



# City of Santa Barbara Planning Division

## STAFF HEARING OFFICER MINUTES July 16, 2008

### CALL TO ORDER:

The meeting was called to order at 1:00 p.m. by Susan Reardon, Senior Planner I.

### STAFF PRESENT:

Susan Reardon, Senior Planner I  
Renee Brooke, Senior Planner I  
Roxanne Milazzo, Associate Planner  
Allison De Busk, Project Planner  
Irma Unzueta, Project Planner  
Kathleen Kennedy, Associate Planner  
Dan Gullett, Associate Planner  
Michelle Bedard, Planning Technician  
Gloria Shafer, Staff Hearing Officer Secretary

### I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

No requests.

- B. Announcements and appeals.

- 1) Commencing August 14, the Staff Hearing Officer meeting will move to Wednesday morning and begin at 9:00 a.m. The Sign Committee will meet on alternate Thursdays at 10 a.m.
- 2) 1420 Alameda Padre Serra has an pending appeal tentatively scheduled for Planning Commission on September 4.

- C. Comments from members of the public pertaining to items not on this agenda. [Due to time constraints, each person is limited to two (2) minutes.]

No comments.

**II. CONSENT ITEMS: TIME EXTENSIONS:**

Only denials of time extension requests are appealable to the Planning Commission; therefore, the approval of the following time extensions are not appealable.

**ACTUAL TIME: 1:01 P.M. (Items A through D)**

**A. APPLICATION OF BRIAN CEARNAL FOR GRANADA TOWER, LLC, 1210, 1212 AND 1216 STATE STREET (ALSO KNOWN AS THE GRANADA TOWER), APN: 039-183-050, -051, AND -052, C-2 ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL / CBD (MST2005-00323)**

The proposal is a request to extend the expiration date of the Tentative Maps approved by the Staff Hearing Officer on July 19, 2006. **A three-year extension is requested pursuant to SBMC, §27.07.110.** The project approved by the Staff Hearing Officer involves the subdivision of the Granada Tower into two (2) two-bedroom residential condominium units and 34,875 square feet of commercial condominium space. The project also includes a structural retrofit of the building, replacing the existing exterior fire escape with an enclosed staircase, a new roof and roof structure, new window dormers in the roof, creating an outdoor living area on the roof, uncovering original windows on the south elevation of the building and infilling existing windows on north elevation. This building is on the City's Potential Historic Resources list.

**ACTION:**

**Assigned Resolution No. 053-08**

Approved the three-year time extension, to July 19, 2011, for the Tentative Map, subject to the original conditions of approval in Exhibit A.\*\*

**B. APPLICATION OF BRENT DANIELS, L AND P CONSULTANTS, AGENT FOR JUSTIN J. AND MICHELLE M. PAWL, 40 PINE DRIVE, APN 049-100-019, E-3/PUD, ONE FAMILY RESIDENCE AND PLANNED UNIT DEVELOPMENT ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, FIVE UNITS/ACRE (MST2004-00676)**

The proposal is a request to extend the expiration date of the Tentative Map approved by the Planning Commission on July 20, 2006. **A three-year extension is requested pursuant to SBMC§27.07.110.** The project approved by the Planning Commission consists of a merger of two existing parcels and a subsequent subdivision to create two new parcels. Parcel A is an existing 20,839 square foot lot that contains one single family residence and a shed. Parcel B is an existing 1,942 square foot lot that serves as an access driveway for Parcel A. Both parcels have access along an existing private driveway to Pine Drive. The total lot area of both parcels is 22,781 square feet. The subdivision would result in one 11,216 square foot parcel and one 11,565 square foot parcel. The approval also included street frontage modifications and a public street waiver.

**ACTION:**

**Assigned Resolution No. 054-08**

Approved a three-year time extension, to July 20, 2011, for the Tentative Subdivision Map, subject to the original conditions of approval included in Exhibit D.\*\*

C. **APPLICATION OF PEIKERT GROUP ARCHITECTS FOR H & R INVESTMENTS, LP, 517 CHAPALA STREET, APN 037-163-007 & -008, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2005-00088)**

The proposal is a request to extend the expiration date of the Tentative Map approved by the Planning Commission on July 13, 2006. **A three-year extension is requested pursuant to SBMC§27.07.110.** The project approved by the Planning Commission consists of a lot merger, the demolition of 1,300 square feet of commercial space and the construction of a three-story, mixed-use development with six residential condominium units totaling 9,999 square feet (net), two commercial condominium spaces totaling 2,872 square feet (net) and seventeen parking spaces. The project includes one additional residential unit pursuant to State Density Bonus law. The proposed mix of units consists of one (1) three-bedroom market rate unit, four (4) two-bedroom market rate units and one (1) two-bedroom moderate income affordable unit. The approval also included an open space modification, a lot area modification and development plan approval.

**ACTION:** **Assigned Resolution No. 055-08**  
Approved the three-year time extension, to July 13, 2011, for the Tentative Subdivision Map, subject to the original conditions of approval included in Exhibit C.\*\*

D. **APPLICATION OF PEIKERT GROUP ARCHITECTS, AGENT FOR JOHN R. DEWILDE, 113-117 W. DE LA GUERRA STREET, APN 037-082-003, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCE AND RESIDENTIAL, TWELVE UNITS/ACRE (MST2005-00126)**

The proposal is a request to extend the expiration date of the Tentative Map approved by the Planning Commission on October 19, 2006. **A three-year extension is requested pursuant to SBMC§27.07.110.** The project approved by the Planning Commission consists of the demolition of the existing buildings onsite (except for the front façade of 115 W. De la Guerra Street) and the construction of a mixed-use building, composed of a 2,027 square foot (net) commercial condominium unit and nine residential condominium units. The proposed mix of units consists of six (6) two-bedroom market rate units, one (1) three-bedroom market rate unit, one (1) two-bedroom moderate income affordable unit and one (1) three-bedroom moderate income affordable unit. Six of the nine residential units would have 120 square feet of attached commercial space. The project includes two additional residential units pursuant to State Density Bonus law. A parking garage with twenty parking spaces is proposed on the first floor. The approval also included a lot area modification.

**ACTION:** **Assigned Resolution No. 056-08**  
Approved the three-year time extension, to October 19, 2011, for the Tentative Subdivision Map, subject to the original conditions of approval included in Exhibit C. \*\*

E. **APPLICATION OF BRENT DANIELS, L & P CONSULTANTS, AGENT FOR BOLLINGER FAMILY TRUST, 687 GROVE LANE, APN 057-263-018, E-3 ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 5 UNITS/ACRE (MST2005-00814)**

The proposal is a request to extend the expiration of the Tentative Subdivision Map approved by the Staff Hearing Officer on July 13, 2006. A **three-year extension is requested pursuant to SBMC§27.07.110**. The project approved by the Staff Hearing Officer consists of a two lot subdivision to create lots of 22,600 square feet and 16,291 square feet and a Modification to allow less than the required 60 feet of public street frontage. One of the resultant lots contains an existing single-family residence, which would remain as part of the project. No additional development is proposed on either lot.

**ACTION:** **Assigned Resolution No. 057-08**  
Approved the requested Tentative Subdivision Map three-year time extension to June 21, 2011, subject to the original conditions of approval contained in Staff Hearing Officer Resolution No. 034-06 (Exhibit C). \*\*

F. **APPLICATION OF JOSE LUIS ESPARZA FOR RANCHERIA COTTAGES, LLC, 312 RANCHERIA STREET, 037-231-010, R-4 ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS/ACRE (MST2005-00634)**

The proposal is a request to extend the expiration of the Tentative Subdivision Map approved by the Planning Commission on July 13, 2006. A **three-year extension is requested pursuant to SBMC§27.07.110**. The project approved by the Planning Commission involves the demolition of two existing residential dwellings and three sheds totaling 2,200 square feet and the construction of five attached two-story residential condominiums on an 11,375 square foot lot in the R-4 zone. Four two-bedroom and one one-bedroom units are proposed and would range in size from 1,004 to 1,147 net square feet. Ten parking spaces would be provided in five two-car garages.

**ACTION:** **Assigned Resolution No. 058-08**  
Approved the three-year time extension, to July 13, 2011, for the Tentative Subdivision Map, subject to the original conditions of approval included in Exhibit C. \*\*

\*\*On July 15, 2008, the California Governor signed into law amendments to portions of the Subdivision Map Act to grant one-year automatic tentative map extensions under certain circumstances (See, Government Code Section 66452.21). The extension granted by this legislation is separate from the extension granted by this action of the Staff Hearing Officer. Therefore, the aforementioned tentative map is extensions are for a total of **four years**.

\*\*\* THE HEARING RECESSED FROM 1:05 UNTIL 1:07 P.M. \*\*\*

### III. PROJECTS:

ACTUAL TIME: 1:07 P.M.

A. APPLICATION OF GREG SHARP, 1501 CLIFTON STREET, APN 015-221-005, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00276)

The 9,600 square foot project site is currently under construction with a remodel, new garage, accessory room, and two new outdoor decks. The discretionary application required for this project is a Modification to permit a deck to exceed ten-inches in height when located within a required yard (SBMC §28.18.060).

Present: Greg Sharp, Owner.

Ms. Milazzo gave the staff presentation and recommendation.

Ms. Reardon clarified that the modification under review is for a deck greater than ten inches in height within the required open yard, not required setbacks. She acknowledged the site constrains due to the existing slope, and noted that the deck will not be visible to the public due to the change in grade and existing landscaping, and would provide a useable outdoor amenity. Ms. Reardon also noted that pending Zoning Ordinance amendments supported by the Ordinance Committee would allow decks less than 36" in height to be located within the required open yard.

Public hearing was opened at 1:11 p.m. As no one wished to speak, the public hearing was closed.

**ACTION:** **Assigned Resolution No. 059-08**  
Approved the project, making the findings that the modification is necessary to secure an appropriate improvement of outdoor living space and meets the purpose and intent of the ordinance by providing an amenity that provides a level area for recreational use. Said approval is subject to the condition that the "as-built" spa, trellis, and any portion of the deck over ten-inches (10") in height be removed from the interior setback.

The ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission was announced.

ACTUAL TIME: 1:22 P.M. (ITEM B WAS HEARD OUT OF AGENDA ORDER.)

B. APPLICATION OF GARCIA ARCHITECTS FOR MANUEL RODRIQUEZ, 1708 CHINO STREET, APN 043-183-020, R-2 TWO-FAMILY ZONE, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2008-00143)

The 3,800 square foot project site is currently developed with a 1,091 square foot single-family residence and detached one-car garage. The proposed project involves a 529 square foot second-story addition, a first-floor remodel, and legalization of the "as-built" front porch. The discretionary application required for this project is a Modification to permit the porch to be located within the required fifteen-foot front setback (SBMC §28.18.060).

Present: Ubaldo Diaz, Agent.

Ms. Roxanne Milazzo, Associate Planner, gave the staff presentation and recommendation.

Ms. Reardon questioned the applicant about the site plans due to a discrepancy in the plans and elevations concerning setbacks and the garage roof. Mr. Diaz responded stating that when the topography map was obtained he corrected the site plans but failed to change the elevations.

Ms. Reardon stated that no city records were found regarding the size of the existing porch, and questioned whether it was known how far the porch extended into the front yard. Mr. Diaz stated that the only change was to extend the porch three feet to each side and replace the posts.

Although concerned about the amount of encroachment into the front setback, Ms. Reardon understands the site is constrained by its small size and the existing development on site and the open yard in the rear is below minimum requirements, therefore, the deck provides an additional outdoor living amenity.

The public hearing was opened at 1:30 p.m. As no one wished to speak, the public hearing was closed.

**ACTION:**

**Assigned Resolution No. 060-08**

Approve the project, making the findings that the modification to allow alterations to the original porch is necessary to secure an appropriate improvement of architectural upgrade to the existing structure, and meets the purpose and intent of the ordinance by providing an upgraded entry element, not additional floor area, within a required setback. Said approval is subject to abatement of the following outstanding zoning violations:

- 1) removal of illegal carport which is located in front of the existing garage entry.
- 2) removal the illegal storage addition located at the side of the garage.

The ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission was announced.

**ACTUAL TIME: 1:12 P.M.**

**C. APPLICATION OF Y.S. KIM DESIGN FOR DAVID BOLTON, 605 E. DE LA GUERRA STREET, APN 031-032-013, R-3 ZONE, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2008-00260)**

The 7,500 square foot project site is currently developed with a triplex. The proposed project involves a remodel of Unit A. The discretionary application required for this project is a Modification to permit window changes to the portion of Unit A which is located within the interior setback (SBMC §28.21.060).

Present: David Bolton, Owner.

Ms. Milazzo, Associate Planner, gave the staff presentation and recommendation.

The public hearing was opened at 1:14. As no one wished to speak, the public hearing was closed.

Ms. Reardon found the windows to be an appropriate improvement and do not increase the number of windows or the area of the openings in the setback.

**ACTION:**

**Assigned Resolution No. 061-08**

Approve the project, making the findings that the modification is necessary to secure an appropriate improvement of relocating windows for the new floor plan configuration and meets the purpose and intent of the ordinance by resulting in minor alterations to the existing window, not adding additional or larger openings, or floor area within the setback. Said approval is subject to the condition that the existing fence within 10 feet of the driveway be reduced to 3' 6" in height.

The ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission was announced.

**ACTUAL TIME: 1:16 P.M.**

**D. APPLICATION OF RALPH CLEVINGER AND MARY JANE HEADLEE, 138 SANTA ROSA PLACE, 045-201-027, E-3/SD-3 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2008-00292).**

The 6,090 square foot lot is currently developed with a 1,850 square foot single-family residence and detached 462 square foot two-car garage. The proposed project involves the demolition of the existing 462 square foot two-car garage and construction of a new 454 square foot two-car garage, in a new location, and a 93 square foot storage shed attached to the south side of the proposed garage. The discretionary applications required for this project are Modifications to permit new construction within the required six (6) foot rear setback (SBMC §28.15.060).

Present: Mary Jane Headlee, Owner.

Ms. Bedard, Planning Technician I, gave the staff presentation and recommendation.

Ms. Reardon questioned why the new building is not proposed to be tucked closer to the corner. Ms. Headlee responded that she prefers maintaining the six foot setback to preserve open space between the neighboring property.

Ms. Reardon stated that she visited the site and found the modification supportable, an improvement to the site, reduces the amount of paving, creates a larger more usable open yard area, and highly supportable.

**ACTION:**

**Assigned Resolution No. 062-08**

Approve the project, making the findings that the modification is necessary to secure an appropriate improvement, by increasing the amount of outdoor living space and reducing the amount of concrete and paving on-site, and that it meets the purpose and intent of the zoning ordinance requirements as it brings the open yard into conformance with the current requirements, which is an improvement to the property, and subject to the following conditions:

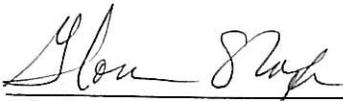
- 1) No ground storage is allowed inside the garage on either sides of the garage;
- 2) Any storage on the sides of the garage must be on shelves at least 6'6" off the ground.

The ten day calendar appeal period to the Planning Commission and subject to suspension for review by the Commission was announced.

**IV. ADJOURNMENT:**

The meeting was adjourned at 1:33 p.m.

Submitted by,

 8-4-06

Gloria Shafer, Commission Secretary