

Chris Noddings

From: nanozed <nanozed@yahoo.com>
Sent: Monday, January 27, 2020 1:05 PM
To: Chris Noddings
Cc: Thorne O. Still
Subject: RE: 19-143-DRB – 7028 Scripps Crescent – Project Plan

Follow Up Flag: Follow up
Flag Status: Flagged

Jan 27, 2020

Mr. Chris Noddings,

RE: 19-143-DRB – 7028 Scripps Crescent – Project Plans.

Thank you, we received the latest staff report, attachments, and project plans RE: 19-143-DRB – 7028 Scripps Crescent – Project Plans.

For the record, we are letting you know that responsibility for the subject project, from its beginning and to its completion, rests solely with homeowner Shelly Best. Also let it be known that the homeowner has in her possession the CC&Rs issued by the State of California that are adopted and recorded in the County of Santa Barbara.

If there are still any issues regarding compliance with CC&Rs, city or county permits and zoning regulations, and or construction nuisances, the homeowner must resolve these so that our community can look forward to a reasonable conclusion of this project.

Regards.

Frank David Hernandez and Thorne Olivia Still

TO: Design Review Board (DRB), City of Goleta

January 26, 2020

RE: Comments on Revised Plan for 7028 Scripps Crescent

I serve as Vice President on the First University Homeowner's Association (HOA) and will be making comments at the January 28, 2020 DRB and providing this written response to the DRB in the absence of our HOA President, Michael Struven. We received a copy from the architect of the revised plans for the house listed above on January 22nd and the HOA met together with residents this weekend to get their input on the changes indicated in those plans. The concerns that we still have include:

Use of houses outside of our HOA for comparison

1. In the attachment "Gross Floor Area + FARs for Nearby Residence" on the January 24, 2020 email sent from Chris Noddings there are significant numbers on the first page indicating the "% of Max FAR" on the subject house being slightly reduced from the original DRB proposal of 128.1% to the now proposed 120.4% which is still larger than any other home in the HOA. We request that the plans not be approved unless the FAR is reduced to 100%.
2. Comparisons listed on the second page of the FARs for Nearby Residences are not in our HOA. Our HOA is surrounded by many and varied housing developments (see attached Google Earth maps) such as single family homes and townhouses on Pacific Oaks, UCSB staff housing on Marymount, one and two story apartments along Whittier Drive, and a private condominium development at the cul de sac end of Mills Way. All of these roads run next to our HOA, but none of these other developments are in our HOA. The First University HOA was one of the first build-outs in this area and the other areas were built at different times over the years following. While other areas may have HOA's, they would be under different CCR's and we have no way of knowing how closely they match the CCR's for First University HOA. We can't be held accountable for maintaining the neighborhood compatibility of other areas.
3. The third page of this attachment makes several comparisons to homes outside of our HOA that attempts to normalize the incompatibility of the revised house plans; specifically Noteworthy Observations 3, 4-c, 4-d, 5-b, 5-c, and the Additional Notes. Again, we respectfully request that DRB home comparisons stay within the HOA that the home is under.
4. The comparisons with other houses outside of our HOA for the Max FAR seems inappropriate when our concerns are coming from our HOA and it's members in an effort to maintain our specific HOA neighborhood community. These comparisons aren't comps about home values in the area which would be necessary for other reasons such as mortgages and tax purposes. In the interest of working with the HOA that oversees maintaining existing neighborhood characteristics and compatibility, we feel strongly that comparisons with other homes for a DRB needs to stay within the 95 homes of the chartered First University HOA.

In summary, the revised plans did not follow through with the direction of the December 10, 2020 DRB and there are still many concerns that the owner and architect are not moving forward with as defined in the 1.2 GOALS of the City of Goleta DRB Bylaws and Guidelines dated December 2014, notably items 2, 5, and 6. The DRB proposal, as resubmitted, needs a lot of work and the HOA looks forward to having these discussions with the home owner and the architect. I can be contacted at the email below.



Jacque Ohl-Trlica

Vice President, First University HOA

jacqueot@outlook.com

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JAN 27 2020

City of Goleta
Planning & Environmental
Review

Map of First University HOA as found in:

- Articles of Incorporation of First University Village Homeowners Association filed with the State of California Feb 18, 1966
- Declaration of Covenants, Conditions and Restrictions notarized and filed March 11, 1966



First University HOA - highlighted



Legend

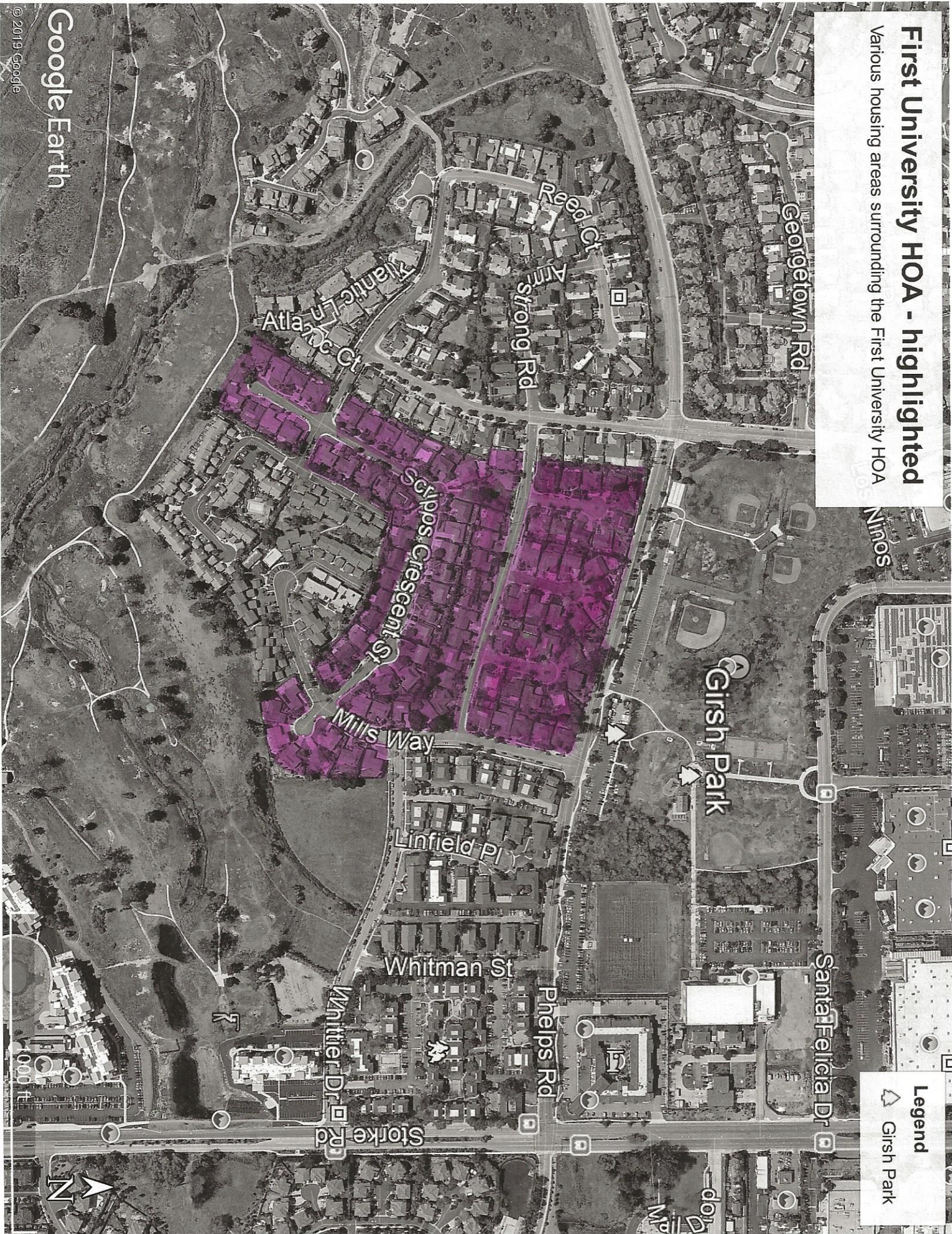
 Girsch Park

600 ft



First University HOA - highlighted

Various housing areas surrounding the First University HOA



Legend
Girsh Park

January 26, 2020

RECEIVED

JAN 27 2020

City of Goleta
Design and Review Board

City of Goleta
Planning & Environmental
Review

Dear Members of the Design and Review Board:

The First University Village Homeowner's Association would like to thank the members of the Design and Review Board for their time and allowing us to present our concerns with 7028 Scripps Crescent.

Since 1967, First University has had a Homeowner's Association. We were the first in our area. We come to you as direct immediate neighbors and community neighborhood stating our deepest concerns. We hope that you hear us.

First University has worked hard to maintain the character of our neighborhood over the years. If you walk through our neighborhood, you will find small quiet parks designed to provide for the needs of families and individuals who plan to lay down roots. We, as volunteers, designed small playgrounds with meandering paths landscaped with drought resistant plants being mindful of our water use and to be respectful of our greater Goleta community. We also designed and built over the years a working community garden. Our neighbors enjoy growing fruits and vegetables as well as conversation between each other as we tend the gardens. Our neighborhood character is clear in what you see. We love our neighborhood and invite our community to share our public spaces. On this walk past our homes you will also see that we keep our street clean and tidy. You will not see trash bins stored in view of the street. You will not see abandoned cars, RVs, or boats parked on the street. If you arrive early in the morning, you will most likely see one of our neighbors taking a walk, picking up trash along the way. You would also notice that the homes front exterior is similar in structure and design. Any remodels constructed have been discreet, keeping the exterior of the homes within the designs of the original plans. The HOA and its many volunteers have taken great care of the neighborhood over the years. We care about our neighborhood and neighbors.

On behalf of our neighbors, the First University HOA strongly insist that the DRB does not approve the resubmitted plans because:

- 1) The HOA was not consulted**
- 2) The resubmitted plans continue to invade the privacy of neighbors, and**
- 3) The resubmitted plans still increase the dwelling size outside of the continuity of the neighborhood.**

After the last DRB meeting on December 10th, 2019, we, as a homeowners association, were hopeful that we could meet with the owner and architect to reach a consensus about how to move forward as recommended by the DBR board. It was the intention of our homeowners association to pursue a collaborative approach to expeditiously reach an agreement about the proposed modifications. However, as the following timeline shows, our hopes were left unmet.

- December 10th, 2019 HOA President, Mike Struven, introduced himself to Thomas Smith, the project architect, after the DRB meeting. They exchanged contact information.
- January 15th, 2020 Mike Struven reached out to Thomas Smith via email to coordinate a meeting to discuss concerns regarding 7028 Scripps Crescent.
- January 15th, 2020 That evening, Smith responded to Struven that he had been held up through the holidays, but he was currently revising the plans and would resubmit them to the DRB by Friday January 21st. This would be without meeting with the HOA.
- January 16th, 2020 Struven responded to Smith that the HOA did not have a meeting scheduled prior to January 21st, but would like to meet directly with him to discuss and work through the HOA concerns.

Struven clearly stated that he personally would be out of town until January 28th, but other members of the board were available to discuss.

- January 21st, 2020

No contact by Smith was received by any board member of the HOA. After five days HOA Vice President, Jacque Ohl-Trlica, reached out to Smith to request the revised plans. Smith offered to drive them over, but Ohl-Trlica agreed to receive them on January 22nd.

- January 22nd, 2020

One day after the submission of revised plans to the Goleta DRB, First University HOA received the revised plans.

Our HOA was given no opportunity to review and discuss in a collaborative approach with the architect or dwelling owner. We are frustrated that there has been no apparent interest and a lack of motivation by the dwelling owner and managing architect to engage with the community to find a solution that could satisfy all parties. As a neighborhood community we initially were willing to accept negligence on the part of owner and architect for the actions up to the December 10th, 2019, DRB review. However, the actions of the owner and architect since then leads us to believe that this is not negligence, but perhaps intention to deceive and manipulate the HOA and the Goleta DRB through distortion of information in their favor.

Contributing to this idea is the disregard for the City of Goleta's permitting process. From what was originally supposed to be a roof repair the dwelling at 7028 began a long process of demolition on their property. As far as we know, there had never been a permit submitted for this demolition nor given to the owners for the demolition or for any of the building they recently (past few months) began to undertake till the Goleta City stepped in.

Additional examples of distortion and manipulation came to light during the December 10th review with the DRB. At the meeting, it was mentioned that the owner did not really know if there was an HOA. We find this hard to believe as the owner has been paying the yearly HOA fees since they purchased the house. At

the same meeting, it was also mentioned that the architect and Chris Noddings, City of Goleta Assistant Planner, were unable to locate the original plans. This also is hard to believe as several of our residents have seen the plans at the county architectural archive as recently as last year. Additionally, the front flat space of the home is continually referred to as an "as built deck... existing since at least 2003" in both word description and the plans. This flat area is in the original plans as well as examples of exact models of homes in our neighborhood. Not a single two story home has a door that leads to this flat area and have ever used it as a deck. If this is negligence, we ask that this carelessness be rectified. If this is intentional, we ask the City take action.

At this time, we are wondering why are we even having this meeting today when the clear instructions from the DRB were for the Architect to meet with the HOA?

While we have yet to have the feedback from the full HOA board (due to time constraints) we were able to have a small meeting of board members and constituents of the HOA on January 25th to review the proposed design.

The latest design delivered January 22nd to First University Homeowner's Association still impedes on the privacy of the homes to all four sides of the house with new windows overlooking adjacent properties and a proposed front deck overlooking the neighborhood. By looking at similarly designed homes in our HOA, you will not see any second story decks or porches facing the street. We remember that at the review board on December 10th, the DRB expressed this concern. It still has not been remedied by the homeowner & architect.

Our HOA also has concerns about the increase in size of the dwelling. Frankly, the design is still too large in square footage compared to the homes in our Association. Looking at comparisons of sizing, 7028 Scripps Crescent was already the second largest house in our neighborhood.

Adding 2 additional full bathrooms and wet bar also makes it a 4.5 bath home with potential plumbing for an additional kitchenette not to mention the other two additional full kitchens in their plans. We do not feel it is fair nor good for the

continuity of our neighborhood for the second largest home to add on an additional rooms to their home, 2 additional bathrooms, and window access to hinder the privacy of their neighbors. The current proposed plan is sizably larger than the rest of the neighborhood. The plans appear more like a condominium unit rather than a single family dwelling with an ADU. This would make this property an outlier and eyesore for our community.

Our HOA wants to be clear. We are not against someone renting a room of their house. Many people in the neighborhood already provide housing on a small scale by renting a room at a time. However, the plans and scope of this project is far and away larger than what our neighborhood was designed for or its functionality.

We want the city of Goleta to know that our neighborhood recognizes the strain on the city of the new ADU laws. However, we are concerned that this project is beyond the scope of the new laws.

The concept of the ADU is to allow for:

“One accessory dwelling unit (ADU) allowed per lot if the lot is zoned for single family residential use and a primary dwelling exists on the property or is approved to be constructed in connect with the ADU”

<https://www.hausable.com/city/goleta-ca-197073>

In addition, the size of an ADU is defined as:

For detached ADUs, the total floor area of the unit shall not exceed 1,200 square feet. The increased floor area of an attached ADU shall not exceed 50 percent of the existing living area of the primary dwelling with a maximum increase of 1,200 square feet in floor area. No maximum floor area for conversions or existing space is established. The maximum floor area for a 'junior' ADU is 500 square feet. The minimum floor area for any ADU is 150 square feet. ~ State Standards

AB68 & AB881 Update: Properties will be allowed up to 850 square feet for a one bedroom or up to 1,000 square feet for a two bedroom ADU.

The proposed scale and design of this home is to accommodate not one, but 3 to 4 separate rentals or ADU's on one property by the excessive amount of bathrooms (4.5 bathrooms), the additions of additional bedrooms and living areas, as well as another kitchen and a "wet bar." As mentioned earlier, there have been the addition of windows with direct line views into neighbor's bedrooms, living areas and back yards.

We are not here to say that we do not want 7028 Scripps Crescent to build. It is the opposite. We want our neighbor to have success in their build and to be a part of our community. The HOA is committed to the neighborhood and are willing to assist in any way we can.

But, we **STRONGLY** believe that the plans and scope of this project are not aligned with the root values on which our First University Village was created and on our vision of the future. Now more than ever we want to make sure that the First University Village Homeowner's Association continues to remain a single family home community where new families can move in and enjoy the same safe and friendly environment most of the HOA members in this room experienced when they moved in to their home many years ago. If the DRB approves the plans as is, they are allowing the creation of condo units whose only objective is to make a real estate speculation which is very far from our neighborhood design and values. Such a project would violate the principle our First University Village HOA has been founded; therefore, as the HOA association we hold the responsibility to protect our value and therefore we cannot support it. We sincerely ask that the DRB not approved the plans submitted for this review.

Way forward

As we mentioned, we would like to see this all come to a close. This project has frustrated the neighborhood from minor inconveniences of the construction vehicles, to late night power tools and loud music past midnight, to major health concerns of the structure of the dwelling, safety of the workers, to health of the neighbors due to burning noxious materials through the fireplace and unauthorized backyard material burns. We want this to be resolved and finished.

The architect noted that there were no records of the plans for 7028 Scripps Crescent. We have personally seen these plans and they are freely available to view at the county office. To assist with this process to move forward, we are willing to pay for the cost of reprinting the plans for the ok of moving forward with an original build.


Today, we are ready to sign off and ok the Original 7028 plans prior to their demolition and redesign. We agree to the permitted existing extra room and the (already built non-permitted) second kitchen because the ADU law allows for one ADU. We are very concerned that the additional proposed rooms, bathrooms, and "wet bar" create too many ADUs for our neighborhood, privacy of the neighbors to all four sides of the home. We expect this home to abide by not exceeding one ADU.

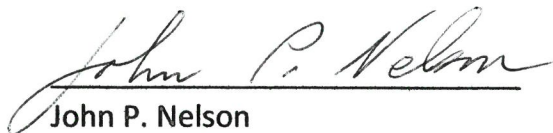
Today, we **STRONGLY** ask the DRB to insist that the architect and owner meet with the HOA and to come to a consensus on this project. We also **STRONGLY** ask that the DRB insist a limit of the number of bathrooms to 3.5 (which includes one full bath for the approved ADU), insist on the removal of the "wet bar," and insist that there are no second story decks or porches and no new windows that overlook neighbor's yards.

Sincerely,

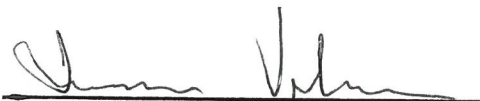
First Village University Homeowners Association

Michael Struven
President


Jacques Ohl-Trifca
Vice President


John P. Nelson
Treasurer


Thomas Nowak
Parks Commissioner


Tana Vampola
Secretary

Homeowners within 300' of 7028 Scirpps Crescent St.

Signature:

Print:



KEITH SEVERSON



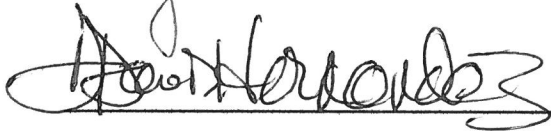
Kristina Severson

Janet Berlin

JANET BERLIN

Jan Berlin

JAN BERLIN



Frank David HERNANDEZ

Justin

T.O. STILL

Nancy Kelly

Nancy Kelly

Arthur J. Aldritt

ARTHUR J. ALDRITT

June H. Aldritt

June H. Aldritt

Kenneth Lee Jones

KENNETH LEE JONES

Carol A. Evans

CAROL A. EVANS

Donna Nelson

DONNA NELSON

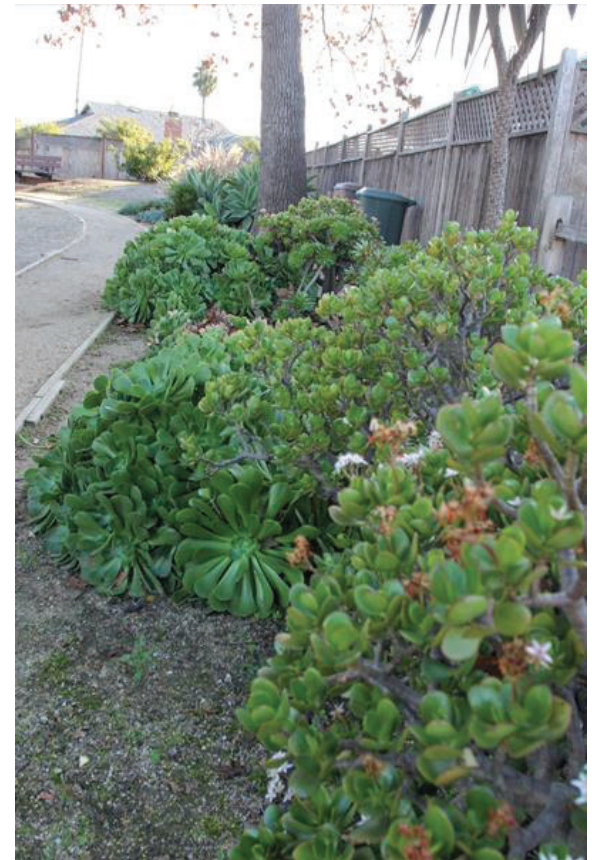
First University Village Community

All pictures taken on 1/26/2020 and were not retouched or
altered in anyway

First University Village Parks



Scripps Crescent St. and Armstrong St. Park



Victory Garden Community Park



Victory Garden Community Park (cont.)

This community garden is being worked on weekly and not yet completed



First University Village Neighborhood



Armstrong and Pitzer Ct.



Armstrong St. and Pepperidge Ct.

First University Village Neighborhood (cont.)



Armstrong St. and Pomona Ct.



Scripps Crescent St.

Exact Mirror Image Exterior and Floor Plan as 7028 Scripps Crescent St.



Exact Mirror Image Exterior and Floor Plan as 7028 Scripps Crescent St.



7028 Scripps Crescent 1/26/2020



7028 Scripps Crescent 1/26/2020



Dump truck remains on front property w/o license tags



Chris Noddings

From: Marco Scussat <mscussat@gmail.com>
Sent: Monday, January 27, 2020 7:04 AM
To: Chris Noddings
Subject: concerns in relation opt the proposed remodel of 7028 Scripps Crescent st.

Hi Chris,

good morning. I would like to submit the following concerns in relation opt the proposed remodel of 7028 Scripps Crescent st.

As discussed, I would like to share the following concerns:

1. This property, as it is today, is already in violation of the Goleta guideline (Sec. 35-71. R-1/E-1 Single Family Residential.) which regulates the maximum allowable floor area for a given size plot. The proposed addition would further aggravate the situation. As the table below emphasizes, the maximum allowable floor area for a plot of land whose size is 7405 SF is: $2180 + 0.25 \times 405 = \sim 2281$ SF and the current floor area is at 2496 Sf is already $\sim 10\%$ beyond the maximum. The proposed expansion would aggravated further the current situation.
2. The proposed expansion would have a negative impact on our privacy as well as the privacy of multiple adjacent properties. The proposed conversion of the existing attic space to the west and the proposed window North would look directly into our daughter's bedroom. It was not the case until now because the property had no windows facing west.
3. Approving the proposed expansion despite the fact it doesn't comply with Goleta zoning regulations would set a negative precedence. All the 2x story houses in the neighborhood, which share the same floor plan as the one on 7028 Scripps Crescents St., have the same large unexploited area in their second story. If the proposed expansion were approved, several other home owners in the neighborhood could potentially follow the example and expand their second story. The city would be forced to grant more exceptions and that would have a detrimental impact on the community and it would turn the neighborhood in a over-populated area, with consequent problems like parking, traffi,c and more.
4. This neighborhood was planned and designed to be a single family area. The proximity of UCSB and the monthly rent UCSB students are willing pay for properties that are so close to campus, makes the area very appealing for real estate speculators who put their finance in front of the community. We all know and experienced what an unregulated Isla Vista-like neighbored does to adjacent families with elderly people and kids (i.e. during Halloween when the city has to invest money and effort to set up fences). Since it is evident that the main motivation for the proposed expansion is to increase rent income and not to address family needs, it would not be a good fit for the community because of extra traffic congestion, risk of car accidents, parking limitations and the risk of increased crime (i.e. DUI driving, vandalism, noise, etc.). In addition to this most likely immediate negative impact on our community, the approval would attract more real estate speculators which would start buying out properties in the area, convert them in multifamily units and rent them out to students. I would like to emphasize the fact that the owner of [7028 Scripps Crescent St](#) has not lived in the property for at least 18 months. During the >18 month while this remodeling has been going on, it has been evident that she didn't have the interest of the community in mind as emphasized by the numerous police and city intervention because of noise in the middle of the night, utility vehicles blocking the curb, debris and trash abandoned on the street and in common areas, aggressive unsupervised dogs hanging around, and an unlicensed utility vehicle traveling the area.

If you need additional information, please do not hesitate to contact me.

Regards,

Marco Scussat