



Agenda Item No. _____

File Code No. 640.07

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2008

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Appeal Of The Architectural Board Of Review Preliminary Approval Of 1236 San Andres Street Project

RECOMMENDATION:

That Council deny the appeal of Paula Westbury and uphold the Architectural Board of Review (ABR) preliminary approval of the four-unit residential condominium development proposed at 1236 San Andres Street.

BACKGROUND:

On January 10, 2008, the Planning Commission approved a Tentative Subdivision Map and interior yard modification for the demolition of two single-family residences along with two accessory structures and construction of four condominium units with two covered spaces per unit. On March 11, 2008, the City Council denied an appeal filed by Paula Westbury and reaffirmed the Planning Commission decision of the project. The current appeal, filed on May 5, 2008, mainly discusses previous appeal issues and does not raise any substantive issues on the preliminary approval decision by the Architectural Board of Review of April 21, 2008. Staff recommends that Council deny the appeal and uphold the ABR approval.

DISCUSSION:

Project Description

The project consists of the demolition of two permitted dwellings and associated accessory structures and the construction of a four-unit condominium building on a 10,000 square foot lot. The proposed building would be approximately 5,783 square feet (s.f.). Each unit would average between 1,000 s.f. to 1,300 s.f., and each garage would be approximately 400 s.f. The structure would be two stories and approximately 23 feet in height. Access to the site is to be provided by a driveway along the southern property line off San Andres Street. A modification was approved to allow the garages to be located three feet from the northerly lot line instead of outside the required six-foot setback.

Appeal Issues

The current appeal filed on May 5, 2008 includes issues that are not design-review related, and the issues in the appeal were considered by City Council on March 11, 2008 as part of the previous appeal. These issues include the following:

- Archaeological resources
- Modification to interior setback
- Measurement of the top of bank of Old Mission Creek
- Location of open yard space

At the January 10, 2008 hearing, the Planning Commission provided direction to the applicant to provide more human scale to the street front portion of the development; add a pedestrian pathway along the driveway; incorporate more native plants in the restoration of the creek; and to reduce the cantilevered portion of the building, where feasible. It should be noted that all of these recommendations are mostly cosmetic and that there was no direction given to the applicant to reduce the size, bulk or scale of the development. The applicant submitted the project to the Architectural Board of Review (ABR) for preliminary review on April 21, 2008. The ABR granted preliminary approval on that date with a few minor comments regarding the landscape plan (Attachment 2). The applicant will return with the updated set of plans for final review, which the ABR will review to determine that all of the suggestions are addressed. Finally, the Planning Commission included a condition of approval that the existing building shall be available for relocation or salvage 60 days prior to building permit issuance.

RECOMMENDATION:

Staff recommends that Council deny the appeal, upholding the decision of the Architectural Board of Review.

NOTE: The documents listed below have been separately delivered to the City Council and are available for public review in the City Clerk's Office:

- Public Comment Letters
- Project Plans

ATTACHMENTS: 1. Appellant's letter dated May 5, 2008
2. Architectural Board of Review Minutes dated April 21, 2008

PREPARED BY: Peter Lawson, Associate Planner

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office

To the City Council

April 30, 2008
650 Miramonte Rd
Santa Barbara, Calif 93109

Re: 1236 San Andres ST

Here is an appeal of
the Architectural Board
of Review's decision
of April 21, 2008, of
Preliminary Approval
Re: 1236 San Andres

The Condo Project
is too big +
not appropriate to
the site etc

The Land + Buildings
are beautiful and need
to be safeguarded -

It is my childhood
land - Just wonderful

Please help safeguard
the land + save all the
old growth Redwood Tree
tree houses and shed
+ workshop, all
have been greatly
treasured.

Please save all
in perpetuity -
we would like
to leave them here -
Historic Santa Barbara
Thank You

Paula Westbury
PAULA WESTBURY

Never allow the condos there.

Thank You

RECEIVED

MAY 01 2008

CITY CLERK'S OFFICE
SANTA BARBARA, CA

April 30, 2008
PAULA WESTBURY
Re: 1236 San Andres St Appeal

Save the Bungalow from destruction. Have Good Land Use and Conservation. Preserve Open Space. No Condos, Be Well. # Traditional site plan is historic. Dimensions are human size, pedestrian friendly with 25' setbacks in front and yards, Be Well.

The Bank of Mission ^{Creek} is on 2 sides and falls off precipitously into the Park. It is in accessible - over 2000 slope. The Open yard is over the Bank, mostly. Small part is on top. We were told at the Planning Desk that the yard being in accessible means the project is turned down, would be turned down. ABR said we were to work this out in the offices before the hearing and did not turn down the project. They did not wait to work it out.

There was no notice of the ABR April 21st Hearing Posted in front of the
1236 San Andres Site

Missin Creek Setback is not met. It is supposed to be 25' to 50'.
The theoretical top of the bank is measured from the bottom of the
bank which is not the intent of the law. If you go by the
angle of repose of the law it is actually supposed to be further
than 25'. They didn't measure from the toe of the bank.
They have 10'. This is a major difference. The Project
is too big. The ^{BANK OF THE} Creek does have major dropoffs.

Modification was not listed property. It was initially the
Western Exterior Yard, then the interior yard. The Northern
Yard was discussed. Then ~~the~~ ^{the building} it was moved 3' toward
the N property line which is 3' closer to the drop off.
At one end it is approximately 8 or 9' from the edge
of Missin Creek. This is not 25'-50' setback
and is not good.

The Building is too big for the site

Two story is out of keeping with the bungalow area,
which is one story. Condos drastically alter the character
of the neighborhood. It is not in fill.

The proposed building is not aesthetically pleasing.
It is massive 143' long instead of 37', out
of character with the individual homes which
predominate. Overdense.

The land is proposed to be covered over with Building
and driveway etc. Very little land would be left to
grow flowers and ^{other} plants. The entire level area which
is presently predominately open space is proposed
to be paved. ^{with} This is not healthy -

The Open Yard is over the Bank of Missin Creek, north,
inaccessible. The Ancient Tree is gone. It
was fantastic - The whole yard is fantastic -
full of love + Happiness, Peace.

Saw all the old Growth Redwood Tree Houses -
5,000 years old, 10,000, and 7,000 y old shed and
well built workshop - The 1st 3 survived the 1925 Earthquake
and are strong + sturdy. Safe to 25. Condos
are 2 or 1 - not good enough. Be well -
Cinderblock is not good.

The Indians help people to be well. Extremely important
Healing site. The Park is safe. People are better
Major Sacred Ground + Ceremonial Area 90,000 years -

April 30, 2002
Paula Westbury
Appeal 1236
San Andres St

Addendum -

The Planning Commission did make it a condition to move the house ^{later} and then to save the wood. This did not come through in the Resolution as a condition.

We really do want to leave all on the site as it is more appropriate, Historic, safe & solid. We are looking for historic status so they will always be safe. The site is extraordinary. Keep it there - The National Register should be done so the site and all structures are well.
Thank You - Paula Westbury

Save the Neighborhood

Preserve Santa Barbara

Mrs. Munday did say she preserved all. She was here for 55 years - owned the property with her husband Simon. She was a stabilizing force of the community and chose to retire there.

April 11, 2008
650 Miramonte Rd
Santa Barbara, CA 93109
962-6508

Resolution
concerning 1236 San Andres
Information sheet.

Appeal
material
1236 San Andres

Planning
minutes

City Planning Session was cancelled yesterday. The Redwood Street uses of 1236 San Andres St were listed as a Resolution. The Resolution stated that the Condo project will not have an adverse impact on aesthetics, parks, streets, traffic and ~~the~~ other community facilities. "Actually the Project is not "consistent with sound community planning." They give up good housing for bad housing. 5,783 sq ft is 5 times as big as the front house. It is overcrowded. Neighboring condos, on the other side of the park have 5 cars per unit, or more as the students are there. It is not really "infill residential development" as it is not adding a unit in the block. It is demolishing the neighborhood, which is not "compatible with the neighborhood" The neighborhood is bungalows with open space. Historic Yard needs Preservation (no infill). The houses are 5,000 year old Redwood, with 10,000 yd old Redwood sills etc All structures need preservation on this historic site, which is the bungalow area of Santa Barbara. Lets not ever lose any. That is "appropriate community planning."

Camp Crestoja, now Schmitt Park is directly on 2 sides of the property, so it directly effect the park, which is entirely open space. The massive structure - big box of the Condo trying to squeeze in 4 Cinderblock units is not appropriate. It is dangerous - 1/2-1 or 2 in an Earthquake. It is a public health issue. We need to have "Conservation and Good Land Use", which means don't cover it with cement, etc. Save nature. Save Calif. Land for trees and pet people gardens. The modification took 3 of 6' off the yard, just to have maneuverability of the cars getting into the garage. The project is too big 143' long, boxy, 2 story - definitely not a bungalow. Cement driveway also takes up all the outdoor space. There is no legal 6' setback on the N. side. Someone said it was on the 2nd floor, where the 3 patios go for 6' each also, ~~and~~ that doesn't add up to 143'. Setback means no building trees, not up over 18". The land is not sufficient for the massive building. 4 condos, 8 garages don't fit here. They placed it too close to the top of the bank of Mission Creek for - 10' instead of required 25' or 50'. They used "theoretical top of the bank" which is actually the bottom of the bank measurement. That is not the intent to top of the bank. We need safety.

The proposed use - Condo Project - is definitely not "consistent with the vision of the neighborhood" as stated on the Resolution. That's the law - The development has to be consistent with the vision of the neighborhood. We need to keep our 20's + 30's or so Neighborhoods intact, with open space + trees predominant, not Cinderblock monstrosities + cement. They don't have the open yard requirements they crowded everything in so there isn't enough yard. This is legal two family now, which is R-2 in a R-3 zoning area so the yard requirements are more than R-3 zoning they used.

The Environmental damages immense and cannot be ignored. No land left more or less. This is a flood plain area. It should never be messed up, nor should the Native American Burial Ground be messed up by digging utilities, sewer, gas, water, irrigation, etc. Trees should never be removed. Hedges shouldn't have been cut back. Sidewalk should never be taken up. Skunny shouldn't be covering up the Chumash People who survived all street cleaning for generations. It shouldn't be put there.

The neighbors driveway again shouldn't be touched or dug up for utilities or whatever. It is vast environmental damage overlooked. Chumash Burial Grounds + Ceremonial Sites need Preservation.

Also there are serious Health and Safety problems - ^{Bill} Condos will fall down in 2 ^{states} Earthquakes less. Trees help children to safety. The Land has major Healing qualities to Save children's lives. Be well. Present Land + Houses and shed + workshop are safe and solid old growth Redwood, and well built workshop of 60's Historic Santa Barbara needs Preservation. We all appreciate the Housing.

Thousands of people signed petitions to Save this neighborhood Housing. Preserve the neighborhood, + consider it Historic. All needs to remain. It is really perfect next to the Park. It is going through the City Planning Systems so hopefully all will always remain. The City needs to Preserve it. Be well.

Turn down
The Resolution.
Be well
WEST 1/2
PANEL

April 30, 2008
Paula Westbury

APPEAL 1236
San Anselmo

The City needs Historic Preservation. Preserve it. This site is obviously Historic by the proximity to the Creek, the size of the bank, the middens, The 1920's graph paper, the site plan, the open space, the Redwood. The structures are intact 1920's & one 1960's. The cement added onto - Historic Yard remaining. 1940's skating area - roller skating - is on the sidewalk + hopscotch too. Preserve it. ^{it is a historic} American Paradise ^{since}

The Westbury family was there from 1946 to 1951. The Robottom Benz was in the 1927 garage. He was active in water works which was very important in this area. The Westbury baby homers came not so long after the house purchase. The house and site are dearly loved. The Muddys bought it in 1951. It is excellent housing.

Thousands of people signed Petitions to save the neighborhood housing and all structures and Preserve the neighborhood and make it Historic. Many people want to protect the houses and all structures and the site from development. It is good community planning. The city did not tell the hearing officials of the petitions letters, etc. They did not present this information at the hearing. Actually mine + Celeste Barber's were read + a note from Mary Moore were read as these people were there ^{generally}. It is astonishing that the public input was not given. It should always be given. There was a great quantity, as many friends + relatives were contacted and mailed in letters. Various other people called signed mes etc. Thousands of them.

Please turn down the Project as it doesn't have accessible yard, is too big, doesn't meet the setbacks, especially mission creek setback. It doesn't meet the Condo law requirements either as we spoke of concerning the resolution. It does not benefit Santa Barbara. It is not safe, It is overbearing. We desperately need present excellent housing and yards and old growth Redwoods. Be Well

Thank You
Paula Westbury

help all involved. Turn down the project. Be Well

PRELIMINARY REVIEW**5. 1335 MISSION RIDGE RD****E-1 Zone**

Assessor's Parcel Number: 019-210-005
 Application Number: MST2006-00285
 Owner: Dario L. Pini
 Architect: Bryan Murphy

(Proposal for new approvals of expired permits and for as-built additions to an existing three-story single-family residence. Additions previously approved under expired permits include 171 square feet on the first floor and 517 square feet on the second floor. The as-built additions include 94 square feet on the first floor and 314 square feet of basement additions. An encroachment permit is required for additions to the front of the house which encroach into the public right-of-way (PBW2006-00949). The proposed project would result in a 5,490 square foot single-family residence located on a 17,043 square foot lot in the Hillside Design District. The project received Staff Hearing Officer Approval on 10/10/07 and 3/12/08 [Resolution No. 086-07 and 018-08].)

(PROJECT REQUIRES NEIGHBORHOOD PRESERVATION ORDINANCE FINDINGS AND COMPLIANCE WITH STAFF HEARING OFFICER RESOLUTION NO. 086-07 AND 018-08.)

(7:16)

Present: Bryan Murphy, Architect.

Public comment opened at 7:18 p.m. As no one wished to speak, public comment was closed.

Motion: Preliminary Approval and continued to the Consent Calendar with the following comment: Thicken the south elevation column at the guest room to be 16 to 18 inches to appear more substantial.

Action: Sherry/Blakeley, 7/0/0. Motion carried.

PRELIMINARY REVIEW**6. 1236 SAN ANDRES ST****R-3 Zone**

Assessor's Parcel Number: 039-151-001
 Application Number: MST2006-00364
 Owner: Ruth E. Mudry Trust
 Architect: Kirk Gradin
 Owner: Casas Del Parque, LLC
 Applicant: Blankenshp Construction

(Proposal to construct four, two-story residential condominium units. Three of the units would be approximately 1,000 square feet and one unit would be approximately 1,100 square feet. Each unit would have an attached two-car garage for a total of eight parking spaces on the 10,048 square foot parcel. The proposal includes demolition of all existing structures and 140 cubic yards of grading outside the building footprints. The project received Planning Commission approval [Resolution No. 01-08] on 1/10/2008.)

(Preliminary Approval is requested.)

(PROJECT REQUIRES COMPLIANCE WITH PLANNING COMMISSION RESOLUTION NO. 01-08.)

(7:30)

Present: Kirk Gradin, Architect.

Public comment opened at 7:44 p.m.

- 1) Michael Galindo, opposed (submitted photos). Proposal is not appropriate to the neighborhood.
- 2) Comments from Celeste Barber and Mary Moore, opposed, were read into the record. Over building going beyond the R-3; in compatible with existing neighborhood; Mission Creek encroachment. Proposal to large for the neighborhood.
- 3) Paula Westbury, opposed. Keep Santa Barbara bungalow area safe and solid from condos; yard is needed. Mission Creek bank encroachment; over 20% slope.

Public comment closed at 8:00 p.m.

Motion: Preliminary Approval of the project and continued to Consent Calendar with the following comments:

- 1) Provide continuous landscaping along driveway and reduce hardscape wherever possible.
- 2) Resolve the paving pattern on site plan and landscaping plan and increase pedestrian friendly aspect. The proposed landscape plan option is preferred.

Action: Zink/Sherry, 6/0/2. Motion carried. (Manson-Hing and Mosel abstained.)

CONCEPT REVIEW - NEW ITEM**7. 130 S HOPE AVE D-12A****C-2/SD-2 Zone**

Assessor's Parcel Number: 051-010-007

Application Number: MST2008-00148

Owner: Riviera Dairy Products

Applicant: Conceptual Motion Co.

Architect: Robinson Hill Architecture

(Proposal for a façade remodel and tenant improvements to an existing tenant space (D-106) at La Cumbre Plaza.)

(Project requires compliance with the La Cumbre Plaza Design Guidelines.)

Postponed indefinitely at the applicant's request.