



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: February 22, 2007
AGENDA DATE: March 1, 2007
PROJECT ADDRESS: 1014 Garden Street (MST2007-00018)

TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner
 Chelsey Swanson, Assistant Planner

I. PROJECT DESCRIPTION

The project involves a proposal for a change in zone from C-2/ R-3 to C-2, and a setback modification, both intended to abate two existing zoning violations. A recently permitted two-unit residential condominium project currently under construction does not meet the Solar Access Ordinance in the R-3 portion of the lot. A zone change to C-2 will abate this violation. The building was also permitted with an architectural column located up to the interior property line and within the interior yard setback. This encroachment was not previously recognized or approved as a modification to the interior yard.

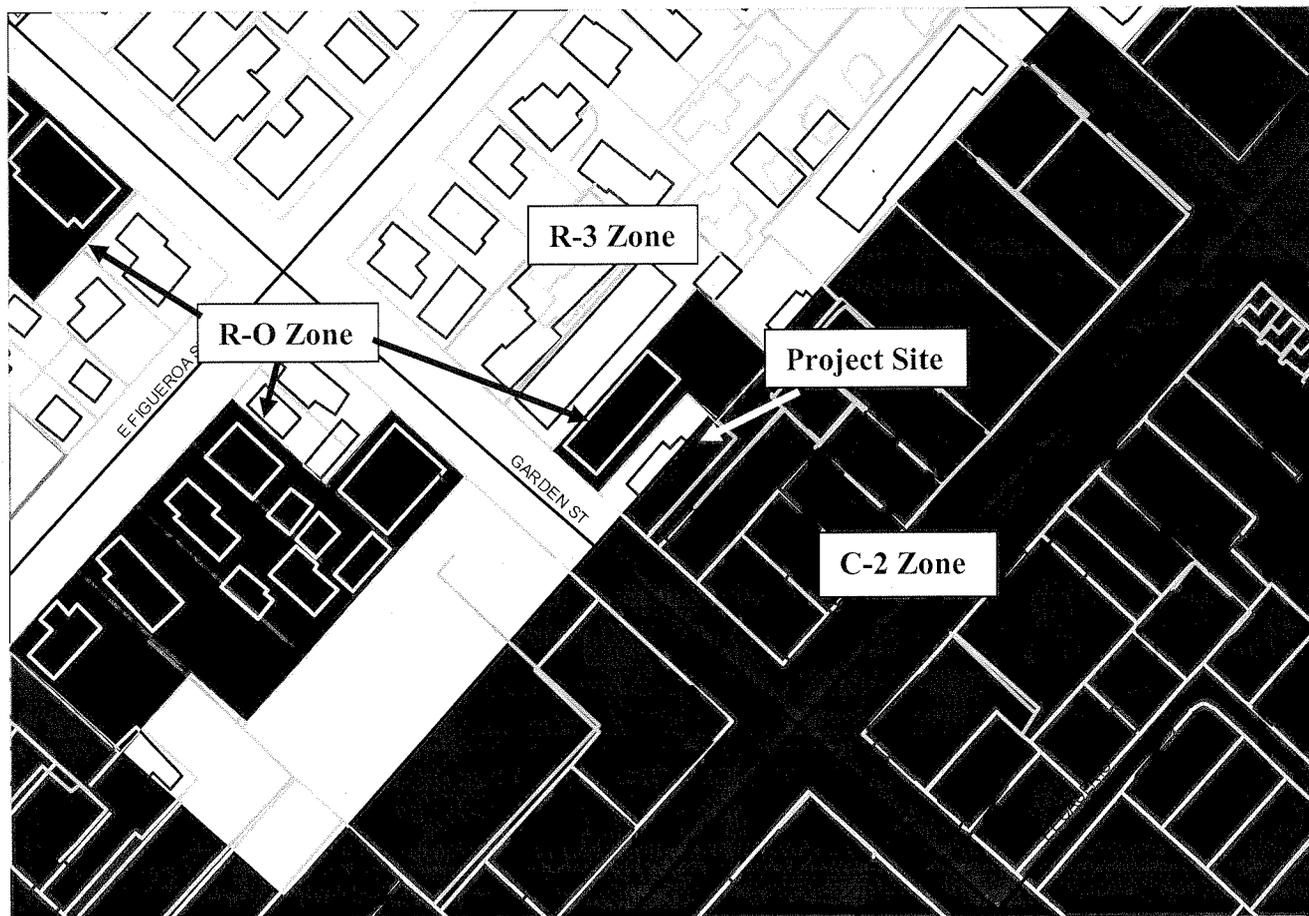
II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. Initiation of a Rezone and Recommendation by the Planning Commission to City Council to change a parcel zoned C-2/ R-3 to C-2 (SBMC §28.92.020); and
2. Modification to allow a building encroachment within an interior yard setback (SBMC §28.21.060 and §28.92.110).

III. RECOMMENDATION

The proposed project would abate zoning violations so that the existing building would conform to the City's Zoning and Building Ordinances. In addition, the project would conform to the policies of the General Plan. Therefore, Staff recommends that the Planning Commission approve the modification, initiate and recommend to City Council that the property be rezoned from C-2/ R-3 to C-2, making the findings outlined in Section VII of this report, and subject to the prior Planning Commission Resolution included in Exhibit A.



Vicinity Map – 1014 Garden Street

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Everett Woody, Architect	Property Owner:	Jeff & Julie Friedman Family Trust
Parcel Number:	029-221-026	Lot Area:	5,075 sq. ft.
General Plan:	Offices and Residential, 12 units per acre	Zoning:	C-2/ R-3
Existing Use:	Residential, under construction	Topography:	3% slope from rear of property to the front
Adjacent Land Uses:			
North – Offices		East – Parking Lot	
South – Offices		West – Parking Lot and Driveway	

B. PROJECT STATISTICS

	Unit A	Unit B
Living Area	1,744 sq. ft.	1,542 sq. ft.
Parking Area	2,473 sq. ft. (for both units)	2,473 sq. ft. (for both units)

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance (C-2/ R-3)	Existing	Proposed Requirement/ Allowance (C-2)
Setbacks -Front -Interior -Rear	10' - 1 st & 2 nd stories, 26' - 3 rd story 6' - 1 st & 2 nd stories, 10' - 3 rd story 6' - 1 st story, 10' - 2 nd & 3 rd stories	13' - 1 st and 2 nd story, 29' - 3 rd story 0' to 6'9" - 1 st story, 6' to 13'8" 2 nd story 10' - 1 st , 2 nd & 3 rd stories	No Change for residential use. If the use became commercial, no setbacks would apply.
Building Height	45'	32'	60'
Parking	2 covered, 2 uncovered	4 covered	No change for residential use
Lot Area Required for Each Unit (Variable Density)	2,320 sq. ft per unit (4,640 sq. ft. total required)	5,075 sq. ft. total	No change
10% Open Space	507 sq. ft.	556 sq. ft.	No change
Private Outdoor Living Space	84 sq. ft. per unit	Unit A - 281 sq. ft. Unit B - 261 sq. ft.	No change for residential use
Lot Coverage -Building -Paving/Driveway -Landscaping	N/A N/A N/A	2,508 sq. ft. 47.5% 293 sq. ft. 5.5% 2,274 sq. ft. 47%	N/A
Compliance with Solar Access Ordinance	Required	Does not meet requirement	Not Required

VI. ISSUES

A. INTERIOR YARD MODIFICATION

A two-unit residential condominium building was approved at the project site by the Planning Commission on November 6, 2003. The project received final approval by the Historic Landmarks Commission (HLC) on November 10, 2004. One of the architectural details added to the building prior to HLC final approval included a 30" by 30" column supporting a flying buttress located within the 6' first- and second-story interior yard setback. This added architectural feature was unrecognized by staff as an encroachment into the setback at the time of review. The building projection extends up to the interior property line; however, it provides no floor area within the setback and

is minimal in size. The column abuts a driveway on the parcel located to the north, which is zoned R-O, Restricted Office, and contains office uses. Staff supports the modification to allow the column to remain up the interior property line, and believes the modification meets the intent of the Zoning Ordinance with regard to a required yard providing separation of people and improvements.

B. PROPOSED ZONE CHANGE

A change of zone is a legislative process and the City procedures require that the Planning Commission or City Council initiate the rezoning before the applicant can submit a formal application for rezoning. In this case, the applicant is requesting a zone change from C-2/ R-3 to C-2 in order to abate an existing Solar Access Ordinance violation, which was missed by staff during the previous review and approval processes of the two-unit condominium project. Paragraph 13 of §28.10.010 of the Zoning Ordinance states: "At the time of any zoning or rezoning, the new zone boundary shall follow existing lot lines as shown on the Official Parceling Maps of the City of Santa Barbara, unless otherwise recommended by the Planning Commission." Staff is recommending that the Planning Commission initiate the rezone and provide recommendations to City Council at the same time.

The subject parcel is zoned R-3, Limited Multiple-Family Residential, on the northern half, and C-2, Commercial, on the southern half. The parcel immediately north is zoned R-O, Restricted Office; however, the rest of the neighborhood to the north is zoned R-3, with a few additional R-O zoned parcels on the opposite side of Garden Street. Immediately south of the parcel, the neighborhood is consistently zoned C-2.

The existing building is a two-unit residential condominium building, currently under construction. All structures in residential zones, including the R-3 zone, must comply with the City's Solar Access Ordinance, SBMC §28.11. Structures located within commercial zones are not required to meet the requirements of the Solar Access Ordinance, regardless of the use of the building. A portion of the building located within the half of the parcel zoned R-3, does not meet the Solar Access Ordinance because of the height of the structure and its location relative to the two northerly property lines ("project north" and "project east" elevations). One reason staff can support the change in zone to C-2, is that the property is bordered on all sides by parcels zoned R-O and C-2, where neither zone requires compliance with the Solar Access Ordinance. The R-3 portion of the lot is isolated from and not contiguous to another R-3 or residentially zoned parcel, with the exception of the parking lot located on the opposite side of Garden Street, zoned R-3; however, the C-2 portion of the property is directly adjacent to another C-2, commercially zoned parcel. Changing the zone of the subject property to C-2 would abate the existing zoning violation while also making the parcel consistent with immediately adjacent uses.

If the parcel is changed to C-2, commercial uses could be proposed in the future. Staff supports the change in zone because the parcel is currently bordered by office uses in the R-O and C-2 zones and the neighborhood is a mix of office, commercial, and

residential buildings, providing a transition between the downtown commercial uses and the residential uses to the east.

C. COMPLIANCE WITH THE GENERAL PLAN

The project site is located in the Laguna neighborhood of the City, which is characterized by a mix of land uses, including the Police Station, offices, commercial uses, and single and multiple family residential development. The General Plan designations for this property and the neighborhood are Offices and Residential, with a density of twelve dwelling units per acre. The existing project conforms to General Plan Policies within the Land Use Element, including density, and the proposed zone change to C-2 would not allow for any change in density for residential uses.

D. ENVIRONMENTAL REVIEW

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301, Existing Facilities, and 15305, Minor Alterations in Land Use Limitations.

VII. FINDINGS

The Planning Commission finds the following:

A. MODIFICATION (SBMC §28.21.060 AND §28.92.110§)

The Planning Commission must find that the requested interior yard setback modification is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on the lot, prevent unreasonable hardship, or promote uniformity of improvement. The encroachment of the 30" by 30" column up to the interior property line would not include any habitable space within the setback, would be a minor architectural encroachment, and also abuts a property which allows, but is not zoned for residential uses. The modification is consistent with the purposes and intent of a required yard with regard to separation of improvements and people.

B. RECOMMENDATIONS TO CITY COUNCIL

Rezone

Staff recommends that the Planning Commission recommend to the City Council a rezone of the subject property, 1014 Garden Street, from C-2/ R-3 to C-2. Changing the entire parcel to C-2 would be justified because it would eliminate a "split-zone" parcel, the zone would be consistent with adjacent commercially zoned parcels and land uses, and the zone change would abate an existing violation of the Zoning Ordinance.

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Exhibits:

- A. Planning Commission Resolution No. 063-03, from Previous Project Approval
- B. Site Plan
- C. Applicant's letters, dated January 9, 2007 and January 2, 2007



City of Santa Barbara California

CASE PLANNER

(R)

Trish

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 063-03
1014 GARDEN STREET
ONE LOT SUBDIVISION
NOVEMBER 6, 2003

APPLICATION OF GIL GARCIA, AGENT FOR LAS VILLAS DE LOS JARDINES, LLC, PROPERTY OWNER, 1014 GARDEN STREET, APN 029-221-026, C-2/R-3 LIMITED COMMERCIAL AND LIMITED MULTIPLE RESIDENTIAL ZONES, GENERAL PLAN DESIGNATION: OFFICES AND RESIDENTIAL, 12 UNITS/ACRE (MST2002-00806)

The proposed project involves a one-lot subdivision for two condominium units. The development would be contained in a three-story structure with four (4) covered parking spaces on the ground floor and two stories of habitable space above, on a 5,075 square foot lot. Each unit is proposed to be two-bedrooms ranging from 1,722 to 1,830 square feet. The proposal includes the demolition of an existing residence and includes approximately 210 cubic yards of grading cut and fill.

The discretionary application required for this project is a one-lot subdivision for two residential condominiums (SBMC § 27.07).

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, November 6, 2003
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

I. Approved the subject application making the following findings and determinations:

A. The Tentative Map (SBMC §27.07.100)

The tentative subdivision map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development, the project is consistent with the variable density provisions of the Municipal Code and the General Plan, and the proposed use is consistent with the Land Use Element and zoning designation for the site, and the vision for this neighborhood in the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems or conflict with easements, acquired by the public at large, for access through or use of property within the proposed development.

EXHIBIT A

B. The New Condominium Development (SBMC §27.13.080)

1. There is compliance with all provisions of the City's Condominium Ordinance.

The project complies with density requirements. Each unit includes a two-car garage with storage, laundry facilities, separate utility metering, adequate unit size and required outdoor living space.

2. The proposed development is consistent with the General Plan of the City of Santa Barbara.

The project is consistent with applicable policies of the City's General Plan including the Housing Element, Conservation Element, and Land Use Element. The proposed development is consistent with the principles of sound community planning and will not have an adverse impact upon the neighborhood's aesthetics, parks, streets, traffic, parking and other community facilities and resources.

3. The project is an infill residential project proposed in an area where residential development is a permitted use.

The project is adequately served by a public street, will provide adequate parking to meet the demands of the project and will not result in traffic impacts. The design has been reviewed by the City's design review board, which found the architecture, density, and preliminary landscaping appropriate. The development will be an aesthetic improvement in the Laguna Neighborhood.

II. Said approval is subject to the following conditions:

- A. Prior to the issuance of any Public Works or building permit for the project on the Real Property, the following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be recorded by the Owner with the Final Map on an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property" which shall be reviewed as to form and content by the City Attorney, Community Development Director and/or Public Works Director:

1. Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. Owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner which will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
2. No recreational vehicles, boats or trailers shall be stored on the Real Property.
3. The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:

- a. An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium parcels.
 - b. A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
 - c. A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
 - d. A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition and which also provides that such covenants may be enforced by the owners' association in accordance with the requirements of the state Subdivision Sales Law.
4. Owner shall comply with the Landscape Plan as approved by the Historic Landmarks Commission (HLC). Such plan shall not be modified unless prior written approval is obtained from the HLC. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
 5. The development of the Real Property approved by the Planning Commission on November 6, 2003 is limited to two (2) residential condominium units, and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
- B. The following is subject to the review and approval of the Historic Landmarks Commission (HLC):
1. Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Lighting shall be directed toward the ground.
 2. The check valve of anti-backflow devices for fire sprinkler systems shall be provided in a location screened from public view or included in the exterior wall of the building.
 3. If trash receptacles are not stored within the garages, a trash enclosure with an area for recycling containers shall be provided on the Real Property and screened from view from surrounding properties and the street.

- C. Prior to the recordation of the Final Map, issuance of any Public Works permit or Building permit for the project on the Real Property:
1. The Owner shall execute an Agreement Assigning Water Extraction Rights. Said assignment and any related agreements are subject to the review and approval of the City Attorney. Said agreement shall be recorded in the Office of the County Recorder.
 2. The Parcel Map shall be prepared by a licensed land surveyor or registered civil engineer in conformance with current Subdivision Map Act and in conformance with the requirements of the City Survey Control Ordinance.
- D. The Owner shall submit the following or evidence of completion of the following to the Public Works Department prior to the recordation of the Final Map, or issuance of a Building permit or Public Works permit.
1. The Owner shall submit an executed Agreement for Land Development Improvements, an Engineer's Estimate, signed and stamped by a registered civil engineer, and securities for construction of improvements prior to execution of the agreement.
 2. The Owner shall submit building plans for construction of improvements along the subject property road frontage on Garden Street. As determined by the Public Works Department, the improvements shall include one residential City Standard street light as approved by Public Works and HLC, replacement of City standard sidewalk, driveway apron modified to meet Title 24 requirements, curbs, gutters, crack seal to the centerline of the street, underground utilities, drainage system (curb drain outlets), preserve and/or reset contractor stamp and/or survey monuments, bio-filter in landscaping on private property, drought-tolerant parkway landscaping, street trees, and provide adequate positive drainage from site. Where tree roots are the cause of the damage, the roots are to be pruned under the direction of the City Arborist. The public improvement/building plans shall be prepared by a registered civil engineer or licensed architect and reviewed and signed by the City Engineer.
- E. The following requirements shall be incorporated into, or submitted with the construction plans submitted to the Building & Safety Division with applications for building permits. All of these construction requirements must be completed prior to the issuance of a Certificate of Occupancy:
1. The following information shall be specified on the construction plans submitted for building permits:
 - a. Signage shall be posted at the points of entry to the site that list the contractor(s) name and phone number, work hours, and site rules to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval and inform subcontractors of site rules and restrictions.

- b. Construction (including the preparation for construction work) is prohibited Monday through Friday between the hours of 5:00 p.m. and 8:00 a.m., Saturdays, Sundays, and holidays observed by the City as legal holidays as shown below:

New Year's Day January 1st
Martin Luther King Jr.'s Birthday 3rd Monday in January
President's Day 3rd Monday in February
Memorial Day Last Monday in May
Independence Day July 4th
Labor Day 1st Monday in September
Thanksgiving Day 4th Thursday in November
Following Thanksgiving Day Friday after Thanksgiving Day
Christmas Day December 25th

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday respectively shall be observed as a legal holiday.

- c. Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic on adjacent streets and roadways.
- d. The route of construction-related traffic established to minimize trips through surrounding residential neighborhoods.
- e. All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
- f. Construction parking provided as follows:
 - (1) During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Streets, Parking, and Transportation Operations Manager.
 - (2) On-site or off-site storage shall be provided for construction materials and equipment.
- g. Storage of construction materials within the public right-of-way is prohibited.
- h. Trucks transporting fill material to and from the site shall be covered from the point of origin.
- i. During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied

to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

- j. Sweep daily the frontage of the property and adjacent properties along Garden Street, parking areas, and staging areas at the construction site to decrease sediment transport to the public storm drain system and dust.
- k. No prehistoric resources are anticipated to occur at this location based on initial observations of the site and previous surveys of adjacent parcels. However, in the event that in situ prehistoric cultural remains or historic remains greater than 50 years in age are revealed during demolition and site preparation activities, all work in the area of the find shall be halted and the remains recorded in the field by a qualified archaeologist, and procedures set forth in the Cultural Resources Section of the Master Environment Assessment (MEA) be implemented to evaluate the importance of those resources.

In the event that prehistoric remains are encountered, a qualified Native American representative identified by the State of California Native American Heritage Commission as the closest descendant, should be contacted to monitor all further site disturbance in the vicinity of the remains and remain present during any additional archaeological site evaluation.

- 2. The applicant shall, to the maximum extent feasible, recycle and/or re-use all construction/demolition waste and materials in order to minimize construction-generated waste conveyed to the landfill, and containers shall be provided on site for that purpose.
- 3. The Owner shall apply storm water quality control guidelines to the project per the Public Works Department Construction Project Best Management Practices.
- 4. The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist.
- 5. All Planning Commission Conditions of Approval shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their

usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner Date

Contractor Date License No.

Architect Date License No.

Engineer Date License No.

- F. Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
1. Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots are to be pruned under the direction of the City Arborist.
 2. Public improvements as shown on the building plans.

NOTICE OF TENTATIVE SUBDIVISIONS MAPS (INCLUDING NEW CONDOMINIUMS AND CONDOMINIUM CONVERSIONS) TIME LIMITS:

The Planning Commission's action approving the Tentative Map shall expire two (2) years from the date of approval, per SBMC Section 28.07.110.a & .b, unless the subdivider requests an extension of time, not to exceed two (2) years beyond the expiration of the original two (2) years expiration date or per the allowances provided in the Subdivision Map Act.

PLANNING COMMISSION RESOLUTION NO. 063-03
1014 GARDEN STREET
NOVEMBER 6, 2003
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This motion was passed and adopted on the 6th day of November, 2003 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 5 NOES: 1 (Maguire) ABSTAIN: 0 ABSENT: 1 (Ehlen)

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.



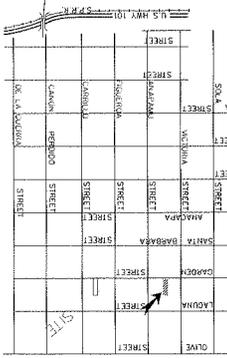
Susan Gantz, Planning Commission Secretary

12/5/03

Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

VICINITY MAP



LAS VILLAS DE LOS JARDINES

CONSULTANTS

ARCHITECTS • PLANNERS, INC.
ANGELI de COVOLO
 23 CEDARHILL ROAD
 SANTA BARBARA, CALIFORNIA 93101
 (805) 432-2599
 FAX: (805) 432-2599

PROJECT DATA

OWNER: FRIEDMAN, JEFF & JULIE FAMILY TRUST 8/4/74
 1370 SCHOOL HOUSE LANE
 SANTA BARBARA, CA 93108
 (805) 448-0547
 OCCUPANCY GROUP: R-3/JU-1
 ADDRESS: OLD GARDEN ST
 APN: 029-221-26
 ZONE: R3/C2
 SITE AREA: 5075 SQ FT/0.116 ACRES

SCOPE

CHANGE THE USE FROM R-3/C-2 TO C-2

SITE COVERAGE

APN	AREA	COV
029-221-26	5075 SQ FT	42%
029-221-27	2618 SQ FT	47%
029-221-28	2918 SQ FT	51%
029-221-29	2718 SQ FT	47%

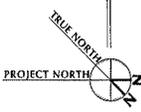
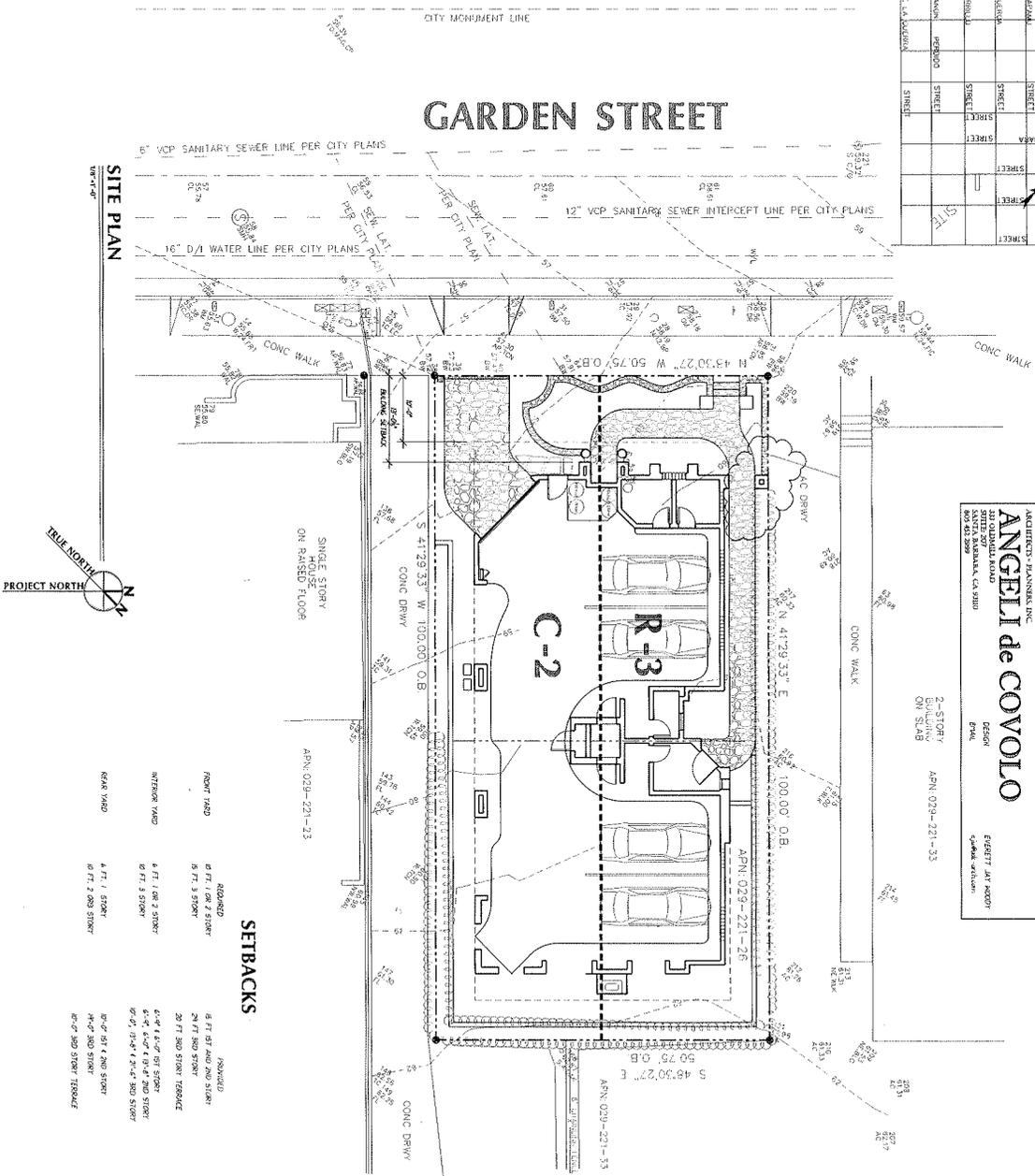
PARKING REQUIREMENTS

UNIT	REQUIRED	PROVIDED
2 BR. UNIT # A	7 COVERED	7 COVERED
2 BR. UNIT # B	7 COVERED	7 COVERED

REQUIRED STORAGE

141' X 6' STORAGE - 380 CONC FEET
 141' X 6' STORAGE - 380 CONC FEET

SITE PLAN



GARDEN STREET

EXHIBIT B



Angeli de Covolo ARCHITECTS • DESIGNERS, INC.

January 2, 2007

Planning Staff
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93101

Subject: Santa Barbara Planning Commission Application
1014 Garden Street change of zoning. C2/R3
Change zoning R-3/C-2 to C-2
APN # 029-221-026
MST # 2002-00806
BLD #2004-02684

Dear Planning Staff:

This completed application for the proposed zoning change from R-3/C-2 to C-2 on the parcel located at 1014 Garden Street, is submitted by Everett Woody on behalf of the owner FRIEDMAN, JEFF & JULIE FAMILY TRUST 8/9/79
1370 SCHOOL HOUSE LANE
SANTA BARBARA, CA 93108
(805) 448-0597

PROJECT HISTORY

August 7, 2002 – Phase I Archeological Resource Report and a Historic Structures Report were reviewed and accepted by the Landmarks Commission.

December 11, 2002 – First Historic Landmark Commission (HLC) concept review
The project was continued four weeks. The commission requested we restudy several elements of the design.

January 8, 2003 – Second Historic Landmark Commission (HLC) concept review
The project was continued two weeks with comments regarding building details and instructions to relate the floor plans to the elevations and return with a complete package.

January 22, 2003 – Third Historic Landmark Commission (HLC) concept review
The project was continued two weeks with positive comments to the Planning Commission. Although the commission felt the architecture was generally acceptable, they requested some specific areas to be restudied and return for review.

122 East Arrellaga Street, Santa Barbara, California 93101
805-452-2999 ☎ ejw@adc-arch.com

Un architetto che non voglia morir di fame deve di necessita adattarsi a vedere e pensare secondo le forme e i modelli classici.

EXHIBIT C

February 5, 2003 – Fourth Historic Landmark Commission (HLC) concept review
The commission continued the project indefinitely to the Planning Commission with the following positive comments:

1. Widen the column on the north elevation
2. The commission generally supports a modification for the rear yard setback.

February 10, 2003 – Pre-Application Review Team submittal (PRT)

March 18, 2003 – PRT comments meeting

After careful review of comments from HLC and PRT, we redesigned the project to eliminate the four modifications requested and increased the front yard setback to 15 feet (5 feet greater than the minimum 10 feet) and increased the first floor rear yard setback to 10 feet (4 feet greater than the minimum 6 feet). With setback increases, the project fully complies with staff's interpretation of the 10% open space requirement.

November 10, 2004 – Building permit.

The building permit was issued for the following project description.

EXISTING PROJECT DESCRIPTION CURRENTLY UNDER CONSTRUCTION

The project proposes a one-lot subdivision to construct two residential condominium units on a 5,075 square foot lot. Existing on the property are a 1,071 square foot, three-bedroom single-family residence, a 160 square foot carport and a 80 square foot shed that are proposed to be demolished. All vegetation present on the site will also be removed. The parcel is located within the El Viejo II Landmarks District and is split zoned R-3 and C-2 in a North/South orientation. The average slope of the site is 3% rear to front toward the Garden Street right of way.

Parking required is four spaces for two 2-bedroom units. At least two parking spaces are required to be covered.

The proposed project provides the required four (4) spaces in the first floor ground level parking area below residential condominium units. The condominium units would be approximately 3,347 square feet in size. The first floor (2,130 square foot) parking garage will contain four vehicles, required storage, elevator and stairs to units above. The discretionary approval being sought is a tentative subdivision map (TSM) for one-lot subdivision for residential condominiums (SBMC Chapter 27.07).

SITE DESCRIPTION SUMMARY

Applicant:	Everett Jay Woody, Assoc. AIA
Property Owner:	Friedman, Jeff & Julie Family Trust 8/9/79
Property Developer:	Tom Dain Construction
Project Address:	1014 Garden Street

Parcel Number:	029-221-026
General Plan	Office and Residential 12 units per acre
Zoning:	Split zoned R-3 and C-2
Existing Use:	Residential
Proposed Use:	Residential.
Topography:	3% slope rear to front
Access:	Garden Street
Adjacent Land Uses:	East: Parking Lot (R-0 zone) South: Commercial (C-2 zone) West: Offices and Parking lot (C-2 zone) North: Office (R-0 zone)

The proposed project will not include the:

- Creation of smoke or odors
- New noise sources
- Use of disposal or hazardous materials

There are no existing or proposed designated recreational trails or easements traversing the project site.

PROJECT GOALS AND JUSTIFICATION

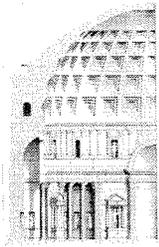
- To change the current zoning from C-2/R-3 to C-2 Residential.
- Our goal is to satisfy the solar ordinance that was missed in plan check.

Respectfully submitted,

Everett Jay Woody

Attachments:

- 10 Site plans



Angeli de Covolo ARCHITECTS • DESIGNERS, INC.

January 9, 2007

Modification Hearing Officer
City of Santa Barbara
Santa Barbara, CA. 93101

Phone: [Phone]
Fax: [Fax]

RECEIVED
JAN 10 2007
CITY OF SANTA BARBARA
PLANNING DIVISION

RE: Application of Side yard building encroachment
1014 Garden Street [REDACTED] zoning. C2/R3
APN # 029-221-026
MST # 2002-00806
BLD #2004-02684

Dear Roxanne,

Building Information

The existing project was approved with a 30" x 30" column supporting a flying buttress in the setback located approximately at the North West corner of the property.

During construction a complaint was filed by the neighbor to the north of the project which initiated a zoning enforcement case.

A simultaneous application has been submitted to the City to change the zone from R-3/C-2 to C-2 residential.

Modification Justification

We are requesting a modification to allow the 30" x 30" column to exist within the setback.

Modification Benefits

The flying buttress entered into the project during the design phase as a request from Landmarks to add a more interesting effect to the front elevation. Most of the buildings around our site are C-2 commercial zones that have zero setbacks. We feel that the columns existence in the setback is consistent with other buildings in the neighborhood.

Regards,

Everett Jay Woody

122 East Arrellaga Street, Santa Barbara, California 93101
805-452-2999  ejw@adc-arch.com

Un architetto che non voglia morir di fame deve di necessita adattarsi a vedere e pensare secondo le forme e i modelli classici.