



Public Comment Received for:

Item 4: 691 N Hope Ave

(PLN2022-00009)

Name of Sender	Distributed prior to hearing	Distributed after the hearing
1. Matthew McDermid & Joan Sullivan	x	
2. Nancy Swanson	x	
3. Bryan & Nicki Costa	x	
4. Elizabeth Scholtz	x	
5. Matt & Bess Scribner	x	
6. Jillian Title	x	
7. Jillian Title		x

8/27/2021

Hello SFDB board members,

I am Joan Sullivan's son, and am writing a letter to you on behalf of her and other neighbors in the area that oppose the approval of the 691 N. Hope Avenue development.

We believe that the owners of 691 Hope Avenue have violated the Rule of Reasonable Use by preventing the natural flow of water to enter their property from the culvert between 3838 and 3836 Pemm Place. We have met with RRM and the Yao's and they have promised they'd address this issue as it pertains to the proposed development, but thus far we have no concrete plan from them how this will be resolved and the issue still remains.

For example, yesterday August 26th 2021, the SB County fire department was testing their hydrants and it caused Pemm Place and my mom's property to flood because the 691 N. Hope property was blocking the free flow of water onto their property with built up mud and silt. The firefighters and maybe flood control dug out a channel so the water could drain onto their property. This highlights the need to fix the issues and prevent further flooding.

I grew up at [3836 Pemm Place](#) in the 1970s and 1980s. During this time, a free flow of water passed through our drainage culvert, through the 3 foot wide drain under Pemm Place, and onto the horse pasture land at 691 N Hope Avenue. There was never an issue.

Joan Sullivan, my 83 year old mother, still lives there. However, in the late nineties, including during the 1998 El Nino, and in the 2000s and 2010s there has been significant flooding of the 3836 Pemm Place property, 3838 Pemm Place, the road itself, and other nearby properties.

The properties at 3836 and 3838 Pemm Place are adjacent to each other and have an open concrete trench drain approximately 4 feet wide and 3 feet deep running along the property line of the two properties. The trench drain flows into a culvert under Pemm Place and onto the property at 691 Hope Avenue.

Water flows through the 3836 / 3838 trench drain and through the culvert under Pemm Place and exits near the property line at 691 N. Hope Ave, which does not provide for adequate drainage of water.

Large quantities of sediment have been deposited at the property line of the 691 N. Hope property, creating a small hill that prevents the natural flow of water and sediment.

Sediment has thus backed up to clog the culvert under Pemm Place and clog the last 30 feet of the concrete trench drain with dirt and mud two to three feet deep.

In its current configuration, with each rain event, storm water is blocked from flowing through the culvert onto the 691 Hope property, and instead flows onto Pemm Place.

During large rain storms, substantial flooding occurs on the lower section of Pemm Place and on the 3836, 3838, and 3848 Pemm Place properties.

We do not support the RRM / Yao development at 691 N Hope Avenue as it does not address our flooding concerns.

Thank you for your consideration.

Matthew McDermid and Joan Sullivan

Comments and Questions
691 N. Hope development
Lot 5 Design Review (Monday, April 25)
From Matthew McDermid and Joan Sullivan, 3836 Pemm Place

4/21/22

Hello SFDB Secretary and members,

I am the son and power of attorney for my mother Joan Sullivan who has owned and mostly resided at 3836 Pemm Place for the last 44 years. I have attached the letter I wrote on 8/21/21 to the SFDB to be included in this comment on the Lot 5 design review for 691 N Hope.

Jervis Yau, one of the owners of 691 N Hope, met with us after last summer's meeting and graciously removed the soil blockage that prevented the free flow of water from our drainage ditch / culvert that borders and runs through 3836 Pemm and 3838 Pemm. This was a temporary solution to which we are grateful, as during the last several rains, the drainage was much improved and the flooding minimal.

We want to ensure that if Lot 5 is approved, there is sufficient attention given to creating a permanent solution to allow for the free flow of water from our drainage ditch and through the 691 N. Hope property. Unfortunately I am unable to interpret the RRM design docs to verify whether this is the case.

Questions we have are:

How will the connection be made?

- Will we connect the preexisting but mud silted pipe (due to 691 N Hope soil blockage) or something else?
- Do we need to ensure that our pipes are of the same gauge to connect, or is there some other solution at hand?

Since the soil build up on 691 N Hope caused a dam like effect, the pipe under Pemm Place leading from the 3836/3838 Pemm ditch to 691 N Hope became blocked and silted up, providing no passage of water. Silt eventually backed up into our ditch, causing us hundreds of dollars a year in cleanup costs. Water now flows over Pemm Place instead of under it even today.

- Are the Pemm Place owners responsible for clearing out that silt when the pipes are connected, or will RRM do this? How will this be coordinated?

- Who will be legally responsible for maintaining the portion of the drainage infrastructure on the 691 N Hope property?
- Who do Pemm Place neighbors contact if they experience more issues with the free flow of water onto the 691 N Hope property both before, during and after the construction of Lot 5 and other lots?

Other neighbors have pointed out that:

The Planning Commission resolution NO. 017-19 (pg. 5) states:

"the Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property."

- If this is the case, who is the owner and legally responsible party of the drainage infrastructure in question?
 - The owner of Lot 5?
 - Or of all owners of 691 N. Hope lots at any given moment in time?
 - Or is it the purview of the City of Santa Barbara?
- Are the owners required to maintain any kind of liability insurance in case the drainage system is not maintained properly and needs repair (say 5, 20 even 40 years from now)?
- Will there be a 691 N Hope HOA that is legally responsible for the maintenance of the water drainage on the property?

I am not an engineer by training, so I hope to rely on the SFDB to ensure RRM is accounting for a workable solution. We would appreciate it if you would help us neighbors on Pemm Place and beyond understand how this will all work.

Thanks for your consideration.

Sincerely,

Matthew McDermid and Joan Sullivan

From: [Nancy Swanson](#)
To: [Community Development, SFDB Secretary](#)
Subject: 691 Hope Ave Development, Lot #5
Date: Sunday, April 24, 2022 1:19:00 PM

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EXTERNAL

Dear Santa Barbara Single Family Design Board,

I am writing to ask that the Board deny approval for the lot 5 design at 691 N. Hope Avenue and would like to convey my concerns and hope the board considers these issues before making any decisions.

Over the past 3 years, the board has listened to the concerns of the surrounding neighbors and provided feedback and direction to RRM which has consistently been ignored and blatantly resisted. I would like the SFDB to ask the applicant to allow structure heights to be more commensurate with the bulk and scale of the neighborhood. Currently the project as a whole has a clashing or discordant appearance with the existing neighborhood fabric.

Please uphold the Single Family Design Board Guidelines to take direction from the neighborhood archetypes and strive for homes that are harmonious to this Santa Barbara neighborhood. These homes will be clearly visible from both private and public views and forever change the character of our diverse neighborhood. These heights create a direct line of sight from the proposed homes' second stories into the adjacent neighbors' yards and bedrooms while also blocking the beautiful mountain views. This development should be truly compatible with, and add value to, every aspect of the existing neighborhood. The community hopes that the SFDB will support our neighborhood in this request.

During the March 14 meeting the SFDB requested that RRM speak with the neighbors to try to address some of our concerns and come to a compromise. During the March 28th meeting the board asked if Mr. Peikert had spoken with the neighbors, he replied that he had, but he did not and has not since July 24, 2021.

To conclude, the community is looking to the SFDB to reject this proposed design for lot 5, which will set the precedent for the other forthcoming designs of lots 1-4 at 691 North Hope. Since the beginning of this process, the community's privacy and compatibility concerns have not been meaningfully addressed.

Thank you for your time, consideration and efforts in working with the neighbors for a compromise that will work for the community as a whole.

Sincerely,

Nancy Swanson

Dear Santa Barbara Single Family Design Board,

4/25/2022

We are writing to request that the neighbor's concerns about privacy are fully addressed before the Board approves the lot 5 design.

Specifically, the lot 5 design's second story has a direct line of sight into the adjacent neighbors' yards and bedrooms. This line of sight directly and negatively impacts the privacy of the adjacent neighbors. The only way to tangibly address this concern is to require full level A story poles and an onsite visit, so that the neighbors and Board can visually see the location and size of the proposed home's windows in relation to the existing home's windows. RRM's profile views are inadequate, the existing story poles do not reflect the current design.

To conclude, while we understand the Board is not able to further restrict the bulk and scale of this proposed home, the size and height (Table 2) of this home directly impacts the adjacent neighbors right to privacy on Connie Way. Consequently, the neighbors would like the Board to consider: Does a developer's right to profit take precedence over a neighbor's right to privacy? This question is fundamental to not only the design of lot 5 (and 6), but also more broadly to the development of housing within the City of Santa Barbara.

Sincerely,
Bryan and Nicki Costa
3814 Connie Way

Table 1. Comparison of proposed home on lot 5 to the existing neighborhood.

Proposed home on Lot 5	April 2022	Compared to neighborhood
Size	3,231 sq ft	+1,540 sq. ft.
FAR	83.8%	+37.3%
# Stories	2	90% are 1story
Height	24'4"	+8' 10"
Style	Contemporary	0% are contemporary

Dear chair and members of the SFDB,

I am Elizabeth Scholtz, owner and resident of the property at 3838 Pemm Place. My family has owned and lived at this property since 1961. I am providing comments for the project at 691 N. Hope Avenue, included on your April 25, 2022, agenda. I am unable to attend the meeting in person and am very disappointed that live, electronic attendance is no longer being offered.

I reiterate the three main points for comment I submitted prior to the March 14, 2022, SFDB meeting on Lot 6 of this development (included below). I would like to emphasize again (as in point 1 below) that the build-up of silt and sediment in the underground pipes beneath Pemm Place and a permanent solution to the impedance of natural water flow from the north must still remain at the forefront of any development planning.

My three main points for comment, as submitted for the SFDB March 14, 2022, agenda still stand:

1) Drainage. The flow of water from the north has been impeded at the 691 N Hope property for many years, and the concerns of the residents on Pemm Place who experience flooding with every rain have been well described in previous discussions and emails. **I want to thank the Yau family** for providing some mitigation of the flooding problem during this last (2021-22) rainy season. Grading and trenching and a gravel-filled hole on/across the lowest lying portion of 691 N Hope allowed much of the runoff during this season's (at-times torrential) rain to flow above ground, across 691 N Hope, to the drainage system in place on Connie Way. I'm not aware how this affected the flooding issues on Connie Way, but it did provide some much-needed mitigation of the Pemm Place flooding issue. This very much appreciated temporary solution did not address the build-up of silt and sediment in the underground pipes beneath Pemm Place. The underground pipes and a more permanent solution to the impedance of natural water flow from the north must still remain at the forefront of any development planning.

2) Neighborhood fit. While I will welcome developers, such as the Yau's with strong ties to the community, I feel the proposed home style is too large, does not blend well with the neighborhood and will compromise the privacy and aesthetics of the existing homes nearby. Single-story homes would certainly mitigate this issue. I urge the SFDB to 1) require RRM to install full (level A) story poles (per SFDB general guidelines section 3.6.4) and 2) to conduct an on-site visit after the full story poles are installed. I believe this will allow the Board and the neighborhood residents to better appreciate the impact and remarkable bulk of the proposed home(s).

3) Elementary School traffic. Safety of the children should be a primary concern with development of a new road adjacent to Pemm Place. Some sort of safeguards should be added to the plans; perhaps a yellow-flashing crossing warning across the Pemm and adjacent (name to be determined) road inlets to alert drivers when pedestrians are crossing in front of the driveways, and improved sightlines for drivers.

Thank you for your continued attention and consideration.

Respectfully,

Elizabeth Scholtz
3838 Pemm Place, Santa Barbara CA 93110

Single Family Development Board

I would like to convey my continued concerns regarding the proposed development of 691 Hope Ave and hope the board considers these issues before making any decisions.

On 28 March, the SFDB approved the design for lot 6 despite the development firm and owner ignoring many of the requests previously made by the board. They essentially wore the board down after 3 years of ignoring requests from the board and the concerns of the neighborhood. Consequently, I have appealed that approval, which is scheduled to be heard by the City Council on 14 June.

During the 28 March meeting, two board members stated that neighborhoods change and essentially the neighbors need to accept this development as is. This is in direct contrast to the function of the SFDB, which was initiated as a result of the "Mansionization of the Mesa". I previously lived on the Mesa and watched these enormous homes sprout up making neighborhoods look simultaneously quasi quaint and quasi LA urban. The neighbors affected by these developments lost the character of their community they loved and I am pleading with the board to not allow this to happen to our neighborhood.

It is not that we don't want change, we just don't want to lose our neighborhood charm. Adding 6 homes to the property would be a great change to the neighborhood. Having more young families whose children walk to La Colina or to Monte Vista would be a great change. Having domineering, tall, contemporary homes that have limited parking and are unaffordable to the majority of young families will not only change the look of the neighborhood, but also its appeal to young families looking for a community to raise their children.

I have repeatedly expressed my concern regarding liability of flooding of my property with the addition of these homes, increased impervious surface and having all the water north of my property directed into a 30" pipe that goes under my property using a city easement. Additionally, the hydrology plan submitted includes the "replacement of a 30" drain pipe" on the development property. This pipe does not exist and the developer intends to put in a 30" drain pipe over a natural water course without going through the creeks division. The board is required to ensure grading is in compliance with Santa Barbara storm water management codes and this is clearly not in compliance.

I understand the challenge or your role and considerable time you provide the community in managing these developments, but am pleading with you to at least hold off on making any further decisions on this development until the appeal process is completed on lot 6 and the development's grading plan.

Very Respectfully,

Matt and Bess Scribner

3830 Connie Way

805 252 5089

From: [Jillian Title](#)
To: [Community Development, SFDB Secretary](#)
Subject: 691 N. Hope Public Comment: 4-25-22
Date: Monday, April 25, 2022 7:11:07 AM

You don't often get email from jillian.title@gmail.com. [Learn why this is important](#)

EXTERNAL

Good Morning,

As a homeowner with property directly adjacent to the subdivision proposed at 691 N. Hope Ave., I'm writing to include a public comment for consideration on the SFDB agenda for review of Lot 5 on 4-25-22.

While the roof lines have been adjusted to a pitched design from the previous sloped roof, which is a step in the right direction, the overall design remains fundamentally the same as previous iterations and incompatible with the style of the neighborhood. The newly proposed design **raises the height** of the previous design. The previous design on Page A5-5 illustrates a roof height of 22'-2", and has now been increased to 25' on the new design. I would like to request clarification on this as well. Page A5-4 shows a roof height of 24'-4", while the site-section on page A5-8 shows 25'. Why is there a discrepancy and which is the proposed height? Rather than decreasing the "size and bulk" as has been requested for the last year+, the applicant has increased it. This is not a reasonable exchange for the "new" pitched roof design.

The newly proposed south facing elevation on Page A5-5 shows additional second story windows from the previous design, which will look directly into our own second story bedroom windows and down into our yard creating an increased privacy concern. RRM has also not agreed to retain the existing, mature trees along this property line that are currently providing much needed privacy.

Additionally, I am concerned that the drawings on Page A5-1 and A5-8 are not to scale and don't accurately represent the impact of this project on neighboring homes. The drawing shows a considerable back yard, a porch, a pool, and a necessary bioswale. As my home is directly adjacent to the proposed Lot 5, and I've been staring at the second story poles for nearly a year, they are much closer to the property line than these drawings seem to suggest.

Lastly, I would like to reiterate from my previous comments that, according to the guidelines, this "project shall not result in a clashing or discordant appearance with existing neighborhood fabric." The minimal changes to roof line, and increase in heights do not address the continued "discordant appearance" of this proposal. Although RRM has strategically decided to propose one structure at a time, the board cannot ignore the applicant's inevitable goal of creating a subdivision of nearly identical homes. This would not be ONE home with a discordant appearance to the neighborhood fabric, it would be SIX. This subdivision, as it has consistently been proposed, is far too large for this neighborhood and would, to be necessarily cliché, stick out like a sore thumb. RRM has consistently asserted in their verbal and written proposals, that the parameters of what is statutorily "allowable" with regard to size, namely a 30' roof height and 85% FAR, are the only necessary statistics governing what they *can* do, while just as consistently ignoring Guideline 28.C Section 11 delineating what they *should* do.

Their proposed 25' roof height and 84.3% FAR are not magnanimous gestures of restraint as RRM has sought to color them, and they continue to be in direct contrast to the existing neighborhood fabric.

On 3-28-22 the board approved the proposal for Lot 6 of this subdivision. RRM had previously been asked, on 3-14-22, to reduce the size, bulk, and scale of that proposal. They did not, and under the necessary neighborhood preservation findings addressing the same, the board noted that "the look" of the size, bulk, and scale had been reduced. "Look" is addressed in findings for style. Size is size and these homes have been and remain too large for this neighborhood. The Lot 6 approval is currently under appeal, and I urge the board to reject the ongoing piecemeal approval of this subdivision until at least that issue has been addressed.

Thank you for your time and consideration.

- Jill

PLEASE BE ADVISED

The following public comment was not received in time to process. Distribution to the SFDB occurred after the meeting.

From: [Jillian Title](#)
To: [Raynor, Rachel C.](#)
Cc: [Peikert, Detlev H.](#); [Community Development, SFDB Secretary](#)
Subject: Comments to SFDB by Rachel Raynor on 4/25/22 re: Privacy Vegetation
Date: Monday, April 25, 2022 6:31:43 PM
Attachments: [IMG_1121.HEIC](#)

EXTERNAL

Good Afternoon Rachel,

I'm the owner of 3838 Connie Way, directly adjacent to Lot 5 of 691 N. Hope Ave. I viewed the SFDB board meeting online this afternoon, 4/25/22, and would like to address a comment you made about the existing vegetation which provides much needed privacy for our second story master bedroom and back yard.

You stated that the only existing vegetation providing privacy was the oak tree and that the other existing vegetation was a "bush" that currently provides no privacy. That is inaccurate. The oak is primarily adjacent to 3830 Connie Way, and provides no privacy for our home at 3838. However, the "bush" you referred to is currently upwards of 20' in height and wide enough to provide much needed privacy. I've provided a photo below for your reference.

The proposed palm trees will not be sufficient to provide the necessary privacy for our master bedroom and back yard, and I would like to request that the existing vegetation be retained, or a comparable replacement proposed.

Thank you,

- Jillian Title
3838 Connie Way

