



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** February 14, 2008  
**AGENDA DATE:** February 21, 2008  
**PROJECT ADDRESS:** 3230 State Street (MST2006-00574)

**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
 Jan Hubbell, AICP, Senior Planner *JH*  
 Roxanne Milazzo, Associate Planner *RM*

### I. PROJECT DESCRIPTION

The 15,000 square foot project site has frontage on both State Street and Calle Alamo. Existing development on site consists of a commercial building. The proposed project involves a new unmanned wireless communication facility. The proposal consists of a panel antenna installation, demolition of an existing storage area, and the construction of a new eight-foot (8') high uncovered block wall equipment enclosure area. The discretionary application required for this project is a Modification to permit the alterations/installations to be located within both twenty-foot (20') front yard setbacks (SBMC §28.45.008). On October 24, 2007, the Staff Hearing Officer (SHO) approved the project with the condition that the applicant receives input from the Public Works Department regarding vegetation and landscaping. This is an appeal of that action. Since the October 24, 2007 SHO action, the applicant has made revisions to the project based on Staff recommendations and eliminated the need for the State Street frontage Modification request.

### II. RECOMMENDATION

Staff recommends that the Planning Commission deny the appeal and uphold the Staff Hearing Officer's decision to approve the project by making the required findings that the Modification is necessary to secure an appropriate improvement in the portion of the lot that provides a rear yard and that the purpose and intent of the ordinance is being met by using the area without providing additional floor area within the required yard.

**APPLICATION DEEMED COMPLETE:** September 18, 2007  
**DATE ACTION TAKEN BY SHO:** October 24, 2007  
**DATE ACTION REQUIRED:** Not Applicable

**III. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Appellant:	Tony Fischer	Applicant:	T-Mobile
Parcel Number:	053-332-030	Lot Area:	15, 000 sf
General Plan:	General Commercial	Zoning:	C-2/SD-2
Existing Use:	Commercial	Topography:	Flat
Adjacent Land Uses:			
	North – Single Family Residence		East - Motel
	South – State Street		West – Commercial/Restaurant

**IV. ISSUES**

**A. DESIGN REVIEW**

This project was reviewed by the Architectural Board of Review (ABR) on several occasions. Changes to the existing cupola are still undergoing review; however, a Modification is no longer being requested for the front yard facing State Street because any alteration will be located outside of the required twenty-foot (20') setback. The ABR has commented on the changes at the rear of the building and has stated that the revisions are an aesthetic improvement over the existing condition. There has been both support and opposition expressed by members of the public at all hearings. A copy of the ABR Minutes is attached as Exhibit E. The design of the enclosure is still undergoing review, but the amount of encroachment being requested is not expected to change.

**B. MODIFICATION**

The subject site is a through lot with frontage on both State Street and Calle Alamo. Although Calle Alamo provides a rear yard for the building, by definition it is a second front yard for the property. The existing development on site is non-conforming to the SD-2 Zoning Overlay that requires a twenty-foot setback off of both street frontages for buildings over fifteen-feet (15') in height. The existing storage room, as pointed out by the appellant, is illegal and an eyesore. Although a building permit was issued in 1998, the required inspections and sign off were never completed. The proposed equipment storage area will result in the removal of the illegal structure and replace it with a well-designed, walled-in area behind the building. It is the appellant's position that the project violates the setback requirements and that there is no basis for new structures within required front yards. It is Staff's position that the proposed enclosure provides an appropriate area, at the back of the building, for storage type use. Because the area is unroofed, no new square footage is being added within the required yard. Additionally, it is not possible to place the equipment enclosure outside of the required yard without losing parking spaces, which would not be acceptable.

**V. FINDINGS**

Staff recommends that the Commission deny the appeal and approve the request to allow the enclosure to be located within the required twenty-foot front yard setback off of Calle Alamo by making the findings that the Modification is necessary to secure an appropriate improvement of utilizing the rear portion of the lot for storage purposes and that the purpose and intent of the ordinance is being met by recognizing this second front yard actually provides a rear yard for this property.

Exhibits:

- A. Site Plan
- B. Appellant's letter dated November 5, 2007
- C. SHO Reso 090-07
- D. SHO Staff Report dated October 17, 2007
- E. ABR Minutes

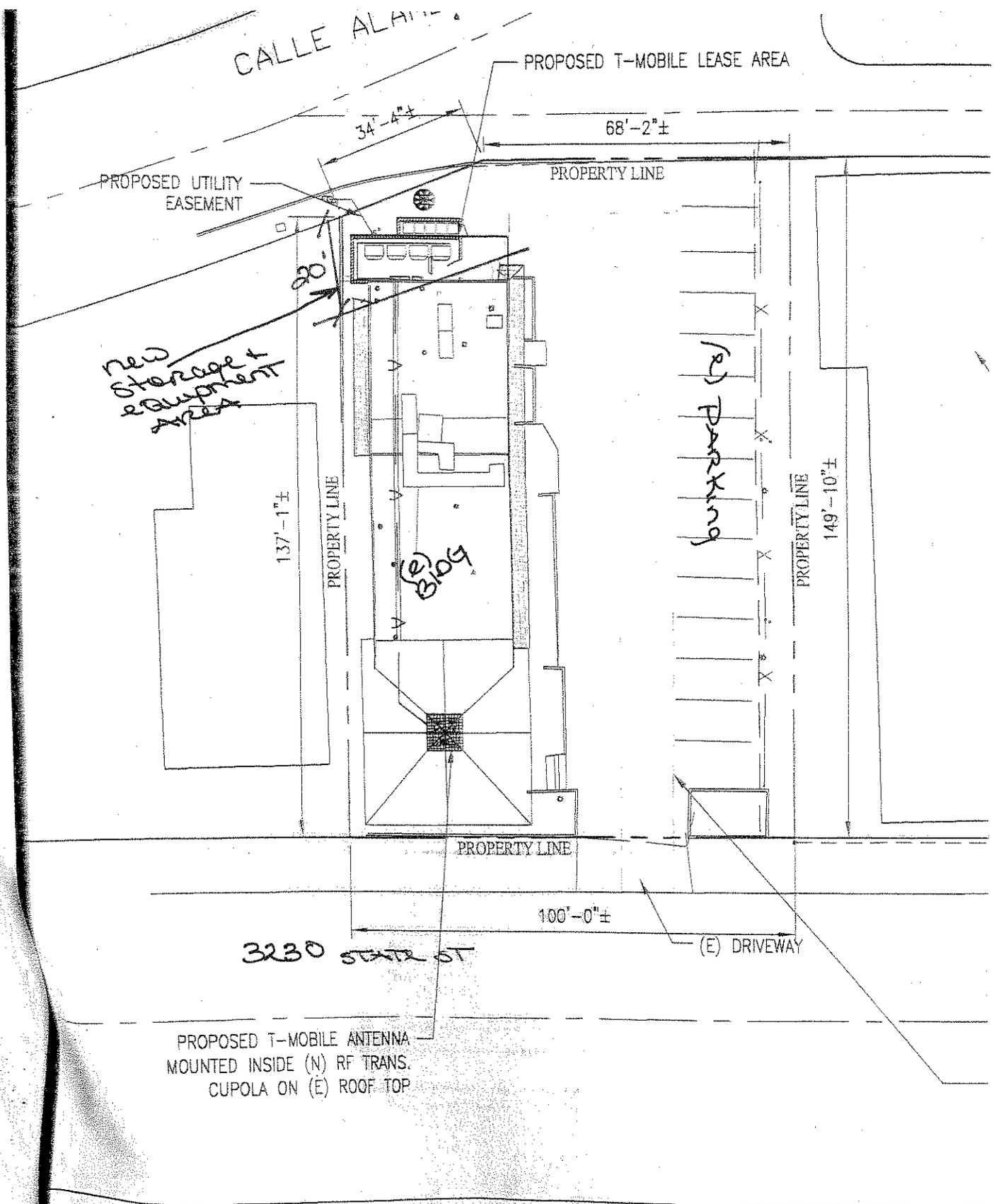


EXHIBIT A

I am APPEALING the SHO approval  
related to 3230 STATE ST. ~~FOR~~ ON  
Oct 24, 2007 (Resolution No. 098-07)

The project violates the set-back  
and there is no basis for approval  
of new structures in the front yards.

This appeal is filed for FRIENDS of  
Outer State Street.

A request was made to the PC to  
"CALL-UP" this item. Due to "MISDE"  
I have been unable to determine if  
that was done.

Tony Fischer  
Attorney  
2208 ANKENY  
SANTA BARBARA CA 93105  
563-6784  
fischlaw@cox.net

RECEIVED  
NOV 05 2007

CITY OF SANTA BARBARA  
PLANNING DEPARTMENT



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 090-07

3230 STATE STREET

MODIFICATION

OCTOBER 24, 2007

APPLICATION OF T-MOBILE FOR THOMAS THOMPSON,  
3230 STATE STREET, APN 053-332-030, C-2 COMMERCIAL/SD-2 SPECIAL DISTRICT  
OVERLAY ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCE  
(MST2006-00574)

The 15,000 square foot project site has frontage on both State Street and Calle Alamo. Existing development on site consists of a commercial building. The proposed project involves a new unmanned wireless communication facility. The proposal consists of a panel antenna installation, demolition of an existing storage area, and the construction of a new eight-foot (8') high uncovered block wall equipment enclosure area. The discretionary application required for this project is a Modification to permit the alterations/installations to be located within both twenty-foot (20') front yard setbacks (SBMC §28.45.008).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

**WHEREAS**, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, no one appeared to speak neither in favor nor in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, October 17, 2007.
2. Site Plans

**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer:

Approved the project, making the required findings that the Modification is necessary to secure an appropriate improvement of a permitted use on this site and that the purpose and intent of the Ordinance is being met by utilizing existing building area and the back portion of the lot as a rear yard, with the condition that the applicant receive input from the Public Works Department regarding vegetation and landscaping.

This motion was passed and adopted on the 24th day of October, 2007 by the Staff Hearing Officer of the City of Santa Barbara.

EXHIBIT C

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

---

Kathleen Goo, Staff Hearing Officer Secretary

Date

**PLEASE BE ADVISED:**

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
3. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Architectural Board of Review (ABR) approval and then a building permit. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
5. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
  - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
  - b. The approved use has not been discontinued, abandoned or unused for a period of six months following the earlier of:
    - i. an Issuance of a Certificate of Occupancy for the use, or;
    - ii. one (1) year from granting the approval.



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** October 17, 2007  
**AGENDA DATE:** October 24, 2007  
**PROJECT ADDRESS:** 3230 State Street (MST20076-00574)  
**TO:** Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Zoning & Enforcement Supervisor *DJK*  
 Roxanne Milazzo, Associate Planner *RM*

### I. PROJECT DESCRIPTION

The 15,000 square foot project site has frontage on both State Street and Calle Alamo. Existing development on site consists of a commercial building. The proposed project involves a new unmanned wireless communication facility. The proposal consists of a panel antenna installation, demolition of an existing storage area, and the construction of a new eight-foot (8') high uncovered block wall equipment enclosure area. The discretionary application required for this project is a Modification to permit the alterations/installations to be located within both twenty-foot (20') front yard setbacks (SBMC §28.45.008).

Date Application Accepted: September 18, 2007 Date Action Required: December 18, 2007

### II. SITE INFORMATION

Applicant:	T-Mobile	Property Owner:	Thomas Thompson
Parcel Number:	053-332-030	Lot Area:	15,000 sf
General Plan:	General Commerce	Zoning:	C-2/SD-2
Existing Use:	Commercial	Topography:	Flat
Adjacent Land Uses:			
	North – Single Family Residential		East - Motel
	South – State Street		West – Commercial/Restaurant

### III. DISCUSSION

This project was reviewed by the Architectural Board of Review (ABR) on two (2) occasions and continued indefinitely to the Staff Hearing Officer with design suggestions and direction to the applicant.

Because the site is located in the SD-2 Zoning Overlay Zone and current development on site exceeds fifteen-feet (15') in height, twenty-foot (20') front yard setbacks are required. Because this property has frontage onto both State Street and Calle Alamo, the twenty-foot (20') setback is required off both street frontages. The proposed wireless communication facility will require antennas and a transformer cupola to be installed on the roof. The applicant is intending to utilize the existing chimney as a part of the installation. The chimney is located within the required twenty-foot setback. The proposed alteration will require a Modification. The installation of necessary equipment for the facility is proposed at the rear of the building behind a new 6'6" privacy wall enclosure. The portion of the enclosure will be designed to provide a space for trash receptacles. Although this area functions as a rear yard for the site, its abutment to Calle Alamo qualifies it as a front yard. Staff's position is that the alterations and installations required to establish the wireless communication facility of this site do not change the character of how the lot is being used or its compatibility with adjacent development, and therefore supports the Modifications being requested.

#### IV. RECOMMENDATION/FINDING

Staff recommends that the Staff Hearing Officer approve the project by making the required findings that the Modification is necessary to secure an appropriate improvement of a permitted use on this site and that the purpose and intent of the ordinance is being met by utilizing existing building area and the back portion of the lot as a rear yard.

#### Exhibits:

- A. Site Plan
- B. Applicant's letter dated September 17, 2007
- C. ABR Minutes

Contact/Case Planner: Roxanne Milazzo, Associate Planner  
([rmilazzo@SantaBarbaraCA.gov](mailto:rmilazzo@SantaBarbaraCA.gov))  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805)564-5470



September 17, 2007

T-Mobile  
4100 Guardian Street, Suite 101  
Simi Valley, CA 93063

RE: Proposed Modification Request for 3230 State Street; APN 053-332-030; Zoning C2; Proposed T-Mobile facility

Dear Staff Hearing Officer:

1. There is an existing one story commercial building on the property. There is an existing 'shed' at the rear of the property abutting Camino Alamo. This existing 'shed' encroaches into the front yard rear setback. The proposal is to remove the 'shed' and reduce the encroachment into the rear setback by approximately 10'. The lot is irregularly shaped and the mid point of the reduction is 10'. T-Mobile proposes to remove the existing 'shed' and build a 10' 8" by 36' 4" CMU enclosure flush on the rear of the building to house their ground equipment. The CMU enclosure will be 6' 6" tall; textured and painted to match the existing building surface. Also included in the proposal is a CMU trash enclosure which will measure 6' wide by 10' long by 6'6" tall; the trash enclosure will also be textured and painted to match the existing building surface.
2. The modification being requested is to allow a CMU trash enclosure and T-Mobile CMU equipment enclosure to encroach into the front yard rear setback. Due to the irregular shape of the parcel, I have not listed an amount by which the improvement will encroach. The trash enclosure is near the property line. During the ABR review, ABR preferred the location at the rear of the property line as opposed to utilizing a parking space, which would have been out of the front yard rear setback. The proposed T-Mobile CMU equipment area and trash enclosure will drastically improve the visual impact of the current 'shed' on the property. I would like to reiterate that the current unsightly 'shed' sits on the property line and fully encroaches into the front yard rear setback 100%. The proposed improvement to the rear of the property will still encroach into the setback, but will reduce the encroachment and drastically improve the appearance of the property. There will also be a 'skyline' tree planted (at the request of ABR) behind the trash enclosure.
3. The major benefits of this project are two-fold. The proposed T-Mobile facility will dramatically improve the appearance of the property to the general public, the tenants of the building and most importantly, the surrounding neighbors. The additional benefit will be to provide better coverage for T-Mobile users that live in the area, and travelers through the area. Another benefit will be emergency services. Wireless communication technology provides vital communications in "911" and other emergency situations. In fact, more "911" and other emergency calls are now placed on wireless phones than on traditional landline phones. Wireless communications are also used to promote efficient and effective non-emergency personal, business, and governmental communications. These services have become established and accepted as an integral part of the nation's communications infrastructure and promote public health, safety, morals, comfort and general welfare.

Sincerely,

Amy S. Pena  
SureSite Consulting Group, LLC ; Agent for T-Mobile  
805.708.7337 a.pena@sure-site.com

**3230 STATE STREET – ARCHITECTURAL BOARD OF REVIEW MINUTES**

**10/16/06**

Present: Karl Forrester, T-Mobile Representative

Jay Higgins, resident, in support.

Jennifer Sanderfer, neighbor, prefers that antenna storage unit be located to rear of building.

Jim Kahan, resident, concerned about ABR involvement with modifications.

Theresa Macias, non-resident, provided comments concerning health issues were read into the record by Chair Bartlett.

Motion: Continued indefinitely to the Full Board with the following comments:

1) The board finds the proposed 8 foot x 8 foot chimney extension to be out of character with the original architecture. 2) Restudy other solutions for camouflaging the proposed antennas, such as: a. Hidden within a cupola type of structure in keeping with the original architecture, or b. Seek an invisible approach, perhaps enclosed inside the roof form. The antennas should be located outside of the front setback. 3) Locate the equipment storage unit parallel to the rear face of the building, with a narrow enclosure that allows for landscaping abutting the street. 4) The Board understands the block enclosure wall will be plaster finished to match the building. 5) Provide accurate photo-simulations that match the drawings.

Action: Wienke/Manson-Hing, 6/0/0. (LeCron, Blakeley absent.) Motion carried.

**8/27/07**

Present: Karl Forrester, Applicant; Susan K. Thompson, Property Owner.

Motion: Continued indefinitely to the Staff Hearing Officer and for return to Full Board, with the following comments:

1) The Board is concerned with the cupola as designed, and looks for renovation and redesign of the cupola to make it match architecturally more into the style of the existing building with the suggestion of not using a hip-roof.

2) The Board is looking for other architectural devices, such as stepping back of the chimney form as needed to be more architecturally pleasing and more integrated into the design of the original building.

3) The Board is concerned with the height of the tower as shown on the plans, and is looking for solutions to mitigate the overall height of the tower.

4) The Board also looks for design elements of the cupola tower roof utilizing trim and other elements to match the color trim of the existing building.

5) The Board suggests utilizing louvers or other types of elements which may animate the cupola tower when completed.

6) Applicant to show all the cupola tower plans and revise the site plan to show the accurate parking and driveway layout.

7) Applicant to coordinate with the Public Works Department and Transportation Division regarding the handicapped parking and the required number of parking stalls for

the proposed project observing the possible need for more parking stalls than currently exist as a potential modification.

8) The rear equipment closure area is acceptable as redesigned, as it is no longer against the property line in the back allowing for a mature canopy skyline tree to be placed along the property line at the street and other landscaping needs to be shown on the plans.

9) The trash closure location is acceptable as shown, with the applicant to complete the required curb and driveway changes as indicated on plans.

10) The Board looks to staff to report that the stonework veneer for the lower planters and other changes to the building have been approved through the Building Department and/or the Architectural Board of Review.

11) The proposed solution is not integrated with the existing architecture.

12) Applicant to return with updated site photos showing the current conditions, with more improvements made to the parkway landscaping, and with completed detailed structural changes through the new tower design.

Action: Sherry/Zink, 7/0/0. Motion carried. (Manson-Hing absent.)

3230 STATE STREET – ARCHITECTURAL BOARD OF REVIEW MINUTES

10/16/06

Present: Karl Forrester, T-Mobile Representative

Jay Higgins, resident, in support.

Jennifer Sanderfer, neighbor, prefers that antenna storage unit be located to rear of building.

Jim Kahan, resident, concerned about ABR involvement with modifications.

Theresa Macias, non-resident, provided comments concerning health issues were read into the record by Chair Bartlett.

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Action: Wienke/Manson-Hing, 6/0/0. (LeCron, Blakeley absent.) Motion carried.

8/27/07

Present: Karl Forrester, Applicant; Susan K. Thompson, Property Owner.

Motion: Continued indefinitely to the Staff Hearing Officer and for return to Full Board, with the following comments:

1) The Board is concerned with the cupola as designed, and looks for renovation and redesign of the cupola to make it match architecturally more into the style of the existing building with the suggestion of not using a hip-roof.

2) The Board is looking for other architectural devices, such as stepping back of the chimney form as needed to be more architecturally pleasing and more integrated into the design of the original building.

3) The Board is concerned with the height of the tower as shown on the plans, and is looking for solutions to mitigate the overall height of the tower.

4) The Board also looks for design elements of the cupola tower roof utilizing trim and other elements to match the color trim of the existing building.

5) The Board suggests utilizing louvers or other types of elements which may animate the cupola tower when completed.

6) Applicant to show all the cupola tower plans and revise the site plan to show the accurate parking and driveway layout.

7) Applicant to coordinate with the Public Works Department and Transportation Division regarding the handicapped parking and the required number of parking stalls for

the proposed project observing the possible need for more parking stalls than currently exist as a potential modification.

8) The rear equipment closure area is acceptable as redesigned, as it is no longer against the property line in the back allowing for a mature canopy skyline tree to be placed along the property line at the street and other landscaping needs to be shown on the plans.

9) The trash closure location is acceptable as shown, with the applicant to complete the required curb and driveway changes as indicated on plans.

10) The Board looks to staff to report that the stonework veneer for the lower planters and other changes to the building have been approved through the Building Department and/or the Architectural Board of Review.

11) The proposed solution is not integrated with the existing architecture.

12) Applicant to return with updated site photos showing the current conditions, with more improvements made to the parkway landscaping, and with completed detailed structural changes through the new tower design.

Action: Sherry/Zink, 7/0/0. Motion carried. (Manson-Hing absent.)

12-3-07

Present: Amy Pena, Agent.

Tony Fisher, representing Friends of Outter State Street: opposed. There is no justification for modifications in the SD-2 zone.

Motion: Continued indefinitely to the Full Board with the following comments:

1) The Board does not support the hipped roof as shown. Provide a roof element that matches the existing roof. Reduce the roof plate height as low as possible.

2) The Board finds the revised rear enclosure an aesthetic improvement to the existing condition. Show stained wood plank gates for the trash enclosure.

3) Provide a redesign of the cupola roof that is more appropriate to the design style of the double gable roofed main building.

4) The Board prefers a rectangular louvered vent in lieu of the arched top vent.

Action: Sherry/Mosel, 6/0/0. Motion carried. (Blakeley/Manson-Hing absent.)

Motion: Continued indefinitely to the Full Board with the following comments:

1) The Board does not support the hipped roof as shown. Provide a roof element that matches the existing roof. Reduce the roof plate height as low as possible.

2) The Board finds the revised rear enclosure an aesthetic improvement to the existing condition. Show stained wood plank gates for the trash enclosure.

3) Provide a redesign of the cupola roof that is more appropriate to the design style of the double gable roofed main building.

4) The Board prefers a rectangular louvered vent in lieu of the arched top vent.

Action: Sherry/Mosel, 6/0/0. Motion carried. (Blakeley/Manson-Hing absent.)