



**City of Santa Barbara**  
Community Development

**Memorandum**

DATE: May 23, 2016  
TO: Building & Fire Code Appeals Board  
FROM: Andrew Stuffer, Chief Building Official  
SUBJECT: 510 Salsipuedes – Appeal of Decision to Issue Building Permit

---

On May 3, 2016, after confirming that all mandatory State and Local building permit requirements were met, the City Building & Safety Division issued the building permit for construction of a new a multi-family construction project at the subject address. On May 18, 2016, the City Building & Safety office received the attached Request for Appeal.

The appellant's architect identifies the following, as the basis for appealing the City's decision to issue the permit:

1. "... potential omissions of seismic design and construction errors.."
2. "... no contractor will submit a bid of this item" (excavations and shoring work)
3. "... the City should require this project to retain 100% of the floodwaters it is displacing with its massive dirt podium."

Since receiving the attached Request for Appeal, the City Building & Safety Division has reviewed the appellant's appeal submittal and found that all of the mandatory ministerial and discretionary standards applicable to this project have been satisfied. The following are the City Building & Safety responses to each of the appellant's above concerns:

1. The "potential" omissions and errors were cited from an attached 2014 review of plan check corrections. All of the concerns within that 2014 letter from Mr. Stanley Mendes were addressed prior to permit issuance in 2016.
2. City Building & Safety has no authority over the contract feasibility of construction projects.
3. All of the required FEMA National Flood Insurance Program paperwork and analysis were provided to, and approved by, the City prior to permit issuance. All proposed site grading and excavation have been reviewed to confirm that shoring of the earth adjacent to neighboring buildings will not be required. *(Note: Staff did note that the grading quantities provided by the civil engineer were incorrect. Since this change in the quantity of grading was deemed to be acceptable by the City Planning Division, City staff are requiring the project civil engineer to submit a stamped and signed letter revising the project grading quantities.)*

Consequently, City Building & Safety stands behind its decision to issue the subject permit and recommends that the City Building & Fire Code Board of Appeals uphold the decision to issue this permit.

Copy: 510 Salsipuedes Street - Street File

Attached: Request for Appeal



City of Santa Barbara  
 Building & Safety Division  
**Building & Fire Code Board of Appeals**  
**Request for Appeal**

City of Santa Barbara  
 Building and Safety Division

MAY 18 2016

RECEIVED

Community  
 Development  
 Department  
 630 Garden Street  
 805-564-5485

Project Address: 510 N. Salsipuedes New Case # BLD2014-00906

Check One:  Residential Single Family  Residential Multi-family  Commercial  Mixed Use

Person Submitting Appeal: Arthur Pasch Phone Number: 805-895-0812

Property Owner: People Self-Help Housing Corporation (PSHHC)

FEES: (as per current Fee Ordinance). \$ \_\_\_\_\_

Briefly describe the issue, including all applicable code section(s) : \_\_\_\_\_

See Attached Letter and Attachments 1 & 2

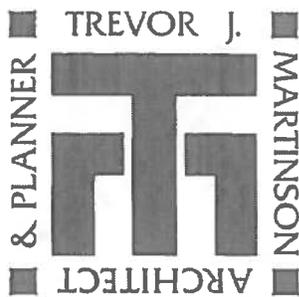
Briefly describe the appeal which is being requested. Include the reason(s) ~~for being unable to~~  
~~comply with the code requirements~~ and provide any supporting documentation that may aide in  
 the decision making process: \_\_\_\_\_

See Attached Letter and Attachments 1 & 2

Signature of Applicant: Arthur Pasch

Date: 5-18-16

<u>THIS SPACE FOR OFFICE USE ONLY</u>		Approved	Denied
Fire Department review by: _____	Date: _____	<input type="radio"/>	<input type="radio"/>
Building & Safety review by: _____	Date: _____	<input type="radio"/>	<input type="radio"/>
Comments: _____			
_____			
_____			



1849 Mission Ridge  
Santa Barbara  
California 93103  
(805) 965-2385  
(FAX) 965-5457

18 May 2016

Mr. Andrew Stuffer, CBO and  
Floodplain Manager  
Building and Safety Division  
City of Santa Barbara Community  
Development Department  
630 Garden Street  
P. O. Box 1990  
Santa Barbara, CA. 93102-1990

City of Santa Barbara  
Building and Safety Division  
MAY 18 2016  
**RECEIVED**

**Re:** Jardin de las Rosas 510 N. Salsipuedes  
BLD 2014-00906

**Subject:** Building & Fire Code Board of  
Appeals – Request for an Appeal

Dear Mr. Stuffer:

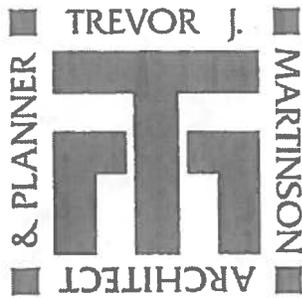
Unfortunately, due to your departments issuing of a Building Permit on the above referenced project, the Building & Fire Code Board of Appeals must now review several of our ongoing issues with this project.

My letter to you of 02 May 2016 (**Attachment "One"**) and my letter to William G. Vasquez, Director, Community Planning & Development of HUD dated 09 May 2016 (**Attachment "Two"**) is enclosed and describes the issues of our appeal to the Building & Fire Code Board of Appeals.

Respectfully Submitted,

Trevor J. Martinson  
Architect, Planner & Forensic

Enclosures: **Attachment "One"** 7 pages **Attachment "Two"** 10 pages



1849 Mission Ridge  
Santa Barbara  
California 93103  
(805) 965-2385  
(FAX) 965-5457

02 May 2016

Mr. Andrew Stuffer, CBO and  
Floodplain Manager  
Building and Safety Division  
City of Santa Barbara Community  
Development Department  
630 Garden Street  
P. O. Box 1990  
Santa Barbara, CA. 93102-1990

City of Santa Barbara  
Building and Safety Division  
MAY 18 2016  
**RECEIVED**

Re: Jardin de las Rosas 510 N. Salsipuedes  
BLD 2014-00906

Subject: Your 7th Plan Check Review

Dear Mr. Stuffer:

Last Friday, I had a brief review of the above plans and subject matter with City staff members and have the following comments and observations:

It appears the 20 May 2014 letter of Stanley H. Mendes (Attachment "A") presented to the City Council on the appeal of this project has been ignored. All of Mr. Mendes comments have specifically pointed out potential omissions of seismic design and construction errors on this project.

A note on the submitted permit drawings (Sheet S1.2 Foundations item 13.) indicates the Contractor shall be solely responsible for all excavations including design of cribbing, bracing and shoring. Clearly, no contractor will submit a bid on this item! Mr. Mendes letter (page 3, Excavation and page 4 Underpinning of Adjacent Buildings) explains this issue and the responsibility of the owner, Peoples Self Help Housing and/or the City of Santa Barbara and their legal responsibility for this matter. The adjacent Catholic Charities Offices. Food Supply, and Retail Sales Buildings are just one of the several buildings that will be impacted by the proposed projects soil excavation and underpinning construction.

**Attachment "One"**

TJMItr toAstuffer18May2016

02 May 2016

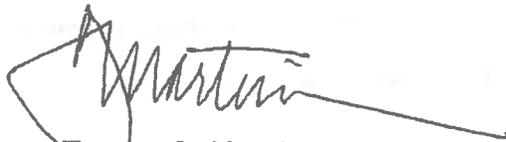
Mr. Andrew Stuffer, CBO

Page 2

The flooding issues, of the adjacent neighbors on the Haley/Salsipuedes corridors, have also been brought to the City's attention several times. My latest contact in the Public Works Department, with Rick Fulmer Streets Manager, on the City's Drainage Capitol Improvement Program for the Salsipuedes Storm Drain Improvements is not good. Significant funding is required (\$250,000) and the 475 feet of 36-inch RCP along the upper Salsipuedes and Victoria Street is a low priority. No funding is proposed for the storm drain outlet at the beach, which should be a high priority to stop the flooding at the Haley-Salsipuedes intersection. This is why the neighbors are so very concerned and the City should clearly require this proposed project to retain 100% of the floodwaters IT IS DISPLACING WITH ITS MASSIVE DIRT PODIUM!!!

I couldn't agree more with City Councilman White's recent comments in the Santa Barbara News-Press: "That housing needs to blend in with our neighborhoods and to pay its fair share toward essential facilities."

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "T. Martinson", with a long horizontal line extending to the right.

Trevor J. Martinson  
Architect, Planner & Forensic

Enclosure: **Attachment "A"** 5 pages

XC: Brian Clarke, Catholic Charities  
Art Posch  
Tony Boughman  
Mayor & City Council  
City Attorney

STANLEY H. MENDES  
STRUCTURAL ENGINEER  
3687 VIA LATO  
LOMPOC, CALIFORNIA 93436  
(805) 708-4862

May, 20, 2014

Trevor Martinson, Architect  
1849 Mission Ridge Road  
Santa Barbara, CA

Subject: Proposed Building  
510 Salsipuedes Street  
Santa Barbara, CA  
Jardin de las Rosas

Dear Mr. Martinson:

In accordance with your request, I have reviewed two soils Reports made in 2013 and 1986 related to the subject site. Also reviewed were construction plans submitted on May 5, 2014, to the Building Department of the City of Santa Barbara for their review in order to obtain a building permit. My findings to date are as follows.

- The site excavation and grading sheet C-1.1 is not included with plans submitted.
- The construction plans are obviously incomplete with serious errors and omissions regarding seismic design of the concrete garage and retaining walls. Also, the site grading is greatly understated on the Master Application as 300 cubic yards of soil will be excavated, whereas this will actually be about 14,000 cubic yards with tremendous impact on nearby businesses, local traffic and adjacent MTD bus movements.

#### BACKGROUND

As you are aware, my professional Structural Engineering experience includes seismic design and construction of numerous Santa Barbara County schools, hospitals, churches and commercial buildings and related structures since 1947. On site inspections of construction were always provided by myself or the design engineer in my employ. As the Consulting Structural Engineer



**Attachment "A"**

TJMItr02May2016AStuffer

to UCSB in 1971-73, I personally reviewed plans for all existing buildings on the campus and rendered a Report on September 17, 1973 about the earthquake resistance capacity of the buildings. Since then, UCSB has spent many millions of dollars seismically retrofitting various buildings. The lessons learned from that study taught me that significant ERRORS AND OMISSIONS OF SEISMIC DESIGN AND CONSTRUCTION ARE NOT ALL THAT UNUSUAL.

## DISCUSSION

The significant errors and omissions found are as follows:

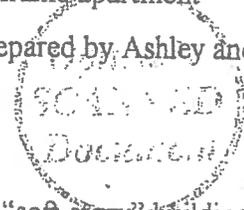
### Retaining Walls

A) The property line concrete block retaining wall details shown for on C1.2 of the Penfield and Smith of Santa Barbara drawings as wall A and wall B obviously overlooked the earthquake generated forces of the 10' tall screen wall on top of the bottom 4' section of the wall which retains earth. As detailed, wall A would likely fail and fall onto the Jardine property where the children's play yard is to be located. A failure could cause serious injuries and possibly the death of people nearby.

### Parking Garage

B) The 60' width of the parking garage roof supporting two story wood frame apartment buildings above is shown to be "by others" on the Engineering Drawings prepared by Ashley and Vance Engineers, Inc. of San Luis Obispo.

This is known as an irregular Podium type building and is also considered a "soft story" building. As such, the garage should be designed for about two times the actual weight of the apartments.



The garage roof apparently consists of precast concrete beams and topping slab. It must be designed as a diaphragm and properly connected to, and supported by, the garage walls.

As Engineers of Record, Ashley and Vance are legally responsible for this element of the building. The current plans on drawing S-1.1 only refer to a Design Base Shear  $R = 6.5$ ;  $V = 0.2965W$  which is applicable to the wood frame apartments. This Base Shear does not apply to the garage, and should be about  $V = 0.60W$ . Ashley and Vance should provide a complete analysis, and "approved plans" by the Santa Barbara Building Department with all necessary details to properly construct the garage roof and the 10" reinforced concrete walls and footings below.

C) Excavation and Underpinning of Adjacent Buildings

Excavation

The 2013 Soils Report by Pacific Materials Laboratory (PML) of Goleta requires construction of what is known as an "Earth Raft" by excavating and removing about 9' of the site's existing trash fill and highly expansive soils; then importing selected fill soil to raise the site about 4' above existing grades. The 9' deep excavation at property lines will likely affect the stability of buildings on the adjacent properties and necessitate underpinning their foundations and/or sheet piling of the sides of the excavation. PML anticipates some water will flow into the excavation and intends to take all necessary measures to remove and dispose of same. The excavation and "earth raft" soil likely provide proper support for the proposed buildings. I have personally designed similar "earth rafts" systems for two-story wood frame Motel 6 buildings throughout the United States.

The foundation system for significant buildings constructed on Goleta and Santa Barbara Sloughs have usually been Raymond Step Tapered Piles about 40' to 50' long. That system supports Santa Barbara Junior High School (circa 1935) and the adjacent Multi-Use Room (circa 1962) for which I am Engineer of Record. Other Raymond Pile supported buildings I designed are

Raytheon Building Phase I (1956) and Aerospacelines Hanger at the Santa Barbara Airport.

The subject building Owners, Peoples Self Help Housing (PSHH) might find it appropriate to consider driven piles as an alternate as recommended by the 1986 K-C Geotechnical Report I understand that the MTD buildings across Salsipuedes Street are also supported on driven piles.

Underpinning of Adjacent Buildings

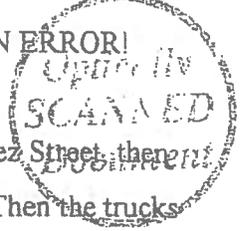
The proposed Excavation to property lines will undoubtedly require underpinning the existing adjacent "two-story building" to the North and the "one-story building" to the South of the garage.

THE CITY-APPROVED PLANS SHOULD INCLUDE SPECIFIC TECHNIQUES AND DETAILS OF THE NEEDED UNDERPINNING. PSHH IS LEGALLY RESPONSIBLE TO DO AND PAY FOR ALL NECESSARY UNDERPINNING WORK, AS A RESULT OF PAST JUDICIAL CASES IN CALIFORNIA.

D) Site Grading, Traffic Hazards, Air and Noise Pollution, etc.

The Master Application by Peikert and RRM design group, Case No. MST-2013-00212/ Building 2014-00946 was submitted on May 5, 2014. It grossly understates that 300 cubic yards of cut (excavation) and 1,600 cubic yards of imported fill are needed. This is a very serious error. Pacific Materials Laboratory's required excavation and fill will really result in about 14,000 cu.yds. of cut and about 17,000 cu.yds. of fill. This greatly understates the truck traffic noise and air pollution problems that will occur. 14,000 CU.YDS. VERSUS 300 IS QUITE AN ERROR!

The probable route for dump trucks will be to go South on Salsipuedes to Gutierrez Street, then West to Garden Street and the nearby Highway 101 North and South entrances. Then the trucks



can go North or South on Hwy 101 to the sites for disposal of cut or loading of imported fill.

This massive grading operation will require about 3,400 dump-truck trips to and from the site which are limited to the 7 hours between 9:00 A.M. and 4:00 P.M., Monday through Friday. Construction is prohibited by Penfield and Smith specifications on Saturday, Sunday, and Holidays. As a result, this environmental impact will exist for weeks and/or months depending upon the fleet of dump trucks employed. For example, if there are 34 trips per day, it will require about 100 days (20 weeks = 5 months) to complete. This will be quite an impact on the neighborhood/residences and businesses in the area and usual local traffic.

It appears to me that Penfield and Smith Engineers as Engineers of Record need to address this massive problem again. They should clearly set forth on the "approved plans" all traffic movements and limitations for truck trips during construction.

I wonder why City Staff who prepared the "NEGATIVE DECLARATION in the Environmental Impact Report did not notice this error. The Public Works Department should carefully study and be intimately involved in the eventual solution.

CLOSING

I very much appreciate this opportunity to be of service to you, and I am confident that it will result in a seismically safe building for the eventual occupants.

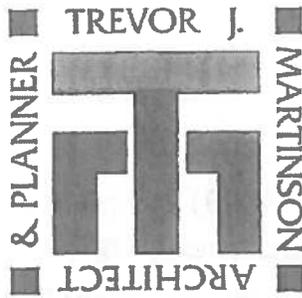
Respectfully submitted,

*Stanley H. Mendes*

Stanley H. Mendes

Structural Engineer No. S-709





1849 Mission Ridge  
Santa Barbara  
California 93103  
(805) 965-2385  
(FAX) 965-5457

City of Santa Barbara  
Building and Safety Division

MAY 13 2016

RECEIVED  
MAY 13 2016  
CITY OF SANTA BARBARA  
PLANNING DIVISION

09 May 2016

RECEIVED

Mr. William G. Vasquez  
Director, Community Planning & Development  
U.S. Dept. of Housing & Urban Development  
611 West Sixth Street  
Los Angeles, CA. 90017

Re: Flooding Issues on Project # **CA-16-808**

Sent Via: Certified Mail RRR

Subject: Letter to Robert S. Hedrick, esq.  
Senior Attorney at TCAC 02 May 2016

Dear Mr. Vasquez:

My recent letter to the California Tax Credit Allocation Committee (TCAC) was answered by Robert S. Hedrick, Senior Attorney, (**Attachment "A"**) and he suggested that I contact HUD with my concerns. The facts, in my letter to him, mentioned possible misappropriated Home Funds and were clearly outlined in my Memo to our City's Mayor and City Council and are enclosed as (**Attachment "B"**).

The City of Santa Barbara has not answered the concerns of the adjacent property owners and neighbors to this project regarding the flood damages that they have experienced over the past 30 to 50 years and the obvious increase in future flood damages. This proposed project, and others in the pipeline, will have a huge impact, serious legal liability and responsibility for flood damages as mentioned in my letter to you of 13 November 2014.

The City has completely ignored this problem because they have no funds to repair and upgrade this old undersized storm drain servicing the existing Haley/Salsipuedes intersection and the new proposed project. This storm drain to the ocean services a huge area as shown on the enclosed City Map and the storm drain is outlined in yellow. (**Attachment "C"**)

**Attachment "Two"**

TIMltr toAstuffer18May2016

09 May 2016

Mr. William G. Vasquez

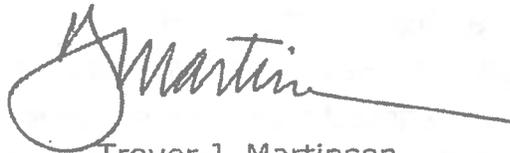
Page 2

Our concerns, in the City's use of HOME Funds (\$1,000,000.00) to line the pocket of the developer, as mentioned in my Memo (**Attachment "B"**) should instead, be used to upgrade and repair the storm drain servicing this area and the proposed project. Are we incorrect in this line of reasoning?

The City has just issued a building permit for this project and the concerned property owners are now, in the process, of appealing this permit to the City Building and Fire Board of Appeals. Can we expect some help from HUD?

Thanking you, in advance, for your professional attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "T. Martinson". The signature is stylized with a large loop at the beginning and a long horizontal line extending to the right.

Trevor J. Martinson

Architect, Planner and Forensic

Attachments "A", "B" & "C"

XC: Andrew Stuffer, Chief Building Official & Floodplain Manager  
George Buell, Community Development Director  
Ricardo S. Pineda, Chief Floodplain Risk Management Branch  
CA Dept. of Water Resources  
Jeffrey D. Lusk, Director, Mitigation Division, DHS/FEMA Region IX  
Patricia Rippe, Senior NFIP Planner, DHS/FEMA Region IX  
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX  
Ed Curtis, Senior Engineer, Risk Analysis Branch, FEMA Region IX  
Santa Barbara News-Press



**JOHN CHIANG**  
TREASURER  
STATE OF CALIFORNIA

May 3, 2016

Trevor Martinson  
1849 Mission Ridge  
Santa Barbara, CA 93103

Sent via fax to Mr. Martinson (805) 965-5457

Dear Mr. Martinson:

Thank you for your recent fax. While I appreciate the concerns raised in your letter, they raise matters of local concern or use of federal funds that are not within the purview of the California Tax Credit Allocation Committee (TCAC). Furthermore, TCAC's initial review of the proposed project ended with the reservation of tax credits at its January 20, 2016 meeting. TCAC will review eligible costs for tax credit purposes once the project is placed in service. TCAC has no role in the local land use planning, permitting or zoning processes, or enforcing the proper use of federal funds allocated via the HOME program.

If you have not already done so, I suggest you raise your concerns with HUD and with the local authorities if you believe that the funds have been misappropriated.

Sincerely,

Robert S. Hedrick  
Senior Attorney

**Attachment "A"**

TJMItrtoW.Vasquez09May2016



RECEIVED

2016 APR 25 PM 4:45

CITY OF SANTA BARBARA  
CITY CLERK'S OFFICE



1849 Mission Ridge  
Santa Barbara  
California 93103  
(805) 965-2385

## Memo

**To:** Mayor and City Council  
**From:** Trevor J. Martinson  
**Re:** April 26, 2016, Agenda Item 7

### Via Hand Delivery

April 25, 2016

Madam Mayor and City Councilmembers:

As noted in your agenda report for item 7, "[o]n February 10, 2015, City Council approved reserving an additional \$500,000 of HOME funds for the Project. These funds were not committed via a written loan agreement at that time . . . ."

As the attached **Exhibit A** demonstrates, when the Council approved that preliminary request in February 2015, the Council was aware that the developer, Peoples Self-Help Housing Corporation ("PSHHC") would receive a \$1,400,000 "developer fee" as part of its budget for the project.

**Exhibit B** is the California Tax Credit Allocation Committee staff report on this project for its January 20, 2016, meeting, at which the project was awarded tax credit funding. Exhibit B demonstrates that PSHHC, will use the \$500,000 of HUD funds if you award it on April 26, 2016, simply to increase its "developer fee" from \$1,400,000 to over \$1,900,000.

If the City already knows that this \$500,000 is going entirely to increase PSHHC's developer fee, then the City is about to commit a horrible misuse of these HUD federal housing funds.

**Attachment "B"**

TJMItrtoW.Vasquez09May2016

If the City did not know this fact, then the City is about to become the victim of a fraud, by a nonprofit which, according to its Form 990 tax return filed in December 2015, pays about seven employees six-figure sums in compensation including benefits, plus, in the same tax year, paid over a quarter million dollars, including nearly \$10,000 per month in "severance," to a former executive whose "retirement" had been announced in April 2014, and whose retirement package already included a special nonqualified plan.

Fortunately, I have alerted you to these facts in time for you now to act responsibly.

I ask that you pull item 7 from the Consent Calendar, and refer it to Finance Committee for review of the attached facts, or to take other action to protect the City's interest, and the integrity of HUD's funding.

Knowing what you now know, please do not vote on April 26, 2016, to turn this preliminary allocation into a binding commitment.

Very truly yours,



Trevor J. Martinson  
Architect, Planner and Forensic

enclosures: Exhibits A and B

**Rowell, David**

---

**From:** Rowell, David  
**Sent:** Wednesday, February 04, 2015 11:07 AM  
**To:** White, Harwood "Bendy" A.  
**Cc:** Casey, Paul; Buell, George; Gray, Sue; Randolph, Deirdre; 'Morgen Benevedo'; fowler@pchhc.org; Francisco, Dale; Hart, Gregg  
**Subject:** Finance Committee Follow-up  
**Attachments:** JDLR Budget Breakdown\_02-04-15 (2).pdf; TAB 18(A) - Local Fees.pdf

Dear Councilmember White,

I am following up on your question regarding the Architect/Eng/Permits/Fees that was included as a line item in the presentation for the proposed Peoples' Self-Help Housing (PSHHC) low income rental project located at the corner of Salsipuedes and Haley Street.

Attached is a detailed listing of all of the costs included in the \$4.28 million line item. Please note that this listing includes an original estimate of local fees in the amount of \$1.15m. This amount was significantly reduced by the City to assist with the Low Income Tax Credit Application score. As you can see from the attached Local Fee schedule the actual local fees were reduced to \$362,237.60.

Please let me know if you have any further questions.

Thank You

David

David Rowell  
Project Planner, City of Santa Barbara  
Community Development Department  
630 Garden Street  
P.O. Box 1990  
Santa Barbara, CA 93102-1990  
805-564-5461x4578  
Fax:805-564-5477  
[DRowell@santabarbaraca.gov](mailto:DRowell@santabarbaraca.gov)

**Ex. A page 2 of 2**

<u>Category</u>	<u>Budget</u>
ARCHITECTURAL	285,000
ENGINEERING	125,000
SURVEY	0
CONSTRUCTION LOAN INTEREST	655,000
CONSTRUCTION LOAN ORIGATION FEES (0.75%)	68,400
CONSTRUCTION LOAN EXPENSES	10,000
REAL ESTATE TAXES	38,000
INSURANCE	77,000
PERM LOAN LEGAL + TITLE & RECORDING	25,000
PERM LOAN FEES	8,750
OTHER LEGAL (Investor)	25,000
CONSTRUCTION LOAN TITLE & ESCROW	15,000
CONSTRUCTION LOAN LEGAL	30,000
APPRAISAL & LENDER REVIEW	10,000
AUDIT	7,500
CAPITALIZED OPERATING RESERVE	99,525
TCAC MONITORING FEES	79,222
LOCAL FEES	1,150,000
RENT UP & MARKETING	50,000
CONSTRUCTION LENDER INSPECTIONS	15,000
CONSTRUCTION LENDER MONITORING FEES	7,500
DEVELOPER FEE	1,400,000
SYNDICATION CONSULTANT	40,000
LEGAL TAX CREDIT and ORGANIZATION	55,000
Third Party MARKET STUDY	7,500
<b>Total Budget</b>	<b>4,283,397</b>



## Exhibit B Page 1 of 2

### CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE

#### Project Staff Report

#### Tax-Exempt Bond Project

January 20, 2016

Jardin de las Rosas, located at 510 and 520 North Salsipuedes and 601 East Haley Street in Santa Barbara, requested and is being recommended for a reservation of \$647,202 in annual federal tax credits to finance the new construction of 39 units of housing serving large families with rents affordable to households earning 50-60% of area median income (AMI). The project will be developed by Peoples' Self Help Housing Corp. and will be located in Senate District 19 and Assembly District 37.

The project will be receiving rental assistance in the form of HUD Section 8 Project-based Vouchers.

**Project Number** CA-16-808

**Project Name** Jardin de Las Rosas  
**Site Address:** 510 and 520 North Salsipuedes, 601 East Haley Street  
Santa Barbara, CA 93103 County: Santa Barbara  
**Census Tract:** 8.01

<b>Tax Credit Amounts</b>	<b>Federal/Annual</b>	<b>State/Total</b>
Requested:	\$647,175	\$0
Recommended:	\$647,175	\$0

#### Applicant Information

**Applicant:** Peoples' Self Help Housing Corporation  
**Contact:** Carlos Jimenez  
**Address:** 3533 Empleo Street  
San Luis Obispo, CA 93401  
**Phone:** (805) 305-5625 **Fax:** (805) 544-1901  
**Email:** carlosj@pshhc.org

**General Partner(s) or Principal Owner(s):** Peoples' Self Help Housing Corporation  
**General Partner Type:** Nonprofit  
**Parent Company(ies):** Peoples' Self Help Housing Corporation  
**Developer:** Peoples' Self Help Housing Corporation  
**Management Agent:** The Duncan Group

## Exhibit B Page 2 of 2

### Project Cost Summary at Application

Land and Acquisition	\$2,243,177
Construction Costs	\$11,596,420
Rehabilitation Costs	\$0
Construction Contingency	\$493,509
Relocation	\$0
Architectural/Engineering	\$592,190
Construction Interest, Perm Financing	\$770,375
Legal Fees, Appraisals	\$65,000
Reserves	\$108,030
Other Costs	\$495,290
Developer Fee	\$1,967,695
Commercial Costs	\$0
<b>Total</b>	<b>\$18,331,686</b>



### Project Financing

Estimated Total Project Cost:	\$18,331,686
Estimated Residential Project Cost:	\$18,331,686

### Residential

Construction Cost Per Square Foot:	\$233
Per Unit Cost:	\$458,292

### Construction Financing

Source	Amount
Union Bank	\$9,848,712
City of Santa Barbara - HOME	\$585,000
County of Santa Barbara Trust Fund	\$400,000
Accrued / Deferred Interest	\$25,667
GVHC* Loan	\$5,237,323
General Partner Equity	\$100
Tax Credit Equity	\$664,188

### Permanent Financing

Source	Amount
CCRC	\$2,086,400
CCRC - Tranche B	\$673,100
City of Santa Barbara - RDA	\$2,000,000
City of Santa Barbara - HOME	\$1,400,000
County of Santa Barbara Trust Fund	\$400,000
Accrued / Deferred Interest	\$25,667
GVHC* Loan	\$5,237,323
General Partner Equity	\$100
Tax Credit Equity	\$6,509,096
<b>TOTAL</b>	<b>\$18,331,686</b>

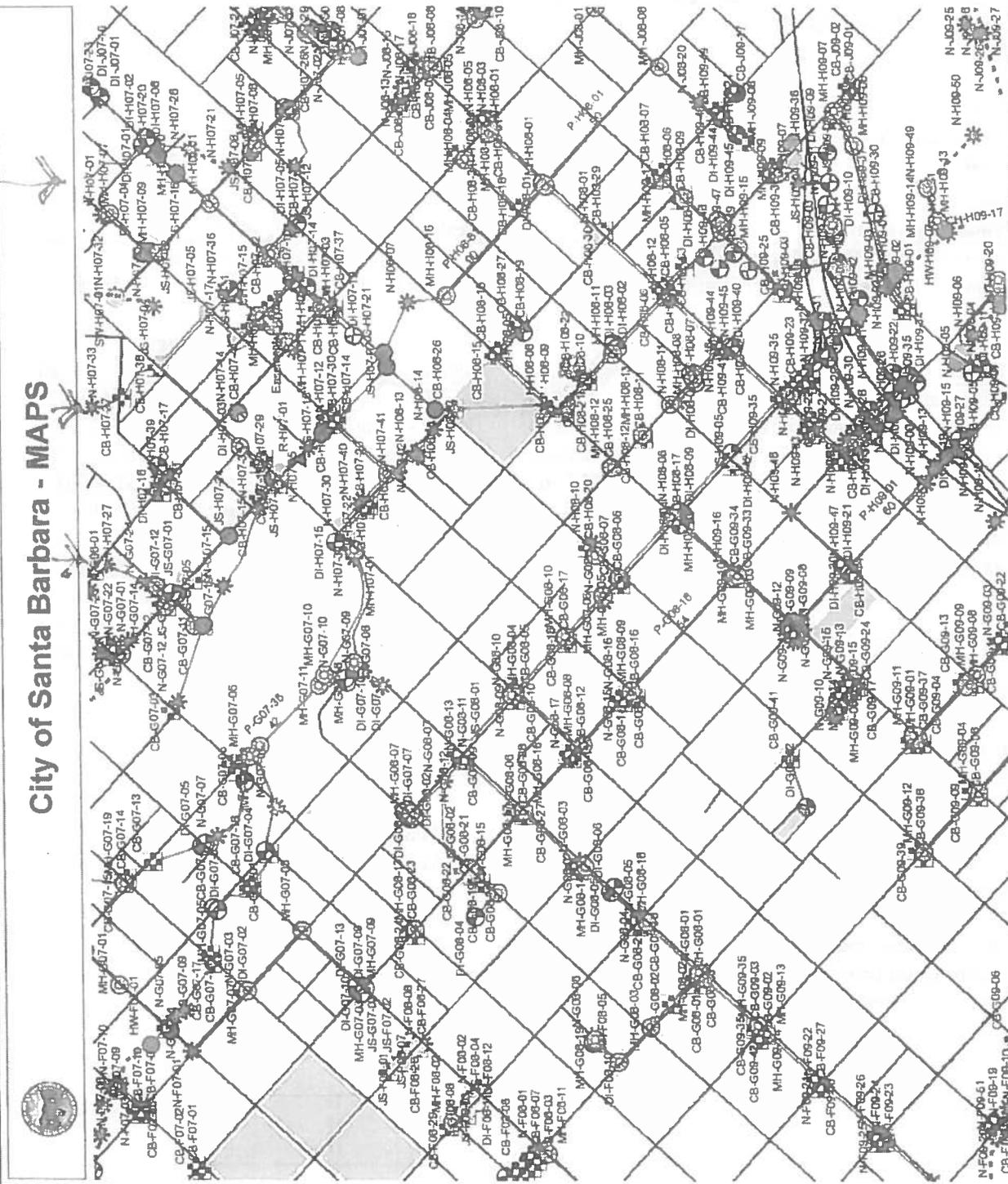
\*Goleta Valley Housing Corporation

### Determination of Credit Amount(s)

Requested Eligible Basis:	\$15,085,659
130% High Cost Adjustment:	Yes
Applicable Fraction:	100.00%
Qualified Basis (Rehabilitation):	\$19,611,356
Applicable Rate:	3.30%
Maximum Annual Federal Credit:	\$647,175
Approved Developer Fee (in Project Cost & Eligible Basis):	\$1,967,695
Investor/Consultant:	Community Economics, Inc.
Federal Tax Credit Factor:	\$1.00577

FROM THE FOOTHILLS

# City of Santa Barbara - MAPS



- Legend**
- City Limits
  - Parks
  - Assessor's Parcels - City
  - Pacific Ocean
  - Street Centerlines
  - Storm Water Drainage Easem
  - Storm Drain Channel
  - Storm Drain Nodes
  - ◇ CATCH BASIN
  - ◇ CATCH BASIN
  - ◇ DROP INLET
  - U-SD-CALTRANS-JS
  - U-SD-CALTRANS-MH
  - U-SD-CALTRANS-NODE
  - U-SD-CALTRANS-WALL
  - CATCH BASIN
  - U-SD-CO-AV
  - ◇ CATCH BASIN
  - ◇ DROP INLET
  - U-SD-CO-JS
  - MANHOLE
  - U-SD-CO-NODE
  - U-SD-CO-WALL
  - U-SD-DI
  - U-SD-JS
  - MANHOLE
  - U-SD-NODE
  - U-SD-PLUG
  - ◇ U-SD-PVT-CB
  - ◇ U-SD-PVT-DI
  - ◇ U-SD-PVT-JS
  - MANHOLE
  - U-SD-PVT-NODE

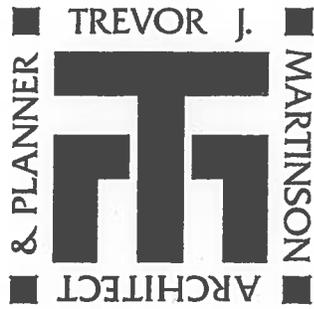
1:10,773

Notes  
 Enter Map Description

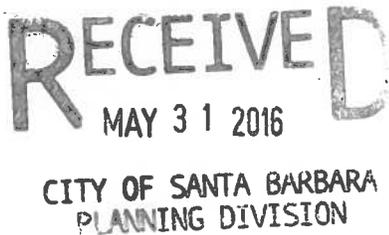
**MAP DISCLAIMER**  
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 NAD\_1983\_StatePlane\_California\_V\_FIPS\_0405\_Feet  
 Reported on 04/28/2016 01:42 PM  
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EAN



1849 Mission Ridge  
Santa Barbara  
California 93103  
(805) 965-2385  
(FAX) 965-5457



31 May 2016

Krystal M. Vaughn, Commission Secretary  
Building and Fire Code Board of Appeals  
City of Santa Barbara Community  
Development Department  
630 Garden Street  
P. O. Box 1990  
Santa Barbara, CA. 93102-1990

**Re:** Jardin de las Rosas 510 N. Salsipuedes  
BLD 2014-00906

**Subject:** Response to the Memorandum, from Andrew Stuffer, CBO, on 23 May 2016 to the members of the Building & Fire Code Board of Appeals, regarding the next 02 June Board meeting on the above referenced matter.

Dear Ms. Vaughn and Board Members:

The noted 2014 letter of Stanley H. Mendes, Structural Engineer, has not been completely answered by the City Building and Safety Division and the project Architects and their Consulting Engineers. For your information and consideration, the only correction clearly made, to Mr. Mendes letter, by the project architect and engineers was the replacement of **Item "B"** the pre-cast irregular Podium type Garage with a proper "cast-in-place" structure. All other errors and omissions noted have not been corrected and they are:

**Item "A" Retaining walls:** As originally detailed and then modified by the engineer, Walls "A" & "B" are still insufficient to resist strong earthquake generated forces and the fifteen foot (15'-0") high Wall "A" will fail in an earthquake and could fall onto the children's play yard. This must not be allowed and requires a complete redesign. Remember, the California State Building Code, has only "minimum" code requirements and cannot be allowed to fall below these standards.

31 May 2016

Krystal M. Vaughn, and Board Members

Page 2

**Item "C"** Excavation and Underpinning of Adjacent Buildings: The 2013 Soils Report, by Pacific Materials Laboratory, indicated the excavation and removing of a 9' deep layer of the sites soil and then filling it with imported selected fill. The current plans do not show this required item and the memorandum sent to you said: *"All proposed site grading and excavation have been reviewed to confirm that shoring of the earth adjacent to adjacent to neighboring buildings will not be required."* How can this be true when the 2013 Soils Report requires this to be done and the approved plans on Sheet S1.2 Foundation, item 13, says: *"The Contractor shall be solely responsible for all excavation procedures including lagging, shoring and the protection of adjacent property, structures, streets, and utilities in accordance with all federal, state and local ordinances. The Contractor shall provide for the design and installation of all cribbing, bracing and shoring required."* In addition, on Sheet C0.1, Penfield & Smiths General Notes, the Soils Engineers Review signed by Ronald J. Pike, C.E. states: *"These plans have been reviewed specifically with respect to geotechnical factors and have been found to be in substantial compliance with the recommendations provided by this firm."* How can they be "in compliance" when a 9' deep hole is being dug adjacent to an existing building and the memorandum says it will not be required?? Something is terribly wrong here!

**Item "D"** Site Grading, Traffic Hazards, Air and Noise Pollution, etc. This reemphasizes the grading quantities issues, "deemed to be acceptable by the City Planning Division", mentioned in the memorandum to you and the calculations by Mr. Mendes, which are in the 14,000 cu. yds. of cut and 17,000 cu. yds. of fill. Lets require a review and verify these numbers, by the City Building and Safety Division, and determine the correct answer!

**Item "3"** The flooding issue mentioned in our request for appeal letter stresses the concerns of all the adjacent neighbors and the Metropolitan Transit District (MTD) areas that have experienced repeated flooding in

31 May 2016

Krystal M. Vaughn, and Board Members

Page 3

the past that the City has not recognized, and which includes, the inability of the old existing storm drain to accept and dispose of the added floodwaters being produced by the huge new dirt podium. Hence, the obvious request, "all storm waters being displaced by the new dirt podiums be retained on site". This can be accomplished by three (3) large concrete reinforced drainpipe containers under the parking garage and would, of course, require a redesign of the building foundation and support of the large drainpipes.

In closing, we are in the process of requesting permission from the City's Public Works Streets Manager, Rick Fulmer, to open one of the drywell pipes on Salsipuedes Street to verify the existing soil and water contamination that may be present. The MTD site, adjacent to this project, has had lampblack oozing from cracks in their asphalt paving several times since the last check was done. As this may take some time to complete, along with the other items mentioned for review, we would suggest the board to continue this appeal to the next meeting of the Building and Fire Code Board of Appeal.

Thanking you, in advance, for your professional consideration of this matter for the Haley/Salsipuedes shareholders.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "T. Martinson", with a long horizontal line extending to the right.

Trevor J. Martinson  
Architect, Planner & Forensic

XC: Arthur J. Posch, DVM  
Santa Barbara News-Press  
The Independent



# City of Santa Barbara

## APPEAL HEARING PROCEDURES

Appeal public hearings are held at either the City Council Chambers or the David Gebhard Public Meeting Room. Below is information on the order of presentations at appeal hearings.

### CITY COUNCIL CHAMBERS

#### 1. City Council hearings:

The order of presentation after the Deputy City Clerk introduces the item is as follows:

1. Presentation by Staff (20 minutes)\*.
2. Presentation by Appellant (including petitioners and applicants who are appellants) (30 minutes)\*.
3. Presentation by Applicant (if they are not the appellant) (30 minutes)\*.
4. Additional response by Staff (10 minutes)\*.
5. Public Hearing (30 minutes)\*.
6. Questions and comments by the Council and Council deliberation (30 minutes).
7. Motion, discussion of motion, and vote by the Council.

#### 2. Planning Commission hearings:

The order of presentation after the Chairperson introduces the item is as follows:

1. Presentation by Staff (15 minutes)\*.
2. Presentation by Appellant (including petitioners and applicants who are appellants) (15 minutes)\*.
3. Presentation by Applicant (if they are not the appellant) (15 minutes)\*.
4. Public Hearing\*.
5. Questions and comments by the Commission.
6. Commission consideration of Findings and Conditions of Approval.
7. Motion, discussion of motion, decision, and vote by the Commission.

### DAVID GEBHARD PUBLIC MEETING ROOM

#### 1. Sign Committee appeal hearings held by the Architectural Board of Review or Historic Landmarks Commission:

The order of presentation after the Chairperson introduces the item is as follows:

1. Presentation by Staff (5 minutes)\*.
2. Presentation by Appellant (including petitioners and applicants who are appellants) (5 minutes)\*.
3. Presentation by Applicant (if they are not the appellant) (5 minutes)\*.
4. Public Hearing\*.
5. Questions and comments by the Board/Commission.
6. Commission consideration of Findings and Conditions of Approval.
7. Motion, discussion of motion, decision, and vote by the Board/Commission.

#### 2. Application Completeness hearings held by the Staff Hearing Officer:\*

The order of presentation after the Staff Hearing Officer introduces the item is as follows:

1. Presentation by Staff (5 minutes)\*.
2. Presentation by Appellant (including petitioners and applicants who are appellants) (5 minutes)\*.
3. Presentation by Applicant (if they are not the appellant) (5 minutes)\*.
4. Public Hearing\*.
5. Questions and comments by the Staff Hearing Officer.
6. Motion, discussion of motion, decision, and vote by the Staff Hearing Officer.

**3. Appeal hearings held by the Building and Fire Code Board of Appeals:\***

The order of presentation after the Chairperson introduces the item is as follows:

1. Presentation by Staff (5 minutes)\*.
2. Presentation by Appellant (including petitioners and applicants who are appellants) (5 minutes)\*.
3. Public Hearing\*.
4. Questions and comments by the Board.
5. Motion, discussion of motion, decision, and vote by the Board.

**\*Time limits may be limited or extended at the discretion of the Mayor/Chairperson.**



# City of Santa Barbara

## WRITTEN CORRESPONDENCE

The public is encouraged to submit written correspondence to the decision-makers as early as possible for their consideration. All written correspondence is forwarded by staff to the decision-makers and is included as part of the official record. Please note that written correspondence is not read into the record at the hearings. Below is information on distribution of written correspondence for appeal hearings.

### APPEALS HEARD BY THE CITY COUNCIL:

**No. of Copies:** Representatives and members of the public wishing to provide written correspondence to the City Council and appropriate staff should provide 11 copies.

**Receipt of Correspondence:** Written correspondence may be mailed directly to the Santa Barbara City Clerk's Office, P.O. Box 1990, Santa Barbara, CA 93102-1990; hand delivered to the City Clerk's Office at 735 Anacapa Street; or presented at the hearing while speaking. If mailed or hand delivered, please ensure that the documents will be received with sufficient lead time to allow distribution prior to the meeting.

If representatives wish to have their written correspondence included in the agenda packet, which is also published on the City's website, copies must be submitted to the City Clerk's Office no later than the close of business on Tuesday, one week prior to the hearing date.

### SHO APPEALS HEARD BY THE PLANNING COMMISSION:

**No. of Copies:** Representatives and members of the public wishing to provide written correspondence to the Planning Commission and appropriate staff should provide 13 copies.

**Receipt of Correspondence:** Written correspondence may be hand-delivered prior to the meeting at the Planning Division Office, 630 Garden St; by mail to the Planning Commission Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990; or by email at [PCSecretary@SantaBarbaraCa.gov](mailto:PCSecretary@SantaBarbaraCa.gov).

If people wish to have their written correspondence included in the mailing to the Planning Commission, copies must be submitted to the Planning Commission Secretary no later than the close of business on Tuesday, one week prior to the hearing date.

Written comments are accepted at, and up to, the time of the hearing; however, the Planning Commission may not have time to consider materials submitted after the deadline.

### SIGN COMMITTEE APPEALS HEARD BY THE ARCHITECTURAL BOARD OF REVIEW:

**No. of Copies:** Representatives and members of the public wishing to provide written correspondence to the Architectural Board of Review and appropriate staff should provide 8 copies.

**Receipt of Correspondence:** Written correspondence may be hand-delivered prior to the meeting at the Planning Division Office, 630 Garden St; by mail to the Architectural Board of Review Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990; or by email at [ABRSecretary@SantaBarbaraCa.gov](mailto:ABRSecretary@SantaBarbaraCa.gov).

If people wish to have their written correspondence forwarded to the Architectural Board of Review prior to the meeting, copies must be submitted to the ABR Secretary no later than 10 a.m. of the hearing date.

Written comments are accepted at, and up to, the time of the hearing; however, the Architectural Board of Review may not have time to consider materials submitted after the deadline.

### SIGN COMMITTEE APPEALS HEARD BY THE HISTORIC LANDMARKS COMMISSION:

**No. of Copies:** Representatives and members of the public wishing to provide written correspondence to the Historic Landmarks Commission and appropriate staff should provide 10 copies.

**Receipt of Correspondence:** Written correspondence may be hand-delivered prior to the meeting at the Planning Division Office, 630 Garden St; by mail to the Historic Landmarks Commission Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990; or by email at [HLCSecretary@SantaBarbaraCa.gov](mailto:HLCSecretary@SantaBarbaraCa.gov).

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## *Appeal Process*

If people wish to have their written correspondence forwarded to the Historic Landmarks Commission prior to the hearing, copies must be submitted to the HLC Secretary no later than the close of business on Tuesday prior to the hearing date.

Written comments are accepted at, and up to, the time of the hearing; however, the Historic Landmarks Commission may not have time to consider materials submitted after the deadline.

### **APPLICATION COMPLETENESS DETERMINATIONS HEARD BY THE STAFF HEARING OFFICER:**

**No. of Copies:** Representatives and members of the public wishing to provide written correspondence to the Staff Hearing Officer and appropriate staff should provide 4 copies.

**Receipt of Correspondence:** Written correspondence may be hand-delivered prior to the meeting at the Planning Division Office, 630 Garden St; by mail to the Staff Hearing Officer Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990; or by email at [SHOSecretary@SantaBarbaraCa.gov](mailto:SHOSecretary@SantaBarbaraCa.gov).

If people wish to have their written correspondence forwarded to the Staff Hearing Officer prior to the hearing, copies must be submitted to the SHO Secretary no later than the close of business on Monday prior to the hearing date.

Written comments are accepted at, and up to, the time of the hearing; however, the Staff Hearing Officer may not have time to consider materials submitted after the deadline.

### **APPEALS HEARD BY THE BUILDING AND FIRE CODE BOARD OF APPEALS:**

**No. of Copies:** Representatives and members of the public wishing to provide written correspondence to the Board and appropriate staff should provide 10 copies.

**Receipt of Correspondence:** Written correspondence may be hand-delivered prior to the meeting at the Building & Safety Division Counter, 630 Garden St; by mail to the Chief Building Official, P.O. Box 1990, Santa Barbara, CA 93102-1990.

If people wish to have their written correspondence forwarded to the Board prior to the hearing, copies must be submitted to the Chief Building Official no later than 10 calendar days prior to the hearing date.

Written comments are accepted at, and up to, the time of the hearing; however, the Board may not have time to consider materials submitted after the deadline.



# City of Santa Barbara

## APPEAL HEARING GUIDELINES

Below is additional information on appeal hearing guidelines and visual presentations.<sup>2</sup>

### PUBLIC COMMENT PROCEDURE

1. Complete a "Request to Speak" form and submit it to City Staff at the hearing prior to the time the item is taken up.
2. When the public hearing is opened, the Mayor/Chairperson will call out the names of the persons requesting to speak on the item.
3. After receiving recognition from the Mayor/Chairperson, please approach the podium and speaking into the microphone, state your name and make your comments.

Please note that individual public comment is limited to a maximum of 2 minutes (including any video or computer presentations).\*

### COMPUTER PRESENTATIONS\*

Representatives or members of the public wishing to make a computer presentation must provide their own laptop, which must be set up at Council Chambers. It is highly recommended that people set up a time to test their equipment prior to the meeting, in order to ensure their presentation projects properly. If assistance is needed, contact City TV at (805) 564-5311. People wishing to test their equipment prior to the meeting date should contact City TV at least 48 hours prior to the meeting to make arrangements. Additionally, please contact City Planning Staff at (805) 564-5578 to confirm time limitations for said presentations, and for hearings held at the David Gebhard Public Meeting Room.

### VIDEOS\*

Representatives or members of the public wishing to play a video during the hearing should contact City TV at (805) 564-5311 at least 48 hours prior to the meeting to make arrangements. Additionally, please contact City Planning Staff to confirm time limitations for said presentations.

### AMERICANS WITH DISABILITIES ACT

If you need auxiliary aids or services or staff assistance to attend or participate in these meetings, please contact the City Administrator's Office at (805) 564-5305 for City Council appeals or the Planning Division at (805) 564-5578 for all other appeals. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements. Specialized services, such as sign language interpretation or documents in Braille, may require additional lead time to arrange.

### AGENDA TIME

It is not possible to determine the precise time an item will be heard. Monitoring the live broadcast may assist in determining when the item will be heard. (Appeal hearings are broadcast live on Government Access Television Channel 18 & online at <http://www.santabarbaraca.gov/gov/depts/cityadmin/watch/default.asp>) Any continued items are announced at the beginning of the meeting by the Chairperson. Videos of previously recorded hearings may be found at <http://www.santabarbaraca.gov/gov/news/video/>. Please refer to the appropriate decision-making body. For further assistance you may contact the Planning Counter at (805) 564-5578 during office hours. Please note that video recordings may not be available for all public hearings.

**\*Time may be limited or extended by the Mayor/Chairperson.**

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<sup>2</sup> Contact City Staff prior to the hearing to confirm logistics and limitations related to visual presentations.