

ARCHITECTURAL BOARD OF REVIEW  
CASE SUMMARY

903 W MISSION ST

MST2009-00388

R-NEW UNIT

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**Project Description:**

Revised proposal to construct a new 525 square foot second story accessory dwelling unit above a new 623 square foot three-car garage on a 5,000 square foot lot. The proposal includes the demolition of the existing 317 square foot non-conforming garage, and a 25 square foot covered porch to the existing main residence, and a 32 square foot addition to the main residence. The project will result in an 876 square foot main residence, a 525 square foot new accessory dwelling unit and a new 623 square foot three-car garage. The project requires Staff Hearing Officer review for a requested zoning modification to provide less than the required 600 square feet of open yard and to allow the garage to encroach into the required 20 foot front-yard setback.

**Activities:**

5/16/2011

***ABR-Project Design & Final Hrg***

*(Project was last reviewed on March 7, 2011.)*

*Actual time: 3:07*

*Present: Josh Blummer and Anthon Ellis, AB Design Studio; Heidi Ferguson, Owner.*

*Public comment was opened at 3:19 p.m.*

*Mercedes Greenburg, Mimi Greenburg, David Jenkins ceded their speaking time to Pam Brandon.*

- 1. Pam Brandon, opposed to reinstatement of the previously voided project design approval, lack of new noticing, storage space in garage is located within setback, and lack of neighborhood compatibility (submitted a petition containing signatures of 40 neighbors opposed to the project).*
  - 2. Sue Young, spoke in support of the project. Ms. Young stated that 76 signatures in support of the project were obtained (signatures were not submitted).*
  - 3. Diane Soto, representing Upper Westside Neighborhood Association, spoke in opposition to the lack of neighborhood compatibility (submitted a letter containing nine signatures of neighbors opposed to the project).*
  - 4. Wayne Dorfman, opposed to lack of compatibility of the proposed materials and lack of neighborhood compatibility.*
  - 5. Russell Clay Ruiz, opposed to erosion of the neighborhood's Spanish style architecture.*
  - 6. Kellam DeForest, opposed to the industrial style and the metal material's incompatibility with the neighborhood.*
- Mr. Boughman acknowledged nine letters received in support and four letters opposed to the project.*

**Activities:**

*Public comment was closed at 3:45 p.m.*

*Kelly Brodison, Assistant Planner provided clarification of the project's previously voided and subsequent reinstated Project Design Approval. Ms. Brodison responded to questions from the Board.*

*Motion: Final Approval as submitted.*

*Action: Rivera/Sherry, 3/1/1. Motion carried. (Mosel opposed, Zink abstained, Aurell and Gilliland stepped down.)*

**5/16/2011**                      ***ABR-Proj Des & Final Approval***

**5/10/2011**                      ***ABR-Resubmittal Received***

*plan substitution*

**5/2/2011**                      ***ABR-Project Design & Final Hrg***

*(Project was last reviewed on March 7, 2011.)*

*Postponed two weeks at the applicant's request.*

**4/22/2011**                      ***ABR-Resubmittal Received***

*3 sets for new PDA and FA*

**4/7/2011**                      ***ABR-Correspondence/Contact***

*March 30, 2011*

*Mr. Clay Aurell  
AB Design Studio  
27 E. Cota Street, Suite 503  
Santa Barbara, CA 93101*

*SUBJECT: 903 W. Mission Street, MST#2009-00388,  
Revocation of Design Review Approval*

*Dear Mr. Aurell:*

*The purpose of this letter is to formalize the revocation of the Design Review Approval of the above-referenced project. The discretionary applications granted for this project are modifications to permit construction of the garage within the required 20 foot front setback and a modification to provide less than the required Common Open Yard area of 600 square feet. The project received approval from*

**Activities:**

*the Staff Hearing Officer on July 28, 2010 and on appeal at the City Council on October 19, 2010. The project received a Preliminary Approval from the Architectural Board of Review on August 23, 2010 and, a Final Approval on March 27, 2011. Although a modification was approved to allow less than the required 600 square feet of common open yard, there was an area of 375 square feet behind the garage that was intended to comply with the ordinance. Unfortunately, Staff overlooked the second story cantilever above this portion of the required common open yard area. By definition in the ordinance (SBMC §28.04.715) yard is an open space, on a lot or parcel of land, unoccupied and unobstructed from the ground upward.*

*Therefore, this project, as designed, does not comply with the ordinance and a modification is required to allow the second story to cantilever over the required common yard. Staff is not inclined to support a modification and recommends revising the project to provide a conforming site design.*

*Based on this information, the Preliminary Approval that was given to the project on Monday, March 7th, and the Final Approval of March 27, 2011, are considered "void". The modifications remain valid. You may return to the ABR with a conforming design and pursue a new Project Design Approval and Final Approval.*

*Sincerely,*

*Kelly Brodison*

*Kelly Brodison  
Assistant Planner*

*cc: Heidi Ferguson, 903 W. Mission Street, Santa Barbara, CA 93101  
Jaime Limon, Design Review and Historic Preservation Supervisor  
Planning File*

**3/7/2011**                      ***ABR-Final Approval - Project***

**3/7/2011**                      ***ABR-Final Review Hearing***

*(Project requires compliance with Staff Hearing Officer Resolution No. 041-10.)*

*Actual time: 5:25*

*Present: Josh Blumer, Architect, AB Design Studio; Heidi Ferguson, Owner; Chris Gilliland, Landscape Architect; Anthon Ellis, AB Design Studio.*

*Public comment was opened at 5:41 p.m.*

*David Black, in support of the project.*

*Pam Brandon, next door neighbor: opposed to the cantilevered area over the open yard not in compliance with City code; concerned about style and metal siding not being compatible with the neighborhood.*

*Kellam DeForest, opposed to this style in this neighborhood, suggested replacing the metal siding with wood.*

*Public comment was closed at 5:47 p.m.*

**Activities:**

*Motion: Final Approval with the following conditions:*

*1) Indicate on the plans the fixed dimensions and prohibited enlargement or relocation of the kitchen window, in compliance with City Council Resolution and reproduce Resolution on plans.*

*2) Confirm that the exterior light fixture provides downcast lighting.*

*Action: Rivera/Sherry, 3/1/1. Motion carried. (Mosel opposed, Zink abstained, Gilliland and Aurell stepped down)*

**3/1/2011**                      ***ABR-Resubmittal Received***

**10/19/2010**                      ***CC-ABR Appeal Filed***

**10/19/2010**                      ***CC-ABR Appeal (Project APVD)***

*Project approved (appeal by neighbor was denied).*

*Motion was to deny the appeal and uphold the approval. The project is to return to ABR with the window size and locations to be a condition of approval and to restudy the project to minimize the height and to study minimizing the 2' cantilever.*

**8/23/2010**                      ***ABR-Prelim Approval - Project***

**8/23/2010**                      ***ABR-Preliminary Review Hearing***

*(Preliminary approval is requested. Project requires compliance with Staff Hearing Officer Resolution No. 041-10.)*

*(3:36)*

*Present: Josh Blumer, Architect, AB Design Studio; and Heidi Harbaugh, Owner; Chris Gilliland, Landscape Architect; and Kelly Brodison, Assistant Planner.*

*The Chair read out to the Board the Staff Hearing Officer Resolution #041-10 requirements.*

*Public comment opened at 3:49 p.m.*

*The following public comment spoke either in support or in opposition of the proposed project:*

*1) Mimi Greenberg (submitted letter as adjacent property owner) - in opposition regarding privacy issues and possible decreased property values.*

*2) Pam Brandon, (submitted letter) - in opposition regarding previous notification issues, privacy*

**Activities:**

*issues, possible decreased property values and solar access.*

*A letter of concern from Paula Westbury was acknowledged by the Board.*

*Public comment closed at 3:56 p.m.*

*Motion: Preliminary Approval and continued indefinitely to Full Board with comments:*

- 1) Reconsider the material choice for the entry canopy.*
- 2) Return with sizable material samples of all final finishes, except the concrete, for a final review; the proposed metal finish is to be non-reflective.*

*Action: Rivera/Sherry, 3/1/0. Motion carried. (Mosel opposed to architectural style. Aurell and Gilliland stepped down, Zink absent).*

**8/17/2010*****ABR-Resubmittal Received***

*Rec'd 3 sets for preliminary approval at ABR. Rec'd SHO approval 7/28/10 Reso No 041-10.*

**7/16/2010*****ABR-Posting Sign Issued*****5/17/2010*****ABR-Concept Review (Continued)***

*(Third Concept Review. Project requires Environmental Assessment and Staff Hearing Officer review for two requested zoning modifications.)*

*(5:45)*

*Present: Josh Blumer, Architect, AB Design Studio; and Heidi Harbaugh, Owner.*

*Public comment opened at 6:02 p.m. As no one wished to speak, public comment was closed.*

*Staff clarified the Alternative Open Yard and Private Outdoor Living Space Requirements, per SBMC 28.18.060.C.3, for proposals involving an accessory dwelling unit.*

*Motion: Continued indefinitely to Staff Hearing Officer and return to Full Board with comments:*

- 1) The Board finds the requested modifications acceptable to achieve the open space, recognizing that it is a small corner lot, which makes it difficult for compliance with standard open space lot requirements.*
- 2) The Board is appreciative of the proposed change in architectural design as it reduces the overall mass of the building.*
- 3) The Boards finds acceptable the second floor setbacks away from the garage, and the inclusion of the planter element to soften that corner of the building.*
- 4) The Board looks forward to refinement of the garage elevation to include secondary architectural elements to add additional scale at the garage doors and the lower wing of the west elevation.*

**LANDSCAPING:**

**Activities:**

- 1) *Locate the perimeter fencing five feet back from the existing retaining wall to comply with Ordinance requirements.*
  - 2) *Study providing a landscape area between the two garage doors.*
  - 3) *Study introducing a trellis structure on the large garage door to soften with a vine planting.*
  - 4) *Study incorporating some ground cover relief at the new driveway to be consistent with the character of the neighborhood.*
- Action: Rivera/Sherry, 4/1/0. Motion carried. (Mosel opposed, Aurell stepped down, Gilliland/Zink absent).*

**5/12/2010*****ABR-FYI/Research***

*AB Design Studio is the new architect for the project as of May 2010. The project had two concept reviews with the previous architect and is now on the third concept review (5/17) with the new architect.*

**5/4/2010*****ABR-Resubmittal Received***

*Revised description - updated numbers and mod applications.*

**12/14/2009*****ABR-Concept Review (Continued)***

*(Second Concept Review. Project requires Environmental Assessment and Staff Hearing Officer review for a modification to provide less than the 600 square feet of the required open yard area.)*

*(7:35)*

*Present: Tarah Brown, Applicant; Marc Perry, Architect; and Heidi Harbaugh, Owner.*

*Public comment opened at 7:46 p.m. As no one wished to speak, public comment was closed.*

*An opposition letter from Christine Cunningham was acknowledged by the Board.*

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

- 1) *Study reducing the roof pitches on the addition to further reduce the ridge heights.*
- 2) *Study ways to uniform the style of the building; particularly the window proportions and style, etc.*
- 3) *Eliminate the long shed roof element on the east and west elevation of the addition.*
- 4) *Return with building sections and plate heights of the first and second floor.*
- 5) *Study the eave of the north elevation over the garage.*
- 6) *Study the wood trellis element over the second story balcony.*
- 7) *The Board has mixed opinions on the proposed modification, and defers further comment at this time.*
- 8) *Study introducing dormer elements in the second floor addition to reduce the apparent mass.*

*Action: Aurell/Gilliland, 5/1/0. Motion carried. (Mosel opposed, Gross/Sherry absent.)*

**Activities:****12/8/2009                      ABR-Resubmittal Received**

*received three sets for continued concept review. Applicant needs to do arch letter report and go to SHC for open yard mod.*

**10/5/2009                      ABR-Concept Review (New) - PH**

*(Comments Only; Project requires Environmental Assessment.)*

*(3:30)*

*Present:   Tarah Brown, Applicant; Marc Perry, Architect; and Heidi Harbaugh, Owner.*

*Public comment opened at 3:53 p.m. As no one wished to speak, public comment was closed.*

*An opposition letter from Paula Westbury was acknowledged by the Board.*

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

- 1) The Board understands the constraints involved with corner lots; however, the Board feels the project is moving in the wrong direction as it lacks compatibility with both the existing house and the neighborhood.*
  - 2) Study the overall style for a design that is compatible in style, massing, and materials, and provides neighborhood compatibility and continuity of style throughout the project.*
  - 3) Provide an entrance to the second unit that incorporates a pedestrian street presence and neighborhood compatibility.*
  - 4) Study the proposed fencing and material to be more compatible with the overall style of the house and neighborhood.*
  - 5) The Board finds the proposed curb cut to be excessive in length and would prefer to have it minimized. Verify the length of the proposed curb cut with the Transportation Division staff and if possible revise to reduce the length.*
  - 6) The Board reserves their comments on the modification at this time pending the above items, as the project has not reached the appropriate project threshold.*
- Action: Sherry/Gross, 8/0/0. Motion carried.*

**10/5/2009                      ABR-Mailed Notice Prepared**

*Prepared 9/14/09; mail out date 9/24/09; applicant prepared mailing labels.*

**9/16/2009                      ABR-FYI/Research**

*Note: as the proposal is considered an accessory unit for a lot with 5,000 square feet - this imposes specific size conditions on both units. The main residence may not have more than three bedrooms and may not exceed 1200 sq.ft. The accessory unit may not have more than one bedroom and may not exceed 600 sq.ft. This imposes restrictions on any proposed additions to the main residence which, as a result of this proposal, will be a two-bedrooms and 854 square feet.*

**Activities:****9/15/2009**                    **ABR-Resubmittal Received**

*resubmittal to address prelim plan check comments. First concept review scheduled for 10/5/09.*

**9/10/2009**                    **ABR-Correspondence/Contact**

*Spoke to applicant regarding PLCK comments and faxed PLCK to architect Marc Perry (805-653-5321) 9/10/09.*

*Issues to address include: 200 cubic feet of exterior storage; recalculate the P.O.L.S.; the front steps encroaching into the front setback and the maximum 3' x 3' dimensions.*

**8/27/2009**                    **ABR-Posting Sign Issued**

*posting sign issued*

**8/27/2009**                    **ABR-FYI/Research**

*Note per applicant, they will be widenign the curbcut as part of this permit and applicant was advised that an encroachment permit will most likely be required and to check with P.W. regarding this matter. Also, applicant advised that she spoke to Chelsey in Transportation Planning and they will be relocating an existing no-parking sign at the site.*

**8/27/2009**                    **ABR-FYI/Research**

*note that the applicant provided the mailing labels and therefore was only charged for the posting sign.*

*--update-- per Jaime Limon - applicant is to be charged the total fee for postage (# of labels x 0.43).  
Postage fee 79 x 0.43 = 33.97. MJB 9/8/09*