staff requested that the development envelopes on Lots 1-3 avoid slopes exceeding 30% and indicated support of the driveway improvements from Calle Cañon since the improvements were necessary to provide improved fire/emergency access to the existing development. Staff stated the trail to Elings Park is not needed since a link to the park is available at Calle Montilla. Staff requested plan revisions and that future residential use be considered in the Biological Evaluation.

Submittal* 6** ***October 2007

The owner retained another applicant who submitted updated plans, additional biological information, and a memo on fault and landslide information. In response, staff acknowledged the removal of some development from 30% slopes but continued to express concerns stated in previous response letters regarding potential inconsistency with the General Plan. Staff stated that, as proposed with the environmental information provided, staff would recommend denial of the project to the Planning Commission. Staff provided options to the applicant to have the project considered by the Planning Commission for denial, receive another concept review, or provide necessary environmental information to staff to complete an Initial Study. Staff identified additional required environmental information, including the necessary additional landslide stability analysis and fault information identified the applicant's geologist, an updated biological report addressing construction of future homes, and plan revisions. Staff also advised the applicant that a Single Family Design Board site concept review was now required by the Neighborhood Preservation Ordinance for new subdivisions.

Submittal* 7** ***May 2008

The applicant submitted revised plans and a biological evaluation addendum indicating the desire to initiate the CEQA process. In response, staff reiterated the request from the previous submittal for additional geologic information on the mitigation of fault and landslide hazards and indicated continued concerns regarding General Plan consistency and consistency with Single Family Residence Guidelines. Staff requested additional information on stormwater management to meet the City standards and additional biological and geological information regarding the construction of the reconfigured driveway to Lot 4 over a landslide and through oak woodland.

Submittal 8 ***August 2008***

The applicant submitted revised plans, a physical model of the Calle Cañon driveway to Lots 1-4 and a drainage study. In response, staff noted that the additional geologic and biologic information was not submitted as requested and that concerns raised by staff and the Planning Commission throughout the application review process had not been sufficiently addressed. Staff informed the applicant that the project would be taken before the Planning Commission for consideration of project denial rather than initiating the CEQA process.

Following the eighth application submittal, the applicant requested that staff postpone the Planning Commission consideration of denial pending submittal of results from further geologic investigation. The results from that investigation were submitted on April 14, 2009 and are discussed below.

B. DESIGN REVIEW

This project was reviewed by the Architectural Board of Review (ABR) seven times between November 2000 and October 2003. Following the Neighborhood Preservation Ordinance Update and the formation of the Single Family Design Board (SFDB), the project was reviewed once by SFDB in December 2007 (meeting minutes are attached as Exhibit D). Both ABR and SFDB consistently expressed concerns regarding the location of building envelopes on Lots 4 and 5, vegetation removal, and the relationship of future buildings on Lots 4 and 5 to public views and neighboring properties. The ABR visited the site to view story poles in March 2003.

The *Single Family Residence Design Guidelines* apply to the proposed subdivision and provide a tool for both the SFDB and Planning Commission to help determine if appropriate findings and approvals can be made.

Relevant Single Family Residential Hillside Housing Design Guidelines include:

26.5 Fit in with hillside topography and background

26.6 Avoid interrupting natural ridgelines and skylines. Set the house below these.

29.2 Preserve slopes greater than 30% by avoiding grading and clearing.

30.1 Set house on the site so that the length of the driveway is minimized.

30.2 Minimize the visibility of driveway cuts on the property.

30.4 Design driveway slope with the natural topography.

32.3 Avoid crowding or overwhelming neighboring residences.

C. GENERAL PLAN COMPLIANCE

Approval of a Tentative Map for the project requires a finding of consistency with the City's General Plan. It is staff's position that the proposed project is inconsistent with the City's General Plan, particularly the guidance, goals, policies, and implementation strategies in the Conservation Element, Land Use Element, and Open Space Element related to hillside development, visual resources, and biological resources, as discussed below.

Open Space Element

The Open Space Element includes the subject property in one of the two designated Major Hillside Open Space areas in the City. This Major Hillside Open Space area is located on the north slope of the Mesa Hills, extending from City College at Cabrillo Blvd. westerly between the Westside and Mesa Hills, through the Las Positas Valley and into Hope Ranch. The Open Space Element states that this area has a pronounced impact on the community despite the narrow projection of the area. The slopes are identified as steep and, in some cases, essentially undevelopable. The Open Space Element states that, similar to the foothills (the other Major Hillside area), it should not be necessary to acquire this open space to preserve it, for much of it is practically undevelopable. *It is necessary, however, to provide certain development controls so that the density is held down to an appropriate level. Also, the location of development should be controlled in a manner that will preserve the natural characteristics of the terrain and the native vegetation.*

Land Use Element

The Land Use Element includes the project site in the Alta Mesa neighborhood, which consists of the area bordered by Loma Alta Drive on the east; Elings Park on the west; existing development oriented to Cliff Drive on the south; and the base of the steep hillside on the north. The Land Use Element discussion of the neighborhood indicates that most of the land has been developed or committed to public use. It points out that *the steep hills along the northern border have been classified as major hillside open spaces by the Open Space Element and have been zoned A-1 and A-2. Still more restrictive zoning will probably be appropriate for these areas.* The Land Use Element further recommends that the residential density Major Hillside open space areas be limited to one or less dwelling unit per acre, depending on topography of the land. *Densities as low as one dwelling unit for every ten or more acres may be appropriate in some of the steeper hillside areas.*

Conservation Element

The Conservation Element acknowledges that extensive cutting and grading of hillsides accompanying residential development can cause irreversible environmental damage diminishing the aesthetic character of the City and that development has impaired scenic vistas from open, publicly-accessible sites on the hills themselves. It notes that natural constraints to development, such as excessive steepness of slopes, have been overcome by environmentally-damaging engineering practices throughout the hillside areas. It states, that a response to the trend was the 1975 Slope Density Ordinance, which had the intent to prevent unnecessary scarring of hillsides through regulation of density of various slopes. However, according to the Conservation Element, the Slope Density Ordinance has not been effective, noting evidence of major scarring on the north facing slopes of the Mesa Hills and other areas of the City. It, therefore, suggests that the location of development in the hillside areas should be controlled in a manner that guarantees preservation of the natural characteristics of the terrain and vegetation, even if revised ordinances prohibit development in certain areas outright.

The Conservation Element also provides the following relevant goals, policies and implementation strategies addressing visual resources and biological resources:

Visual Resources

Goals

- Prevent the scarring of hillside areas by inappropriate development.
- Protect and enhance the scenic character of the City.
- Maintain the scenic character of the City by preventing unnecessary removal of significant trees and encouraging cultivation of new trees.
- Protect significant open space areas from the type of development which would degrade the City's visual resources.

Policies

2.0 Development on hillsides shall not significantly modify the natural topography and vegetation.

3.0 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 of the City.

4.0 Trees enhance the general appearance of the City's landscape and should be preserved and protected.

5.0 Significant open space areas should be protected to preserve the City's visual resources from degradation.

6.0 Ridgeline development which can be viewed from large areas of the community or by significant numbers of residents of the community shall be discouraged.

Implementation Strategies

2.0 Development on hillsides shall not significantly modify the natural topography and vegetation.

2.1 Development which necessitates grading on hillsides with slopes greater than 30% should not be permitted

5.0 Significant open space areas should be protected to preserve the City's visual resources from degradation.

6.0 Ridgeline development which can be viewed from large areas of the community or by significant numbers of residents of the community shall be discouraged.

Biological Resources

Goal

- Enhance and preserve the City's critical ecological resources in order to provide a high quality environment necessary to sustain the City's ecosystem.

Policies

4.0 Remaining Coastal Perennial Grasslands and Southern Oak Woodlands shall be preserved, where feasible.

5.0 The habitats of rare and endangered species shall be preserved.

D. ENVIRONMENTAL REVIEW

Project disapproval is exempt from CEQA review pursuant to CEQA Guidelines Section 15270, which allows the initial screening of a project on its merits prior to the initiation of the CEQA process where the agency can determine that the project cannot be approved.

The following is a summary of the submitted geologic and biologic information.

Geology

The Master Environmental Assessment identifies the majority of the site as an area of high erosion potential. In addition, the City's Geologic Hazards Maps indicate that the Lavigia Fault is located on the project site.

In a December 2004 Engineering Geology Report, Applied Geosciences stated that habitable structures should not be constructed within ten feet of the Lavigia Fault or on the fault splay on Lot 5 without adequate engineering, and recommended that additional investigation be performed to document that the ten foot setback is adequately observed within the 50 ft investigation setback on either side of the fault line identified in the report. This report also stated that structures shall not be constructed within areas of possible landslides and that structures proposed on side slope areas not designated as potential landslides provide foundations below shallow zones of potential down creep (10-15 ft).

In a March 2005 report addendum, Applied Geosciences stated that Lot 3 could be developed provided that the suspected landslide is completely assessed and the potential impacts to the proposed development are mitigated or removed. The addendum identified that specific recommendations follow the landslide configuration determination and that mitigation may include full removal of the landslide.

In a November 2006 Landslide and Fault Evaluation Memo a different consultant, Geological Consultants Inc., stated that there was insufficient data to analyze the landslide and slump conditions on the site or define the location of the Lavigia Fault. The memo then described a preliminary investigative program to identify data needed to determine mitigations of fault and landslide hazards required for the project.

A geologic report prepared by another consultant, Earth Systems, in April 2009 investigated the landslide area on Lots 3 and 4 with two test pits in the middle of the Lot 3 building envelope, and one test pit between Lots 3 and 4. One of the three test pits indicated that there was no landsliding below the Lot 4 driveway. However, the remaining two test pits were inconclusive. This report provides the opinion that mitigation of existing landslides is feasible for the proposed development, but design-level geology and geotechnical studies should be performed to determine appropriate mitigation for each landslide area, and that such mitigation may include full removal of landslide deposits and replacement with engineered fill that would be keyed and benched. Quantities of earthwork and limits of grading required to build the

proposed private driveway for Lots 1-4 across two landslides and future residences remain unknown at this time.

Biology

Katherine Rindlaub provided a Biological Resources Evaluation in April 2005 and an Addendum in March 2008. Ms. Rindlaub identified potentially significant and mitigable temporary impacts to the isolated population of the Silvery legless lizard (*Anniella purchra pulchra*), a California Department of Fish & Game (DFG) Species of Special Concern, due to habitat loss. Ms. Rindlaub also identified potentially significant and mitigable temporary impacts to the Cooper's Hawk (*Accipiter cooperii*), a DFG Watch List species; the Loggerhead shrike (*Lanius ludovicianus*), a DFG Species of Special Concern; and the DFG Fully Protected White-tailed kite (*Elanus lsucurus)* due to nesting failure and cumulative impacts due to habitat loss. Staff requested additional information in the seventh application review in preparation for an Initial Study, including plans showing biological habitats on the project site and surrounding the project site, additional information on habitat type and areas of disturbance, and a raptor survey to establish the nesting potential of raptors consistent with current biological report standards. The City has not received the requested information.

In the 2005 Evaluation, Ms. Rindlaub also evaluated the project impacts to individual Coast live oak trees and oak woodland habitat. Oak woodland habitat provides shelter, food, and space for many animals and oak trees control the micro-environment around them as their shade produces significantly lower temperatures and their leaf litter creates acidic soil conditions. Ms. Rindlaub provided a rough visual estimate that concluded approximately 30 oaks were likely to be significantly impacted by limbing and 25 oaks were likely to experience significant intrusion into the root zone. In the 2005 Evaluation, Ms. Rindlaub identified mitigation measures to reduce project impacts to individual oak trees and oak woodland habitat to less than significant levels. But impacts to individual oaks and oak woodland habitat remain unknown due to incomplete information regarding to mitigation of landslides along the proposed driveway and accommodation for City Fire Department defensible space and vegetation road clearance requirements.

Without a full project description, including locations and quantities of grading and tree removals, or complete information regarding project impacts, specifically those regarding landslide mitigation and associated biological impacts, project impacts are unknown and environmental review of the project is inadequate at this time.

VI. FINDINGS FOR TENTATIVE MAP DENIAL

The Planning Commission finds the following:

THE TENTATIVE MAP (SBMC §27.07.100)

B. Consistency with General and Specific Plans. Approval shall be denied to any map which is not consistent with the General Plan or a specific plan adopted thereunder or

which depicts a land division or land use which is not compatible with the objectives, policies, general land uses and programs specified in the General Plan.

As discussed in Section V.B of the staff report, the project is not consistent with General Plan guidance, goals, policies, and implementation strategies related to hillside development, and visual and biological resources. Therefore, map approval is denied.

C. Denial on Specific Findings; Exceptions.

1. Approval or recommendation thereof shall be denied to any map by the Advisory Agency and, in the event of an appeal, by the Appeal Board, if said body finds:

a. The proposed map is not consistent with applicable General and specific plans.

As discussed in Section V.B of the staff report, the map is not consistent with General Plan guidance, goals, policies, and implementation strategies related to hillside development, and visual and biological resources. Therefore, approval is denied.

b. The design or improvement of the proposed development is not consistent with applicable general and specific plans.

As discussed in Section V.B of the staff report, the construction of the proposed driveways and buildout of the lots would not be consistent with General Plan guidance, goals, policies, and implementation strategies related to hillside development, and visual and biological resources. Therefore, approval is denied.

c. The site is not physically suitable for the type of development.

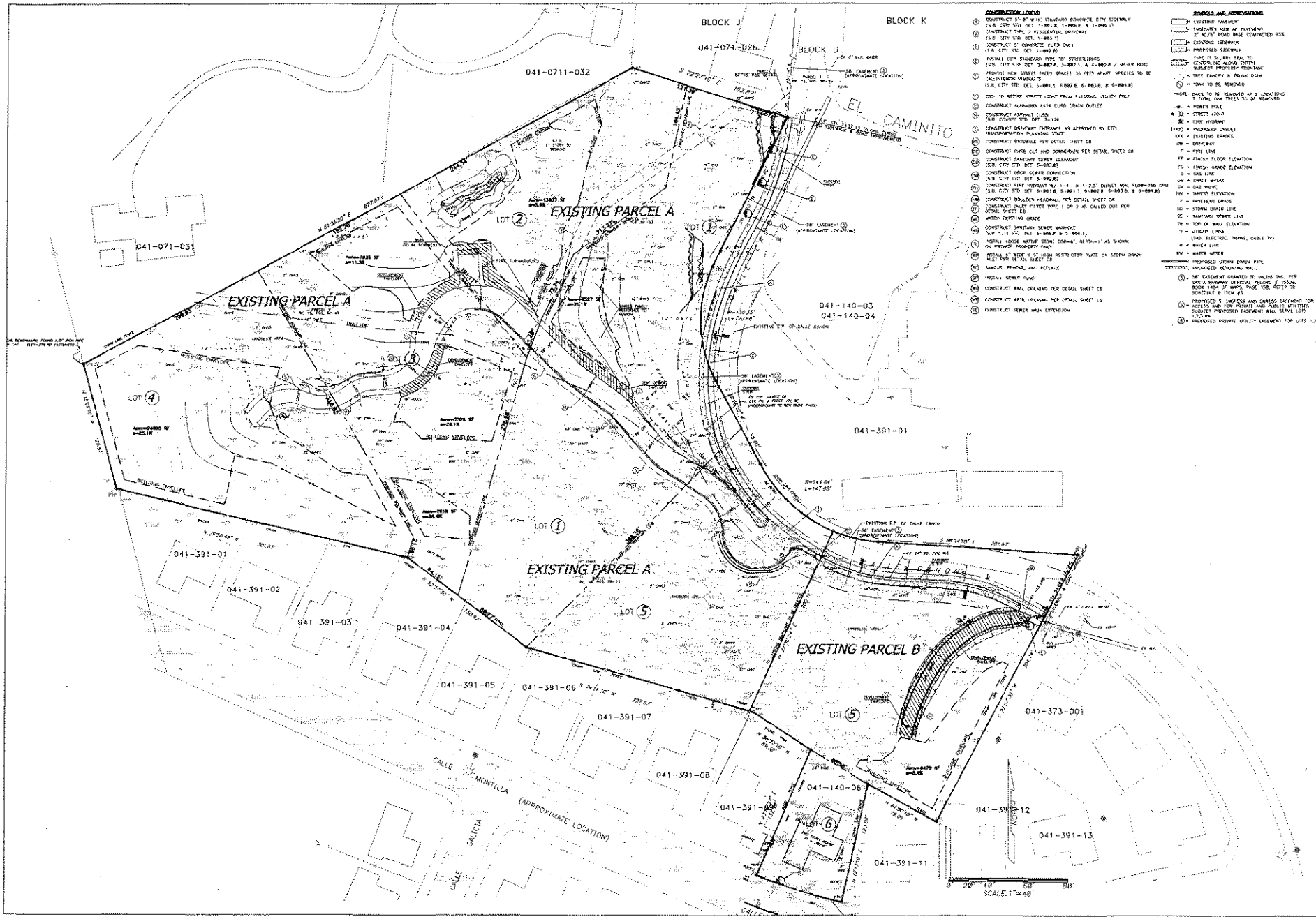
As discussed in the Staff Report, the project site is not physically suitable for the type of development due to steep unstable slopes. Therefore, approval is denied.

Exhibits:

A. Site Plan (DRT.2), Tentative Map (T3), Slope Analysis (T10)
B. Applicant's letter, dated April 28, 2009
C. PC Concept Minutes of July 25, 2002
D. ABR/SFDB Design Review Minutes

RANCHO BLANCO
6 Lot Subdivision
1642 Calle Canon/2418 Calle Montilla
Santa Barbara, CA 93101
EAST BEACH VENTURES
Site Plan
DRT.2
CALLE CANON
CALLE MONTILLA
DRIVEWAY
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6

EXHIBIT A



TENTATIVE MAP

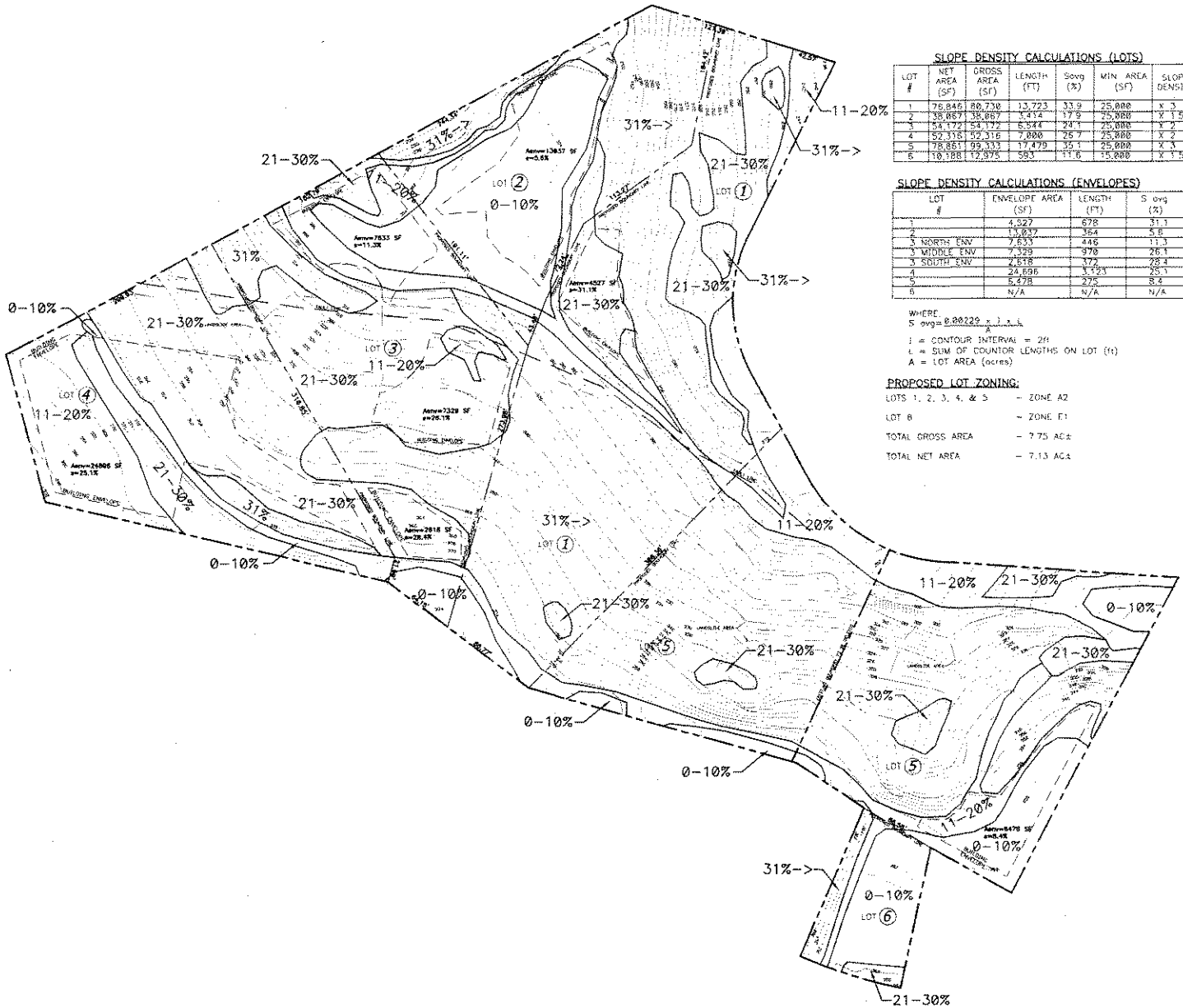
OVERALL TENTATIVE PARCEL MAP

ERIC & VAN SANDE
SURVEYING SERVICES
SANTA BARBARA, CA 93101
(805) 965-3707

JOB NO.	1848.01
DATE	07/11/2008
SCALE	1"=40'
DRAWN	VAS
DESIGN	VAS
CHECKED	VAS
SHEET NO.	T3

TENTATIVE MAP

SLOPE ANALYSIS



SLOPE DENSITY CALCULATIONS (LOTS)

LOT #	NET AREA (SF)	GROSS AREA (SF)	LENGTH (FT)	Savg (%)	MIN AREA (SF)	SLOPE DENSITY	INCREASE IN MIN. LOT SIZE (SF)
1	76,846	80,730	13,723	33.9	25,000	X 3	75,000
2	38,067	38,067	3,414	17.9	25,000	X 1.5	37,500
3	54,172	54,172	6,544	24.1	25,000	X 2	50,000
4	52,316	52,316	7,000	26.7	25,000	X 2	50,000
5	78,861	99,333	17,479	35.1	25,000	X 3	75,000
6	10,188	12,975	593	11.6	15,000	X 1.5	22,500

SLOPE DENSITY CALCULATIONS (ENVELOPES)

LOT #	ENVELOPE AREA (SF)	LENGTH (FT)	S avg (%)
1	4,527	678	31.1
2	13,037	364	5.8
3 NORTH ENV	7,633	446	11.3
3 MIDDLE ENV	7,329	970	26.1
3 SOUTH ENV	2,618	372	28.4
4	24,696	3,123	25.1
5	6,478	275	8.4
6	N/A	N/A	N/A

WHERE:

$$S\ avg = \frac{0.00229 \times I \times L}{A}$$

I = CONTOUR INTERVAL = 2ft

L = SUM OF COUNTOR LENGTHS ON LOT (ft)

A = LOT AREA (acres)

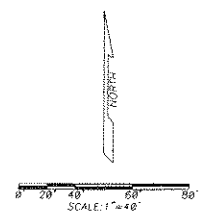
PROPOSED LOT ZONING:

LOTS 1, 2, 3, 4, & 5 – ZONE A2

LOT 6 – ZONE E1

TOTAL GROSS AREA – 7.75 AC±

TOTAL NET AREA – 7.13 AC±



NOTE: 2' CONTOUR INTERVAL

ERIE & VAN SANDE
33 OLIVE STREET
SANTA BARBARA CA 93101
(805) 963-3592

JOB NO. 1848.01
DATE: 07/31/2006
SCALE: 1"=40'
DRAWN: JAL
DESIGN: LJE
CHECKED: LJS
SHEET NO.

T10

ON DESIGN, ARCHITECTURE & PLANNING
829 De La Vina Street, Suite 200, Santa Barbara, CA 93101
Mailing Address: P.O. Box 489, Santa Barbara, CA 93102
PH: (805) 564-3354 FAX: (805) 962-3904

April 28, 2009

Planning Commission
City of Santa Barbara
735 Anacapa Street
Santa Barbara, CA 93101

RE: 1642 & 1654 Calle Canon, 2418 Calle Montilla
6-lot Subdivision

Dear Commissioners,

On behalf of the owners, Joe & Carolyn Maguire, we are submitting an updated project for your consideration. This project has been reviewed in concept by the Commission on July 25, 2002. Since that time, multiple drainage, geology, biology, engineering and design studies have been conducted and a refined project has been developed. This process underwent eight DART reviews with five different planners assigned.

This project started with the Development Review Committee in 1996. The owners, in good faith, provided numerous analysis/studies required by city staff throughout the years. They have incurred approximately $250,000 during this process. It was not until the last DART review of September 30, 2008 did they hear that staff would be recommending denial of the project as proposed.

In spite of staff's position, we are hopeful that the Commission will review this project with consideration of the following positive aspects:

- Low density residential project
- No adverse impacts indicated in any studies
- General neighborhood upgrade
- Public benefits such as new street lights, fire hydrants and turnouts, and sidewalk installation of Calle Canon *(this is an opportunity to improve a major arterial road that connects the west side to the beach area)*

We look forward to presenting our project to you at your meeting and appreciate your time in this review process.

Sincerely,

Justin Van Mullem
Principal/Planner

July 25, 2002 (PC Concept)

APPLICATION OF DAVE TABOR & ASSOCIATES, AGENT FOR CAROLYN MAGUIRE AND DIANA GUSTAFSON (PROPERTY OWNERS), 1642 & 1654 CALLE CANON/2418 CALLE MONTILLA, APN 041-140-008,-009 A-2 SINGLE FAMILY RESIDENTIAL ZONE, APN 041-140-006 A-2/E-1 SINGLE FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST99-00606)

Concept review hearing to discuss General Plan consistency of proposed 6-lot subdivision. The subdivision involves three existing parcels, totaling over seven acres, to be subdivided into six lots ranging in size from 10,142 square feet to 2.43 acres. The project proposes building and grading envelopes for five of the undeveloped lots (one lot currently developed), two new access driveways, and public improvements.

Trish Allen, Assistant Planner, gave a brief review of the project.

Dave Tabor, Applicant, gave a detailed review of the project design.

Commissioners' questions and comments:

1. Asked if there has been any previous discussion about cluster development, like that of a Planned Unit Development (PUD).
2. Asked for clarification of the security gate location.

Ms. Allen stated that the Applicant had been asked to pursue a more clustered development and pointed out the amount of site area that would remain open space.

The following people spoke in opposition to the project:
Marcia Engelmann, 2414 Calle Montilla
Wynne Tufnell, 1640 Calle Canon

Mr. Tabor commented that the former agricultural easement will not be used in the future. He also stated that the newly installed gate is only to prevent unauthorized activity on the property.

During the discussion, the Commission:

1. Asked if the slope density ordinance applies in a mixed zone property.
2. Stated that the Land Use Element suggests clustering on steep slopes and recognized that this is a modification on the concept of clustering.
3. Asked if there will be a subdivision map with five, one-acre parcels or if the residences will be clustered in a PUD.
4. Commented that Lot five at 2.4 acres would be best used if development were located away from the 20% slope.
5. Asked for comment on the ability to build in the geologic fault setback.
6. Asked for clarification of the terms "development envelope" and "building envelope" as used on the plans.
7. Felt that Lots one and two are the developable areas, but not three, four, or five. Setting aside zoning, felt a PUD would be appropriate.
8. Felt it difficult to support building at the Lot four location, but could support developing Lots one, two, and three, and leaving the rest of the hillside alone.
9. Believed that Lots four and five are in violation of good practices for hillside development.
10. Stated the need to be cautious about the amount of car traffic to take place on the hillside.

11. Supported rotating the Lot five building envelope.

12. Stated that the Planning Commission needs to look at the entire developable area and what is allowed when the project comes back for review.

13. One Commissioner is comfortable with Lot six, and will be comfortable with Lot five after the terminology is clarified correctly on the plans and believes the best lots for market value would be Lots four and five.

14. Asked Applicant to research the history of the street and the solutions to be proposed for the street.

15. Commented that the rural nature of the neighborhood should be preserved and felt lots four and five should not be built upon.

16. Thought the preservation of the rural nature of the site, the views and privacy of the neighbors on Calle Montilla, road access problems, and overall site development would all be better served by clustering the houses on the lower lots.

17. Thought the property could support five units.

18. Agreed that clustering is the best solution.

19. Stated that clustering the houses in a manner similar to Stacy Lane may not be appropriate to this site.

20. Stated that lot constraints may not support five units unless they are clustered, which may be out of character for the area.

21. Felt that oak trees on a large site such as this lends a natural look to the area. If the development were to be clustered, which would require the removal of 20 oaks trees, the remaining oaks and a major part of the hillside would be left in its natural state.

Ms. Allen responded to the question of slope density and that the clustering of houses would not affect the lot area density and that zoning will apply. She stated that Staff had not made a recommendation to the Applicant on how clustering the buildings should occur. It was suggested to the Applicant that he explore clustering and relocating the building envelopes so that there would be a more overall, open space area. Ms. Allen stated that the subdivision needs to comply with the zoning (A-2), however, it would be possible for the Applicant to come forward with another proposal to rezone the property for a PUD. She also responded to the question of the ability to build in the geologic fault setback and stated that the fault is designated as inactive although the exact location of the fault area could not be identified. She commented that people sometimes use the terms "development" and "building envelope" interchangeably, which can be misleading. For purposes of this project, the Applicant was asked to show "development envelopes." On the plans, the terms "building envelope" and "development envelope" were used. The "development envelope" includes access and grading areas to create the driveways.

Mr. Tabor stated that a line on the map (fault) is based on a prior City map and that after walking the site a fault was not found. He stated the location of the fault was presumed, and that the geologist had to put a setback on it because of the evidence of a fault on the map. He also stated there is not a chance of rupture and that the fault is inactive, with no chance of sliding if a driveway or garage or non-habitable structure is built on it. He expressed appreciation for the Commission's comments, stated that the project may need to be redesigned, and would have appreciated instruction earlier in the process. If the houses are clustered, native oak trees will need to be eliminated.

Ms. Craver spoke to the comments made by the Applicant about lack of instruction earlier in the process. She stated that although neither she nor Ms. Allen could speak for previous Staff who had worked on the project, current Staff had enough concern about this project that it was brought to the Planning Commission for review before it was even found complete, and concern had been communicated to the Applicant.

November 20, 2000 (ABR)
1642 CALLE CANON

Assessor's Parcel Number: 041-140-008
Application Number: MST99-00606
Agent: David Tabor
Applicant: Marianna Day

(Proposal for a tentative subdivision of two existing lots into six new residential lots, with associated street improvements on Calle Canon. A new private access road and fire department turnaround are anticipated to require approximately 500 cubic yards of grading, with additional grading for driveways to the individual lots estimated at up to 1,620 cubic yards of cut and fill. An undetermined number of oak trees may be affected or removed.)

David Tabor, agent, present.

Public comment opened at 4:25 p.m.

Vice-Chair Pujo read a letter from A.K. Frowiss into the record expressing concerns regarding possible chemical and erosion damage.

Public comment closed at 4:26 p.m.

Motion: Indefinite continuance with the following comments: 1) An organized site visit with the Planning Commission should be arranged. 2) Provide aerial photographs. 3) Provide site sections and sections for the proposed driveways. 4) Provide information on retaining walls.
Action: Hutchings/Six, 5/0/1. Gorrell abstained.

December 4, 2000 (ABR)
1642 CALLE CANON

Assessor's Parcel Number: 041-140-008
Application Number: MST99-00606
Agent: David Tabor
Applicant: Marianna Day

(Proposal for a tentative subdivision of two existing lots into six new residential lots, with associated street improvements on Calle Canon. A new private access road and fire department turnaround are anticipated to require approximately 500 cubic yards of grading, with additional grading for driveways to the individual lots estimated at up to 1,620 cubic yards of cut and fill. An undetermined number of oak trees may be affected or removed.)

(3:52)

David Tabor, agent and Marck Aguilar, Associate Planner, present.

Motion: Indefinite continuance with the following comments: 1) The Board is concerned with the amount of grading proposed to provide access at sites A and 4. 2) Lower the building envelopes at sites A and 4 on the hillside to be more nestled in. 3) Provide information regarding the potential grading impacts to the existing trees. 4) Provide sections of the driveway and retaining walls. 5) The site information should be provided at a larger scale and be more legible.
Action: Pujo/Hutchings, 7/0/0.

EXHIBIT D

April 30, 2001 (ABR)
1642 CALLE CANON

Assessor's Parcel Number: 041-140-008
Application Number: MST99-00606
Agent: David Tabor
Applicant: Marianna Day & Carolyn W. Maguire

(Proposal for a tentative subdivision of two existing lots into five new residential lots, with associated street improvements on Calle Canon. A new private access road and fire department turnaround are anticipated to require approximately 500 cubic yards of grading, with additional grading for driveways to the individual lots estimated at up to 1,620 cubic yards of cut and fill. An undetermined number of oak trees may be affected or removed.)

(5:55)

David Tabor, agent, and Russ Banko, agent, present.

Public comment opened at 5:07 p.m.

Ed Haldeman, 1533 West Valerio Street, was concerned about the height of the proposed houses, his privacy, and drainage.

Public comment closed at 5:09 p.m.

Motion: Two weeks continuance for an In-Progress Review with the following comments: 1) The envelopes for Lot 1, 2, and 3 are appropriate. 2) Provide a massing study for the future development of Lots A and 4 relative to their access and existing adjacent homes. 3) The Board reserves judgment of the exact alignments and development of the driveways to Lots A and 4. 4) Document the top and bottom elevations of all the proposed walls. 5) Study a sandstone or other natural wall at Calle Canon with areas of foreground planting rather than Alan block. 6) Enhance the paving at the main entry. 7) Document the trees to be removed with a bold "X".

Action: Gradin/Eichelberger, 7/0/0. Gorrell stepped down.

May 14, 2001 (ABR)
1642 CALLE CANON

Assessor's Parcel Number: 041-140-008
Application Number: MST99-00606
Owner: Carolyn Maguire & Diana Gustafson
Agent: David Tabor

(Proposal for a tentative subdivision of two existing lots into five new residential lots, with associated street improvements on Calle Canon. A new private access road and fire department turnaround are anticipated to require approximately 500 cubic yards of grading, with additional grading for driveways to the individual lots estimated at up to 1,620 cubic yards of cut and fill. An undetermined number of oak trees may be affected or removed.)

(3:28)

David Tabor, agent, and Russ Banko, Architect, present.

Motion: Indefinite continuance to the Planning Commission with the following comments: 1) The grading and access roads as presented are acceptable. 2) The Board is uncomfortable with the building appropriateness of Lot A (Lot 5) and the location of Lot 4, and requests the Planning Commission to comment on the appropriateness of the envelopes, the location of envelopes, and in respect to Lot A (Lot 5) the feasibility of any development at all. 3) If Lot A (Lot 5) is

developable the Board reserves the right to have significant input to the pad elevation and site plan. 4) The Board reserves judgment on access to Lot A (Lot 5) and Lot 4 until reviewing a house design. 5) The Board reserves judgment on the walls. 6) The heights of the walls are acceptable. 7) Study sandstone or other natural wall materials with areas of foreground planting. 8) Alan block is not acceptable. 9) Enhance the paving at the main entry. 10) The number of oak trees are proposed to be removed with the proposed replanting appears to be acceptable.

Action: Six/Gradin, 8/0/0.

October 28, 2002 (ABR)

1642 CALLE CANON

Assessor's Parcel Number: 041-140-008
Application Number: MST99-00606
Agent: David Tabor
Agent: Russ Banko
Owner: Carolyn Maguire & Diana Gustafson

(Proposal for a tentative subdivision of two existing lots into five new residential lots with associated street improvements on Calle Canon. A new private access road and Fire Department turnaround are anticipated to require approximately 500 cubic yards of grading, with additional grading for driveways to the individual lots estimated at up to 1,620 cubic yards of cut and fill. An undetermined number of oak trees may be affected or removed. Conceptual review of the new residences is requested.)

(3:22)

David Tabor, Architect, and Russ Banko, Designer, present.

Staff Comment: Trish Allen, Assistant Planner, stated that the project has been through the 30-day review process for several iterations. The project is still considered an incomplete project. Staff referred the project to the Planning Commission for concept comments regarding the General Plan consistency issues. Staff had repeated concerns regarding consistency with the General Plan as it relates to open space and hillside development. A lot of progress has been made and the project has changed substantially since the last ABR review. Retaining wall heights have been diminished and the subdivision has been significantly massaged. Staff is still voicing concerns regarding the developability of Lots 4 and 5 and the General Plan consistency issues. The Planning Commission felt that Lots 1, 2, and 3 were developable locations. The plans before the Board are specifically for Lots 4 and 5. The proposed configuration for Lot 6 contains an existing residence. This residence is part of the subdivision because of its proposed lot line adjustment. The Planning Commission and Staff had no concerns with this lot area modification. The Planning Commission felt that Lots 4 and 5 could be in violation with the good practices for hillside development. They felt that it was important to preserve the rural nature of the neighborhood and that the overall site development would be better served if the houses were clustered on the lower portions of the property. One Commissioner was not concerned about Lots 4 and 5. He felt that the proposed development was reasonable. Mrs. Allen has a summary of all the comments made by the Planning Commission.

Mrs. Allen, responding to Mr. Gradin's question regarding the suggestion to cluster the homes on the lower lot, stated that it was not Staff's intention to steer the Planning Commission's discussion into a Planned Unit Development-type of development. The General Plan speaks about clustering homes in very loose terms. The clustering needs to be appropriate to the surrounding neighborhood. The overall goal is to preserve a larger area of open space that is undisturbed.

Mrs. Allen asked the Board members to focus on the developability of Lots 4 and 5. Staff hopes that the additional information can lead to a decision whether these lots are developable or not looking at the possible configuration of the residences. The project will return to the Planning

Commission with ABR's comments, when Staff deems the project to be complete and the Environmental Assessment has been completed.

Motion: Continued indefinitely to the Planning Commission with the following comments: 1) The Board cannot accept the mass of the residences and their effect on the ridgeline. 2) Look at the methods to improve the presentation of the proposal. 3) The Board will be looking for some radical changes in the massing of Lots 4 and 5. 4) The Board will be commenting on the proposed driveways serving Lots 4 and 5 at a future review. 5) At this time, the Board cannot commit on the developability of Lots 4 and 5.

Action: Six/Eichelberger, 9/0/0.

March 3, 2003 (ABR following viewing of story poles on Lots 4 and 5)

1654 CALLE CANON

Assessor's Parcel Number:	041-140-008
Application Number:	MST99-00606
Agent:	David Tabor
Agent:	Russ Banko
Owner:	Carolyn Maguire & Diana Gustafson

(Proposal for a tentative subdivision of two existing lots into five new residential lots with associated street improvements on Calle Canon. A new private access road and Fire Department turnaround are anticipated to require approximately 500 cubic yards of grading, with additional grading for driveways to the individual lots estimated at up to 1,620 cubic yards of cut and fill. An undetermined number of oak trees may be affected or removed.)

Item Nos. 1 and 2 were reviewed simultaneously.

(3:32)

David Tabor, Agent, and Russ Banko, Designer, present.

Public comment opened at 3:53 P.M.

David Martin, 2410 Calle Montilla, was concerned about the lack of notice for reviews, impact on his view and location of the residence on Lot 5.

Marcia Engelmann, 2414 Calle Montilla, was concerned about the impact on her view and area in general.

Gena-Vera Niblack, 2516 Calle Montilla, was concerned about the impact on her view.

Eva Turner, 2426 Calle Montilla, was in support of the project. In her opinion the proposed development would not impede on the neighborhood.

Public comment closed at 3:58 P.M.

Staff Comment: Trish Allen, Assistant Planner, stated that Barbara Chen Lowenthal, Planning Commission Liaison, emphasized that the proposed residences would have to be in compliance with the hillside-design techniques.

The Board either collectively or individually made the following comments:

Lot 4:

- The design has improved overall; some stepping down the hillside is occurring, but the residence is still too prominent on the hillside. Profile of the house needs to be low slung (silhouetted) and harmonious with the hillside.

- Study sinking the mass further, and nestle the house further into the hill; this would result in less driveway fill.
- The majority of the proposed residence should be comprised of one-story elements due to the visibility from public views, in particular Elings Park. The public should be able to see over the top of the house from the adjacent park.
- The size of the proposed residence would have to be significantly reduced to be acceptable.
- The proposed architectural style (stucco and tile roof) is not appropriate for the surrounding neighborhood or for the site; study a more rural/ranch style.

Lot 5:

- The house is too prominent on the hillside. The house is not cut into the hill; use same effort implemented with the sinking of the garage for the remainder of the residence.
- Study reducing the amount of turnaround area.
- The central portion of the residence appears to have three-story elements.
- The mass, bulk, and scale is too aggressive for this site. Study a smaller house tucked into the hillside.
- The size of the proposed residence would have to be significantly reduced to be acceptable.

Motion: Continued indefinitely with the following comments (the following comments apply to both Lots 4 and 5): 1) The majority of the Board finds the 12-foot wide driveways acceptable. 2) The materials for the driveways must be as natural as possible. 3) Retaining walls must be sandstone. 4) The architecture must be an outstanding example of a woodsy, art-and-crafts style of architecture to fit in with the nature of the property, which is considered to be oak woodland. 5) The Board reserves judgment on the redesigning of the size and mass. 6) The plans shown do not conform to the topographic information of the licensed surveyor. 7) Provide accurate topographic lines, height representations and tree canopies for proper evaluation of both properties. 8) Study reducing the amount of pavement at the houses.

Lot 4: the majority of the residence should be comprised of single-story elements nestled into the hillside.

Lot 5: 1) The Board finds the proposed location for the house, entirely on the top of the ridge, unacceptable. 2) The Board suggested reducing the size of the house and lowering it down the site, recognizing that the City does not allow development on slopes that are greater than 30 percent.

Action: Six/Gross, 7/0/0.

October 13, 2003 (ABR)

1642 CALLE CANON, LOT NO. 4

Assessor's Parcel Number: 041-140-008
Application Number: MST99-00606
Agent: James Staples
Agent: Russ Banko
Owner: Carolyn Maguire & Diana Gustafson
Architect: Jan Hochhauser

(Proposal for a tentative subdivision of two existing lots into five new residential lots, with associated street improvements on Calle Canon. A new private access road and Fire Department turnaround are anticipated to require approximately 500 cubic yards of grading, with additional grading for driveways to the individual lots estimated at up to 1,620 cubic yards of cut and fill. An undetermined number of oak trees may be affected or removed.)

(Conceptual review of the residence for proposed Lot No. 4. Proposal for a 2,812 square foot, two-story residence, with an attached 443 square foot garage including a 983 square foot

basement, on a proposed 1.21 acre lot located in the Hillside Design District. There is approximately 1,096 cubic yards of grading proposed outside the main building footprint.)

1642 CALLE CANON, LOT NO. 5

Assessor's Parcel Number: 041-140-008
Application Number: MST99-00606
Agent: James Staples
Agent: Russ Banko
Owner: Carolyn Maguire & Diana Gustafson
Architect: Jan Hochhauser

(Proposal for a tentative subdivision of two existing lots into five new residential lots, with associated street improvements on Calle Canon. A new private access road and Fire Department turnaround are anticipated to require approximately 500 cubic yards of grading, with additional grading for driveways to the individual lots estimated at up to 1,620 cubic yards of cut and fill. An undetermined number of oak trees may be affected or removed.)

(Conceptual review of the proposed residence for proposed Lot No. 5. Proposal for a 2,835 square foot, two-story residence with a detached 525 square foot garage including a 326 square foot basement on a proposed 2.42 acre lot, located in the Hillside Design District. There is approximately 1,180 cubic yards of grading proposed outside the main-building footprint.)

(Item Nos. 4 and 5 were reviewed simultaneously.)

Jan Hochhauser, Architect; and Tina Townsend, agent, present.

Public comment opened at 4:57 p.m.

Bill Boyd, 2430 Calle Montilla, was concerned about the proposed locations and heights for the residences on Lot Nos. 4 and 5.

Marcia Engelmann, 2414 Calle Montilla, was still concerned about the proposed height and location for the residence on Lot No. 5 in regards to the view.

Public comment closed at 5:03 p.m.

Staff Comment: Trish Allen, Assistant Planner, responding to the Mr. Eichelberger's question regarding the status of the private road access and subdivision approval, stated that the proposal for the subdivision of six parcels has not been approved as of yet. The concept of the subsequent development at the remaining lots has been reviewed several times. Staff, Planning Commission and ABR are having difficulty visualizing the developments for Lot Nos. 4 and 5.

Motion: Continued indefinitely to the Planning Commission and an indefinite continuance for an in-progress review of the architecture proposed for Lot Nos. 4 and 5, with the following comments: 1) The project is moving in the right direction. 2) The Board concurs with the one-story designs with the buildings being lowered into the property with minimum amount of understory. 3) Study the architecture to provide further relieve to the ridgelines by reducing the plate heights where possible, minimizing the grand volumes, and incorporating overhangs to create shadow lines. 4) The architecture is to feel more indigenous and recede better into the hillside in its forms and colors. 5) Study an alternate location for the garage on Lot No. 5. 6) The Board would like to have applicant erect story poles as soon as the concept for the development is acceptable, and to review the installation with the Planning Commission before the project is referred to the Planning Commission.

Action: Six/Gross, 5/0/0.

December 10, 2007 (SFDB)
1642 CALLE CANON

Application Number:	MST99-00606
Owner:	Carolyn Maguire
Architect:	Pete Ehlen
Contractor:	Russell Banko Design and Construction

(Proposal for a tentative subdivision of two existing lots into five new residential lots, with associated street improvements on Calle Canon. A new private access road, private driveways and Fire Department turnaround are anticipated to require approximately 3,600 cubic-yards of cut and 2200 cubic-yards fill grading, multiple retaining walls of varying heights are proposed. One oak tree is proposed to be removed.)

(4:22)

Present: Pete Ehlen, Architect.

Staff Comments: Allison DeBusk, Case Planner stated staff's concerns with a) inconsistency with General Plan; b) residential density; c) environmental constraints; d) visual impacts.

Public comment opened at 4:45 p.m.

- Ramona Marten, opposed: concerned with proximity to property line; visual impact; project height.
- Marcia Engleman, opposed: concerned with loss of views; integrity of hillside and neighborhood; removal of seven oak trees; traffic; density; negative impact to neighborhood.
- Bill Boyd, conditional support: concerned with maintenance of existing view easement.
- Stephen Zoldos, spoke in support of the project.
- Richard Banta, conditional support: would like to work with developer to mitigate loss of views.
- Public comment letters from Paula Westbury, Otto Engleman, Pamela Haldeman, Bill Boyd, Gina-Vera Niblack, Terry Bugay, and Eva Turner were acknowledged by the Chair.

Public comment was closed at 5:06 p.m.

Motion: Continued indefinitely to the Planning Commission with the following comments:

1) Give consideration to single-story houses on building envelope numbers 4 and 5. Those building envelopes will be kept away from the upper property line as is reasonable to prevent the house from intruding on the neighbors above.
2) The tall curved retaining wall may deviate from the height and terracing guidelines if designed in an interesting way.
3) Preservation of oak trees is very important. Use caution with regard to the effects of grading on the oak trees.
4) The overarching architectural style should be rural and of appropriate size and color.
5) The Board appreciates the sidewalks as presented.

Action: Deisler/Bernstein, 4/1/0. Motion carried. (Zink opposed, excessive grading. Carroll stepped down. Woolery absent.)