

**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: Montecito Planning Commission

FROM: Alice McCurdy, Deputy Director

DATE: April 8, 2014

RE: Nolan Appeal of the Kasztelan SFD Addition, Case No.12LUP-00000-00387
Appeal Nos.: 13APL-00000-00018 & 13APL-00000-00026
APN: 013-166-006 Site Address: 137 Sierra Vista Road

During the Montecito Planning Commission meeting on February 26, 2014, your Commission requested a memo from staff addressing six specific questions and one comment related to the Kasztelan project. Those questions and staff's responses are provided below. Additionally, the applicants have responded to the Commission's suggestion to restudy the overall dwelling height and floor area of the proposed home and are presenting two new design options to the Commission. These are discussed later in this memo.

Questions

1. What are the homes in the neighborhood that have received recent zoning permits for redevelopment and what were the sizes of the structures before and after approval?

- **41 Ridgeview Road** – Pieper SFD Addition and New Garage (07LUP-00000-00285)
Before: 2,202 sq. ft. SFD After: 2,507 sq. ft. SFD, w/ 800 sq. ft. garage
- **150 Canon View Road** – Alexander SFD Addition (02LUP-00000-00663)
Before: 1,700 sq. ft. SFD After: 2,950 sq. ft. SFD
- **131 Sierra Vista Road** – Bartz Convert Illegal 2nd Dwelling (08EXE-00000-00227)
Before: Approx. 1,535 sq. ft. SFD After: 3,035 sq. ft. SFD
- **186 Sierra Vista Road** – Sjovold SFD Addition (01LUP-00000-00998)
Before: 2,043 sq. ft. SFD After: 2,643 sq. ft. SFD
- **195 Sierra Vista Road** – Tarleton New SFD (09LUP-00000-00176)
New: 3,800 sq. ft. SFD w/ 789 sq. ft. garage
- **230 Sierra Vista Road** – Read Garage Conversion & Carport (11LUP-00000-00395)
Convert: 576 sq. ft garage to a workshop w/loft; New Carport [no effect on SFD]

2. Would the property owners be willing to erect story-poles for the Commission to view prior to the next hearing?

At the hearing of February 26, 2014, the property owners agreed to have story-poles erected for the Commission to view. P&D staff has been notified that the property owners intend to have the story-poles erected during the weekend of March 29, 2014. The poles will reflect the revised plans with ridge heights lowered by 2-feet. P&D staff will notify the Commissioners when the story-poles are in place.

3. To make it easier for the Commissioners to determine Neighborhood Compatibility, could staff revise the FAR comparison chart with property addresses rather than with the last names of the property owners?

P&D staff has revised the FAR comparison chart as requested and has updated the chart to reflect the two redesign options for the project as well. The chart is included as Attachment A to this memo.

4. Is there a seismic concern for this property?

Consistent with the guidelines of the Seismic Safety & Safety Element of the County Comprehensive Plan, the subject property is not located on or within 50 feet of any known fault line or observed fault trace. As with any property within the State of California, home designs are required to meet current seismic standards. These standards are reviewed as a part of the plan check performed by Building and Safety staff for the County.

5. Is there validity to the issue raised during the hearing that the nearby slope repair work completed on the Sycamore Canyon landslide would be endangered from the proposed development on the Kasztelan property?

The firm Cotton, Shires and Associates, Inc. conducted the work on the nearby slide repair. P&D staff and the property owners have discussed the proposed project with the firm and were informed that they could neither confirm nor deny any potential negative or detrimental effect to the slide repair work by any future development in the area. Furthermore, while there are no legal encumbrances against the subject property or any other property up-slope from the slide repair, County B&S requires as a part of plan check that a state-licensed engineer has certified that the proposed work meets or exceeds County and State standards for development. The property owners have provided County staff with signed and stamped plans from three separate engineers, certifying that the structural, geotechnical and civil plans meet current State and County construction standards.

6. Why does the MBAR consistently approve projects that exceed the Recommended Maximum House Net Floor Area?

As discussed in Section 6.1 (Appeal Issue 3) of the staff report, dated January 30, 2013, and incorporated herein by reference, when the MBAR reviews an application for proposed development, the project is reviewed on its own merits and within its site-specific context. As such, the MBAR does at times approve homes that exceed the maximum recommended FAR because as the Guidelines state, *“In certain neighborhoods, the recommended maximum size in Table 1 may not reflect the appropriate level of development. In those cases, neighborhood compatibility shall be the determining factor.”* (see Section III.B.3 of the Montecito Architectural Guidelines and Development Standards). The MBAR reviewed the proposed project on this subject parcel. On August 26, 2013, the MBAR determined that the level of proposed development was appropriate and approved the project.

Conclusion:

In response to the Commission’s suggestion to restudy the overall dwelling height and floor area of the proposed home that applicants have developed two new design options to the Commission. See Option #1 and Option #2 in Attachments C & D, respectively where the areas with revisions from the previously-approved plans on appeal have been circled. The previously-approved plans for case number 12LUP-00000-00387 are included as Attachment B.

In both options, the redesigned project lowers the overall ridge and finished floor height for the home by 2’-0” and removes 501 sq. ft. of habitable space from the lower level of the home by turning it into an

attached storage area with a 6-foot plate height, accessible only from the exterior of the home. In Option #1, the finished grading design includes 200 c.y. of cut and fill, primarily intended to raise the finished floor of the garage to achieve adequate access, and tapers the grading along the east and west sides of the house allowing for a two story design. As defined in Section III.B.3 of the Montecito Architectural Guidelines and Development Standards, the Option #1 dwelling would measure 3,933 sq. ft. (88.3% max. FAR). In Option #2, the finished grading design includes an additional approximately 50 c.y. of fill material banked against the house and terminating in new 4-foot tall retaining walls at the southerly portions of the east and west elevations. This embanked material creates a single story design with a “basement” area¹ approximately 1,508 sq. ft. in size and more than 50% below the average level of the surrounding finish-grade. As defined in Section III.B.3 of the Montecito Architectural Guidelines and Development Standards, the Option #2 dwelling would measure 2,425 sq. ft. (54.5% max. FAR).

While the actual structures in Options #1 and #2 are identical, staff is recommending approval of Option #1 given that the square footage of the house is reduced, the finished floors and ridgelines have been lowered, consistent with the MPC’s intent at the hearing of February 26, 2014, and grading is minimized. Although the embankment of earth around the lower floor of the structure in Option #2 would technically reduce the square footage that would count toward the FAR, this building technique would not meet the intent of County guidelines and policies, including the grading guideline of the Montecito Architectural Guidelines and Development Standards, Section III.D.3.a., which calls for minimized grading and alteration of natural land forms.

Your Commission’s motion should include the following as it pertains to Option #1:

1. Deny the appeals, Case Nos. 13APL-00000-00018 and 13APL-00000-00026;
2. Make the required findings for approval of Design Review case number 12BAR-0000-00128 and Land Use Permit number 12LUP-00000-00387 (as revised in Option#1), included as Attachment A to the staff report, dated January 30, 2014;
3. Determine that the project is exempt from the provisions of CEQA pursuant to state CEQA Guidelines Section 15301, as specified in Attachment C to the staff report, dated January 30, 2014; and
4. Grant *de novo* approval of Design Review case no. 12BAR-00000-00128 & Land Use Permit 12LUP-00000-00387, as revised in Option #1 at the hearing of April 16, 2014 and subject to the conditions included as Attachment B to the staff report, dated January 30, 2014.

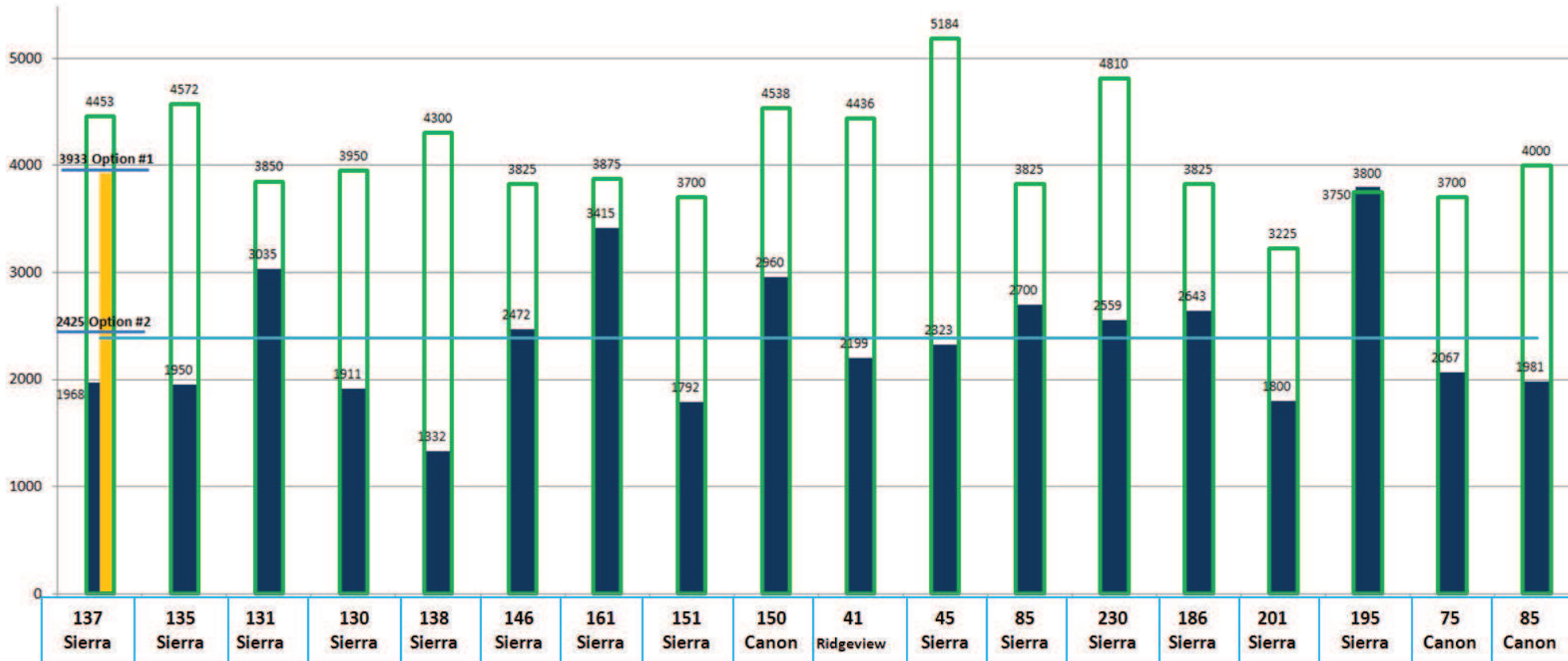
Alternatively, refer back to staff if the Montecito Planning Commission takes other than the recommended action for appropriate findings and conditions.

ATTACHMENTS

- A. Neighborhood FAR Comparison Chart
- B. Previously Approved Plans – 12LUP-00000-00387
- C. Revised Plans – Option 1
- D. Revised Plans – Option 2 (Elevations only)

¹ Montecito LUDC, Section 35.500.020.B defines “Basement” as a story partly or wholly underground. If partly underground, more than one-half of its height must be below the average level of the adjoining ground surface.

ATTACHMENT A

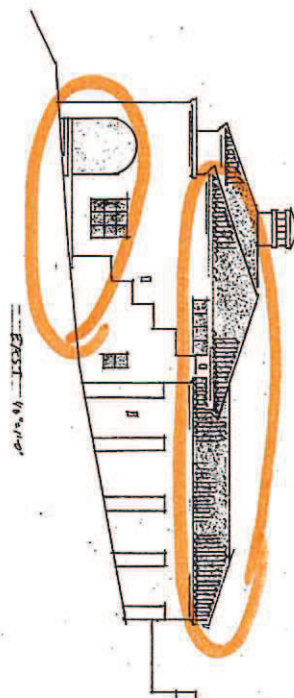


■ (E) SFD sq. ft.

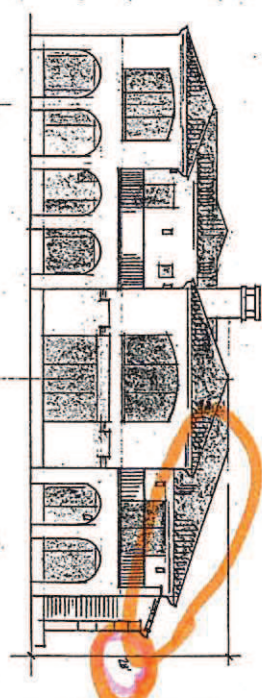
□ Max. Rec. FAR

— Neighborhood Average (E) SFDs (2388 sq.ft.)

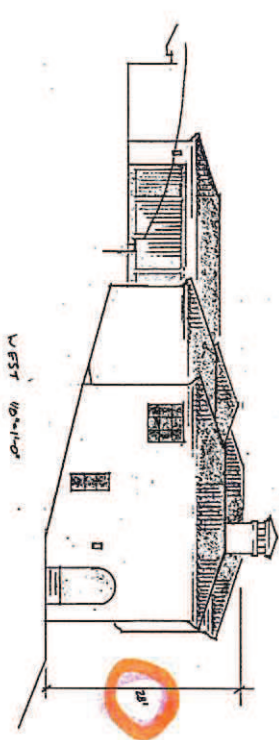
ATTACHMENT B



EAST 1/8"=1'-0"



SOUTH 1/8"=1'-0"



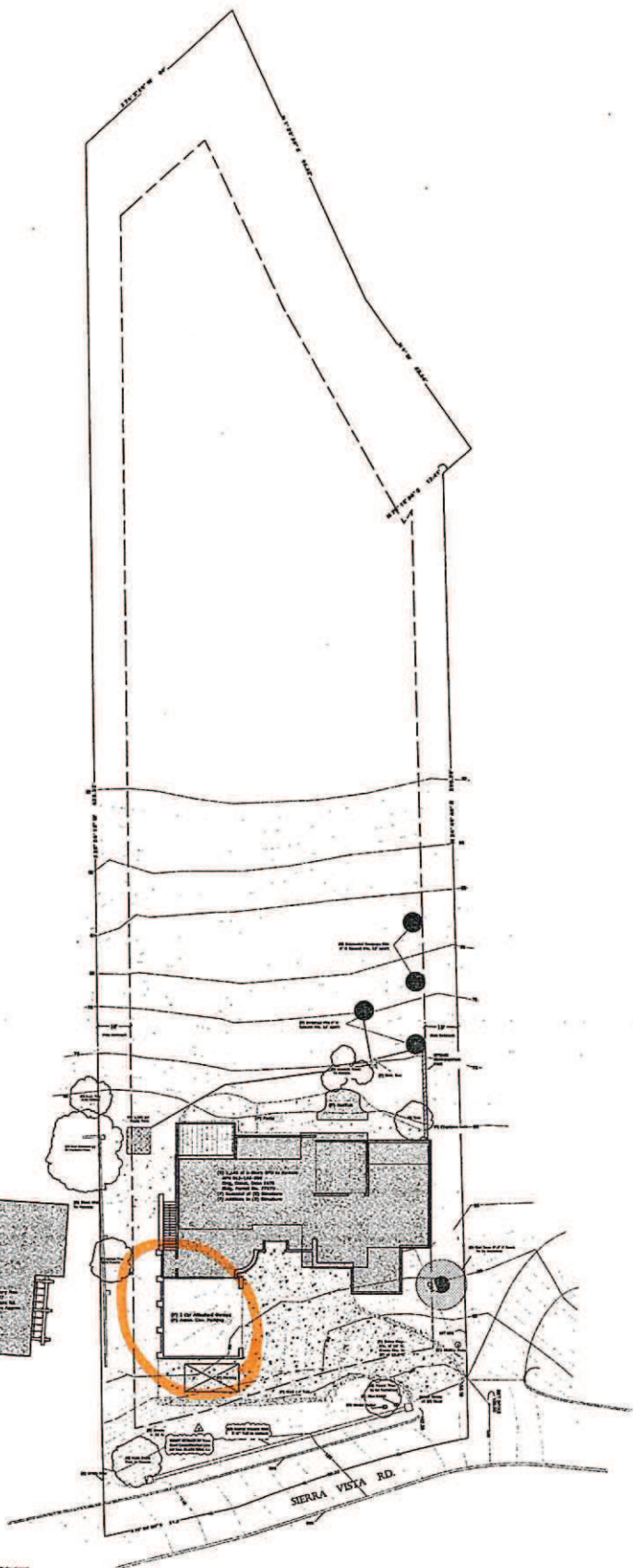
WEST 1/8"=1'-0"



NORTH 1/8"=1'-0"

NOTES:
 1. SEE PLAN & SECTION FOR MATERIALS.
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 8. SEE PLAN & SECTION FOR MATERIALS.
 9. SEE PLAN & SECTION FOR MATERIALS.
 10. SEE PLAN & SECTION FOR MATERIALS.

A-6	JOB NUMBER SHEET NUMBER	REVISIONS DATE 07/23	PROJECT TITLE Proposed New Residence for: Jessica and Brim KASZTELAN 137 Sierra Vista Rd. Santa Barbara, CA 93108	BOB EASTON AIA ARCHITECT 1505 EAST VALLEY ROAD, SUITE B MONTECITO, CA 93108 T. 805 969 3051 F. 805 969 3292 easton@eai.net www.bobeston.com
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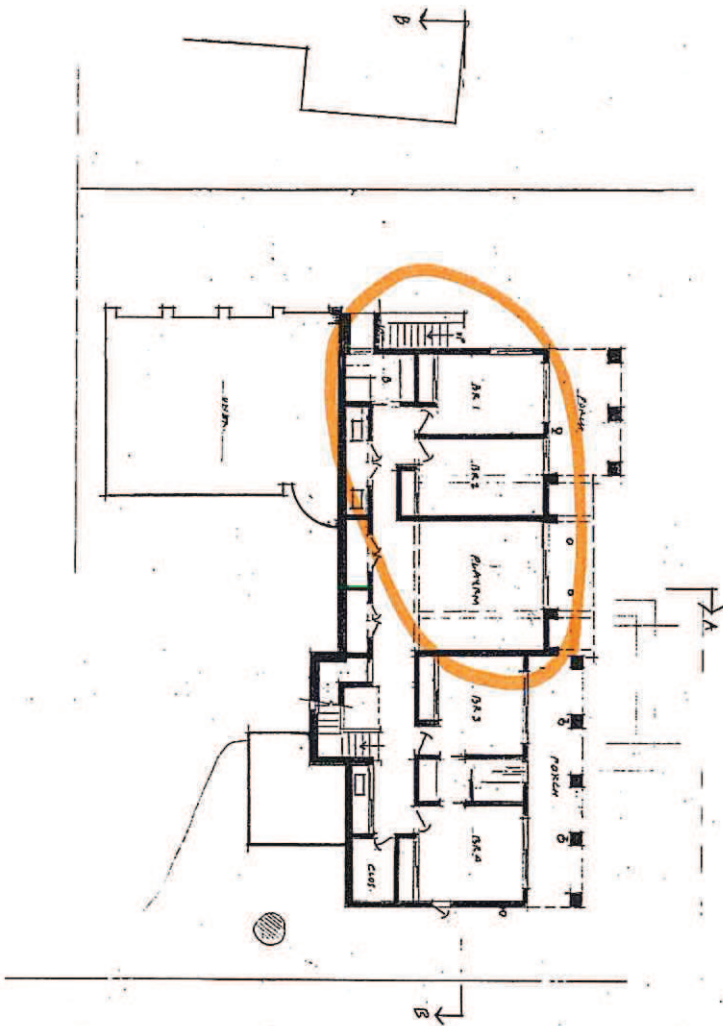
Vicinity Map- N.T.S.

[illegible]

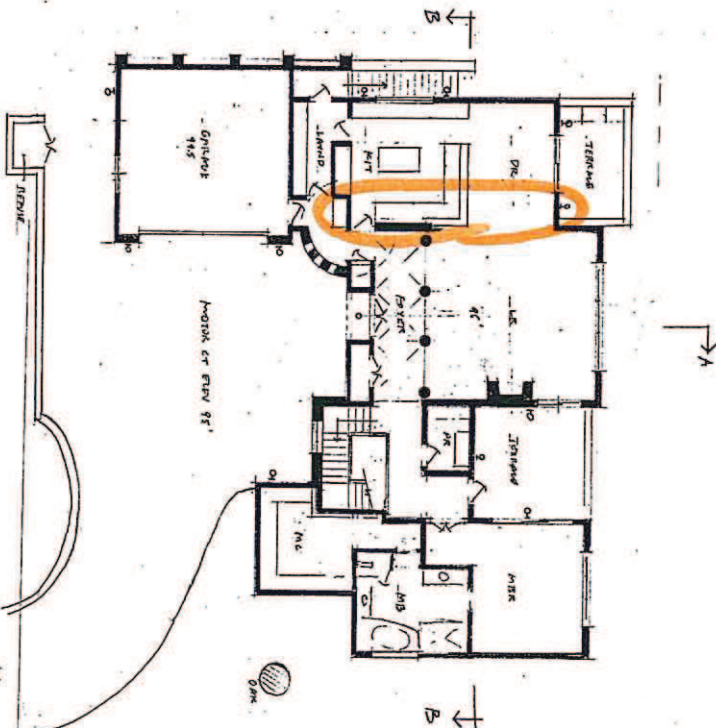




BOB EASTON AIA ARCHITECT
1505 EAST VALLEY ROAD SUITE E
MONTECITO, CA 93108
T. 805 969 3051
F. 805 969 3292
easton@west.net
www.bobeaston.com



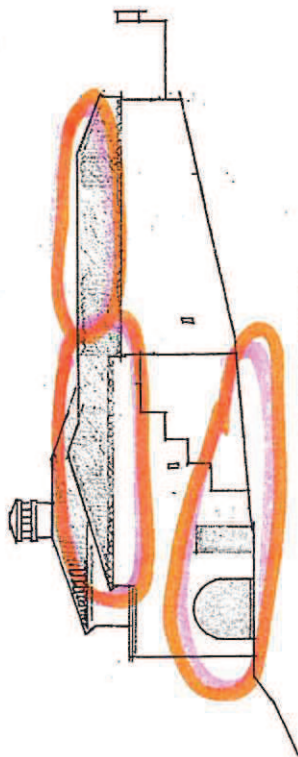
SECOND FLOOR PLAN 1/8" = 1'-0"



MAIN FLOOR PLAN 1/8" = 1'-0"

A-5	JOB NUMBER	DATE 07/21	SHEET TITLE Proposed New Residence for: Jessica and Brian KASZTELAN 137 Sierra Vista Rd. Santa Barbara, CA 93108	BOB EASTON AIA ARCHITECT 1505 EAST VALLEY ROAD SUITE E MONTECITO, CA 93108 T. 805 969 5851 F. 805 969 2292 easton@west.net www.bobeston.com
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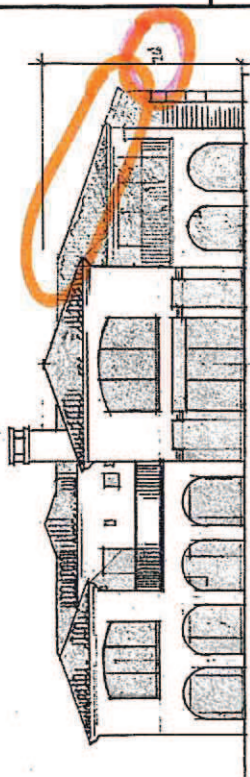
ATTACHMENT C



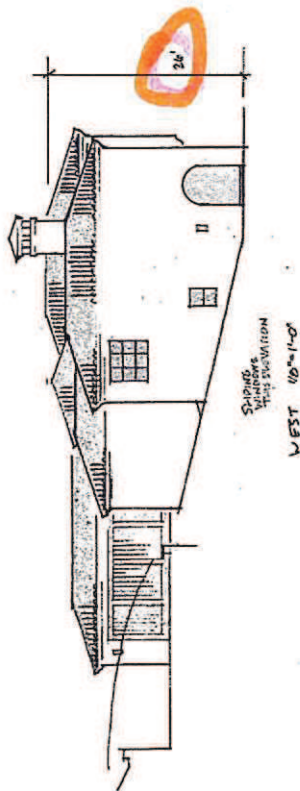
--- EAST --- $43^{\circ} = 110^{\circ}$

OPTION #1

3,933 sq. ft. SFD

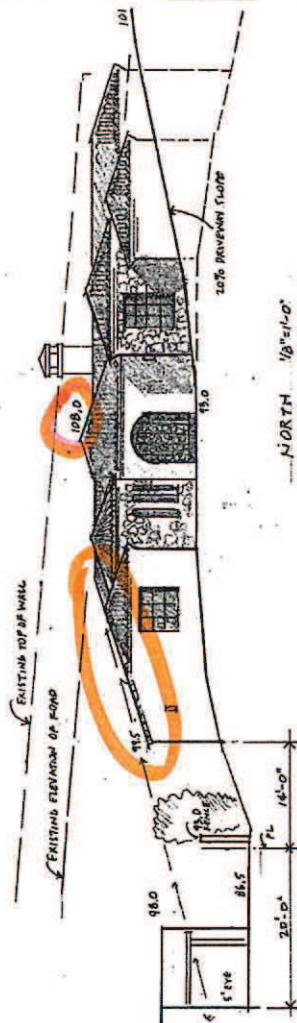


..... SOUTH $16^{\circ} \pm 11.0^{\circ}$



Spinning
Winders

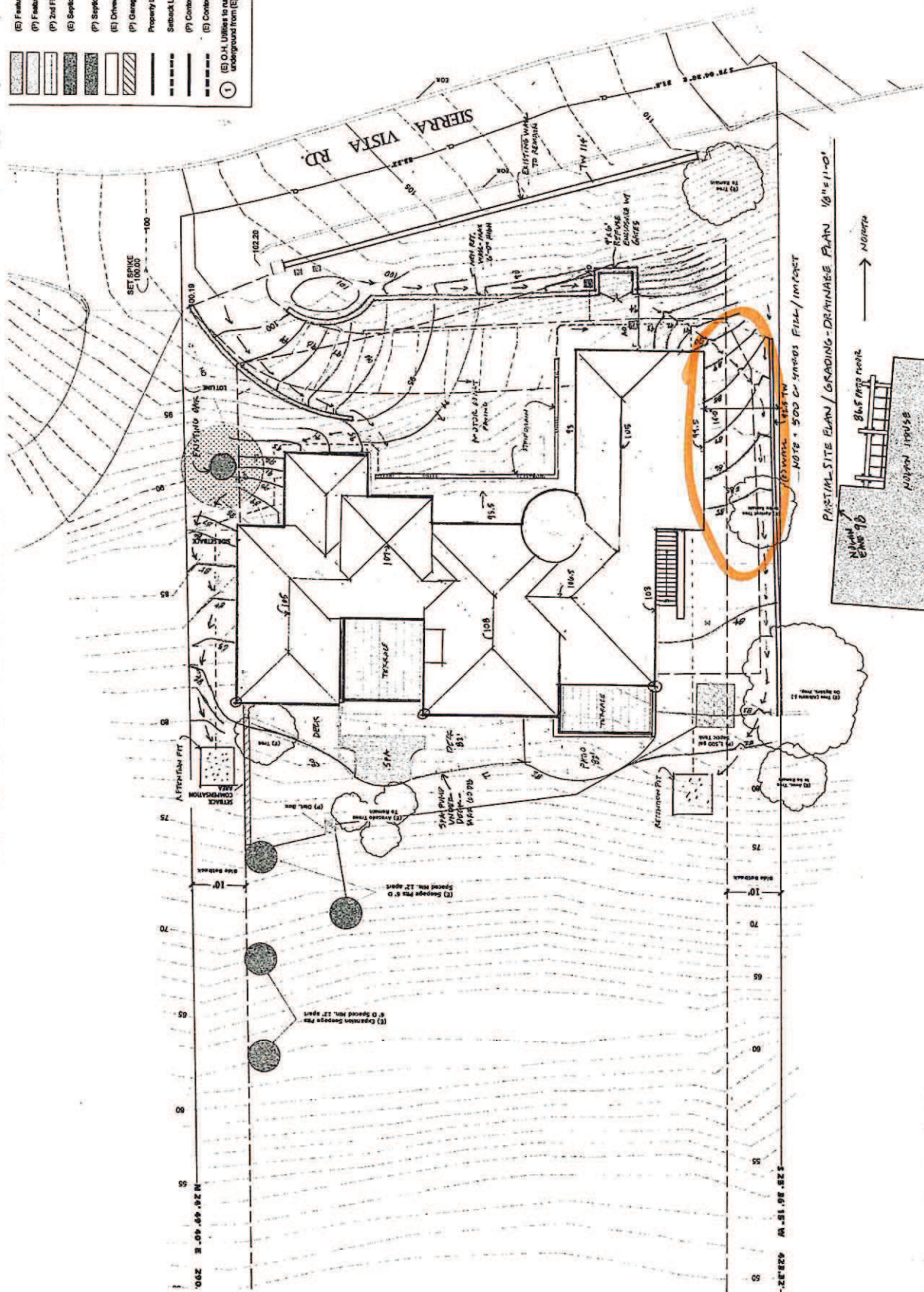
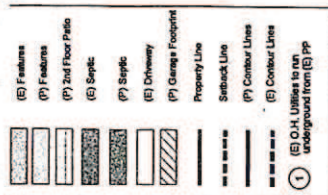
WEST 110°-112°



NORTH $1/2^{\circ}=11-0^{\circ}$

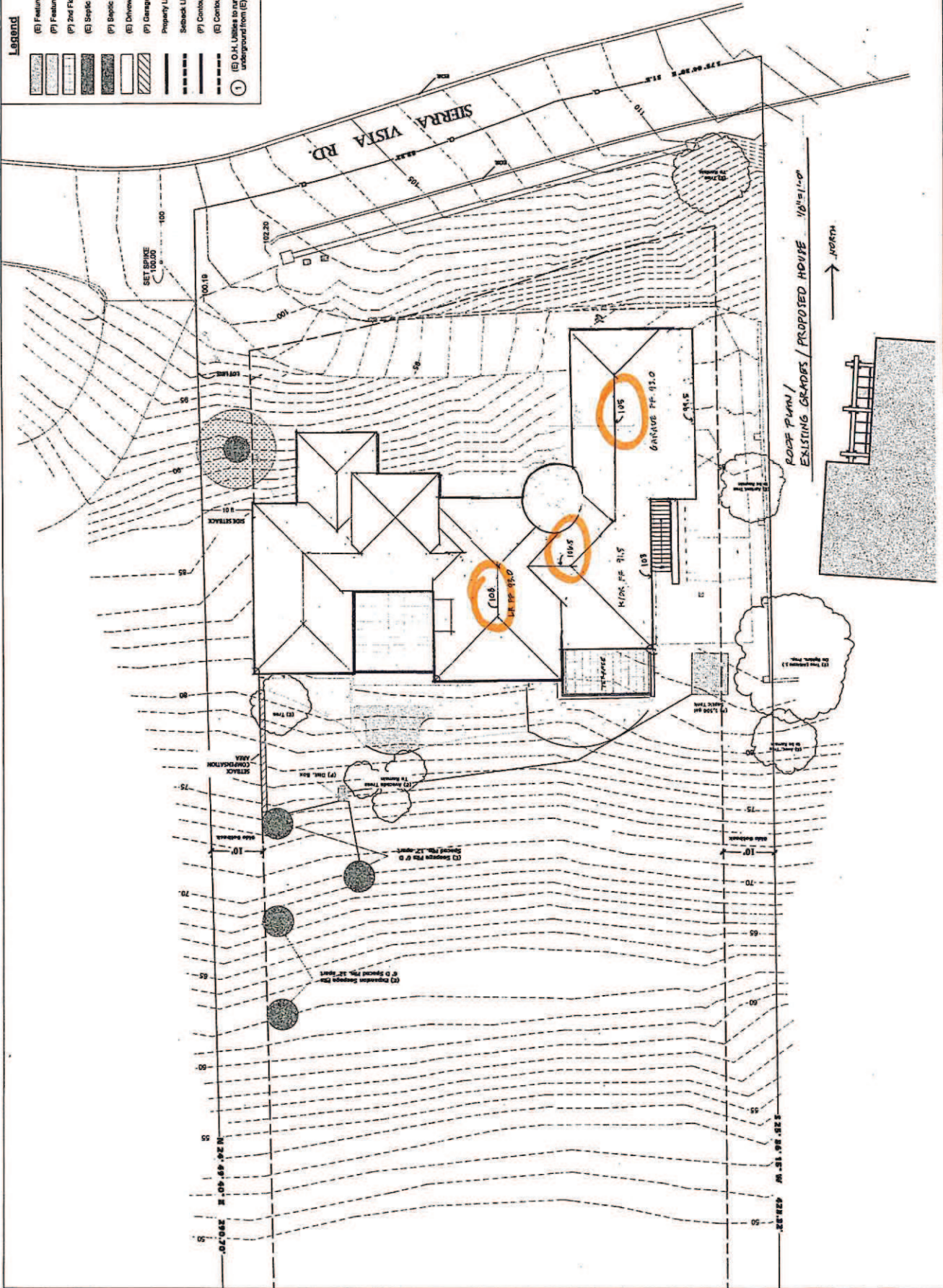
MATRICES:
 ROCK TYPE: SPANISH CLAY RUSTLING. REDUCTIONS BRAND
 WASH: 1. FRESH TUBES - COARSE CRACKING IN MY GUTTER. EXTRA BRAND
 BOSS/INVENTOR: MOUNT LIND. TUBES RAINING. EXTRA LINDEN BRAND
 EXHIBIT NO. DARK WASHY STAIN
 STONE VENDOR: LEBEYSON. PROBABLY BRAND.
 CUTTER/COMMENTS: 3. GUTTER.

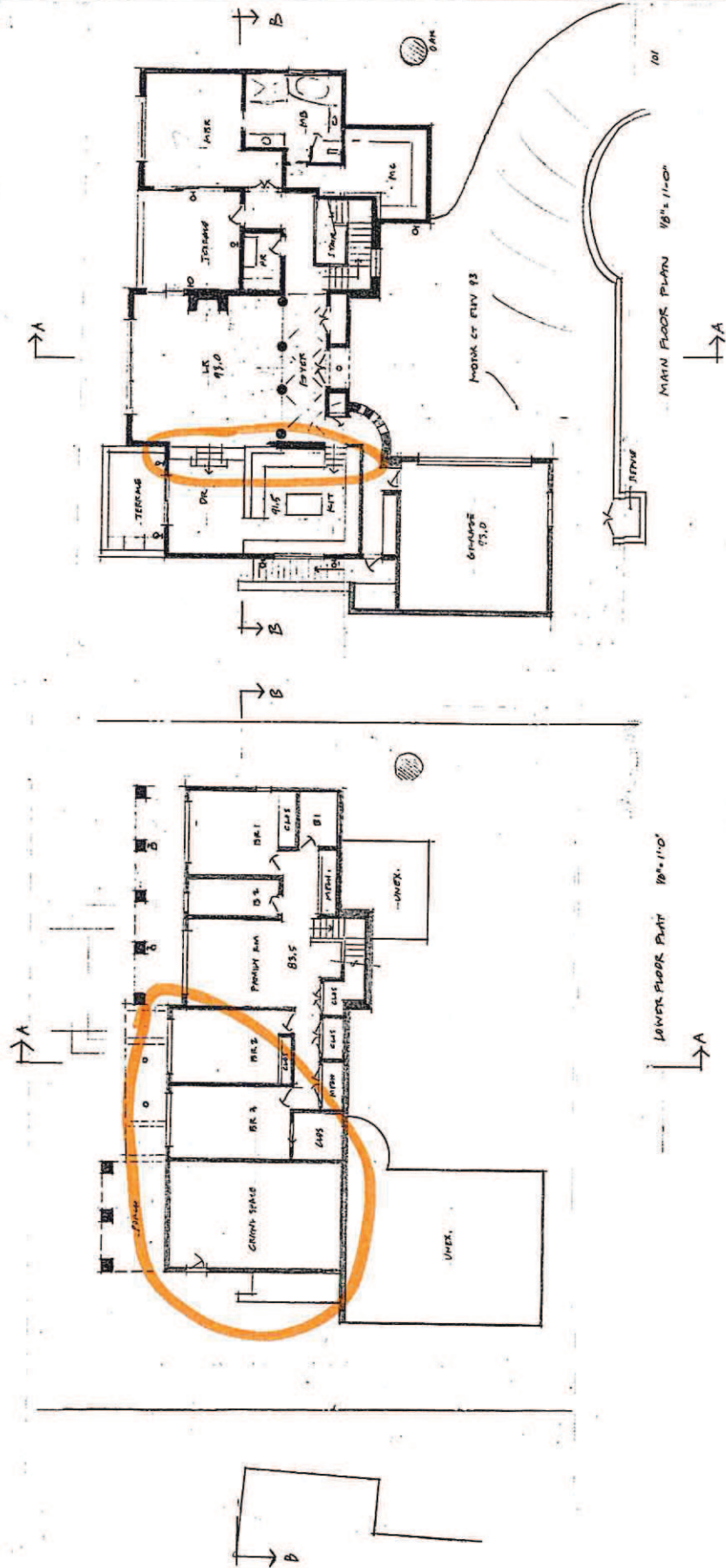




Legend

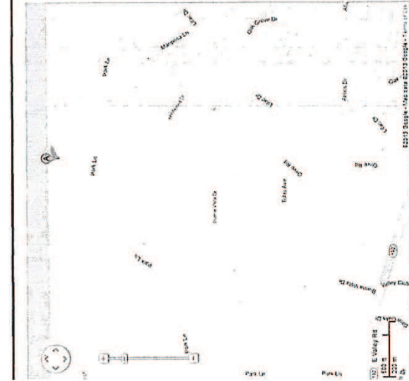
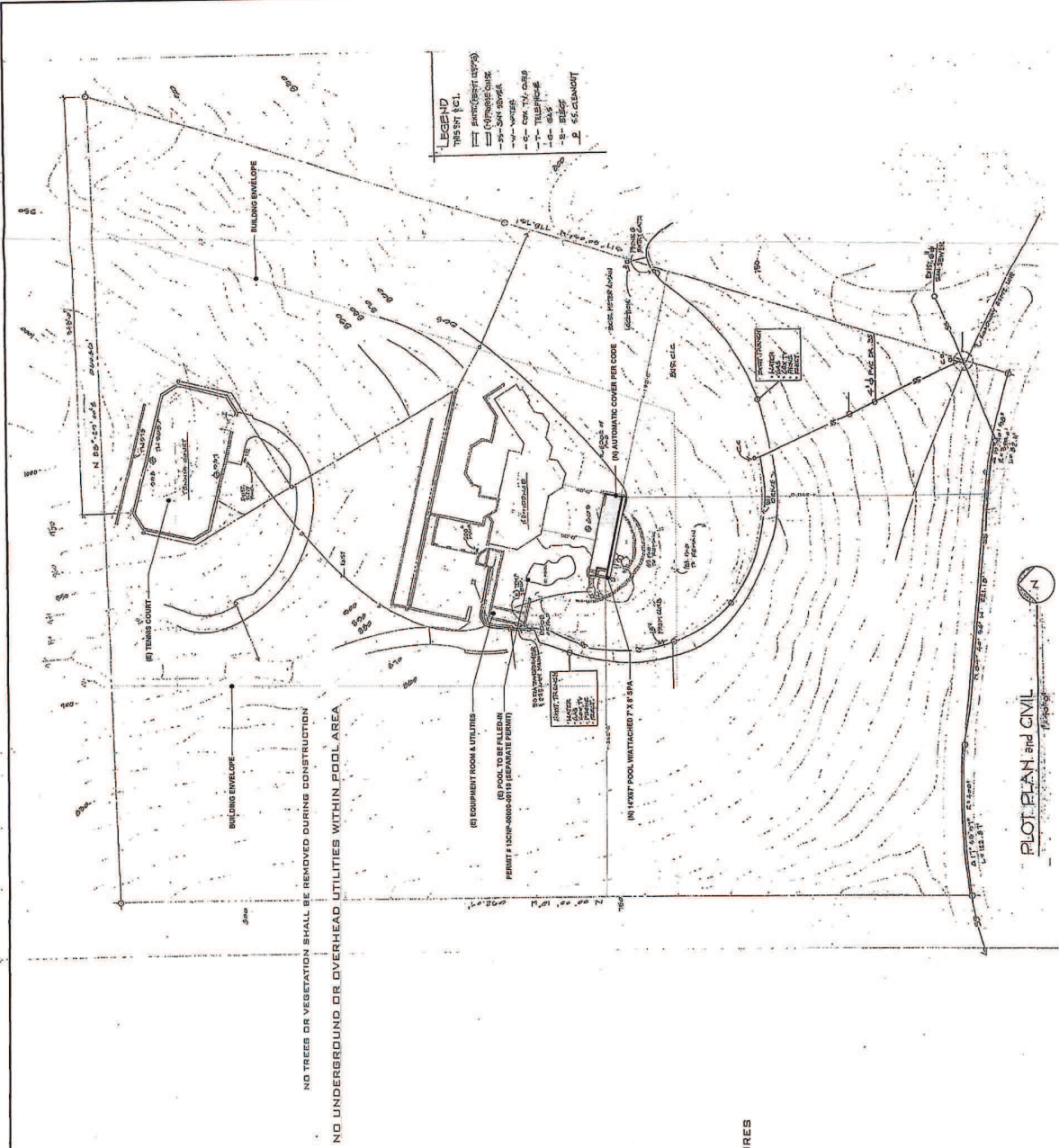
(E) Features	(P) Features	(P) 2nd Floor Patio	(E) Septic	(P) Septic	(E) Driveway	(P) Garage Footprint	Property Line	Setback Line	(P) Contour Lines	(E) Contour Lines	(E) OAH Utilities to run underground from (E) p/p





ATTACHMENT D: SITE PLAN





VICINITY MAP

PROJECT DESCRIPTION:

- 1) 14' x 6' POOL W/AUTOMATIC COVER
- 2) 7' x 8' SPA LOCATED WITHIN POOL
- 3) 30' x 70'-4" ATTACHED INFINITY BASIN @ POOL
- 4) POOL/SPA EQUIPMENT ROOM & UTILITIES

PROJECT DATA:

OWNER: RON SCHNUR
PROJECT ADDRESS: 935 PARK LANE
APN# 007-020-057
-AND USE ZONE: RMZ-40
-LOT SIZE: 8.32
-GRADING: <50 CU. YARDS.

SHEET INDEX:

ITE	COVER SHEET/SITE PLAN
1-1	ENERGY CERTIFICATES
1-2	POOL/SPA WORKING DRAWINGS
1-3	SITE & (E) EQUIPMENT ROOM PICTURES
1-4	POOL/SPA ENGINEERING
1-5	POOL/SPA ENGINEERING
1-6	POOL/SPA ENGINEERING
1-7	HEATER SPECIFICATION SHEET
1-8	FILTER SPECIFICATION SHEET
1-9	PUMP SPECIFICATION SHEET

PROJECT CONSULTANTS:

JOILS LAB: COAST VALLEY TESTING
160 S. FAIRVIEW, SUITE "A"
GOLETA, CA 93117
ORDER# 57353 AND REF# 12-6806
POOL CONTRACTOR: MACALUSO POOLS INC.
145 RUTHERFORD STREET, GOLETA, CA 93117
CONTACT #: 681-9559
CIVIL ENGINEER: MICHAEL GERENBER ENGINEERING
1255 CALLE CRISTOBAL, SANTA BARBARA, CA 93111
CONTACT #: 681-9500
DRAWINGS PREPARED BY: JEREMY MARTINEZ @ MACALUSO POOLS
CONTACT #: 681-9559
SIGNATURE X:

PLANS AND CONSTRUCTION ARE TO COMPLY WITH CURRENT 2010 CBC, 2010 CRC, 2010 DEC, 2010 DMC, 2010 OPC, 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE (CGBSD), 2010 CALIFORNIA ENERGY CODE, STATE CODES, SANTA BARBARA COUNTY (SBCC) BUILDING ORDINANCE #4822 AND SBCC GRADING ORDINANCE #4766.

ANTI-ENTRAPMENT AND SAFETY BARRIERS MUST COMPLY WITH 2010 CBC SECTIONS 3109.4.4 - 3109.4.8
AUTOMATIC POOL COVER SHALL BE INSTALLED AND MEET CODE