



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** December 6, 2012  
**AGENDA DATE:** December 12, 2012  
**PROJECT ADDRESS:** 3126 & 3128 State Street (MST2012-00374)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Renee Brooke, AICP, Senior Planner *RLB*  
 Suzanne Riegler, Assistant Planner *SR*

### I. PROJECT DESCRIPTION

The 7,480 square foot parcel is currently developed with a 1,858 square foot non-residential building with a ten-space parking lot to the rear of the building. The proposed project involves minor tenant improvements to the site and building, including permitting the “as-built” awnings at the front of the building along State Street. The discretionary land use application required for this project is a Modification to allow the “as-built” awnings to encroach into the required ten-foot front setback (SBMC §28.45.008 and 28.92.110).

Date Application Accepted: 11/15/12

Date Action Required: 2/13/13

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project as submitted.

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Rex Ruskauff	Property Owner:	Paul Uyesaka
Parcel Number:	053-332-019	Lot Area:	7,480 square feet
General Plan:	Commercial	Zoning:	C-2/SD-2
Existing Use:	Non-Residential	Topography:	2% slope

Adjacent Land Uses:

North – Residential

East, South, and West – Non-Residential

### IV. DISCUSSION

The project is located in the C-2 and SD-2 Zones. The C-2 zone does not require setbacks for non-residential buildings. The SD-2 overlay zone was established to control density and related traffic in the Upper State Street Area and requires that any proposed new buildings have

a 10-foot or 20-foot front setback, depending on the height of the building. In this instance the one-story building and awnings are required to observe a ten-foot front setback. Currently, there is a large variation in setbacks along the upper State Street corridor. Building setback areas from the street should enhance the pedestrian experience and aesthetics of the built environment.

The subject property is located on the north side of State Street, between Las Positas Road and Calle Palo Colorado. The south elevation of the existing building encroaches four feet into the required ten-foot front setback. The applicant is proposing to permit two "as-built" door and window awnings, which encroach an additional four feet into the setback and would be located two feet from the front lot line. An aerial photograph (Exhibit D) demonstrates that the pattern of existing development along the north side of State Street in this block provides minimal setbacks. The "as-built" awnings are located on the south side of the building and provide shielding from direct sun on the windows and also enhance the streetscape and provide an identity to the business entrance consistent with the goals of the Upper State Street Study. The photograph attached as Exhibit E demonstrate the storefront before the improvements were completed. In addition, the proposed awnings are consistent with the legislative intent of the SD-2 Zone as the improvement does not increase the existing square footage, increase density of the development, or increase traffic.

This project received project design and final approval by the Architectural Board of Review on October 22, 2012.

## V. FINDINGS

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed awnings are appropriate because the awnings enhance the overall existing streetscape, provide an enhanced entry for the property, and are consistent with the goals and policies of the Upper State Street Study.

### Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated November 15, 2012
- C. ABR Minutes
- D. Aerial Photograph
- E. Google Street View Image of Previous Storefront, dated March 2012

Contact/Case Planner: Suzanne Riegle, Assistant Planner  
(SRiegle@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x 2687

November 15, 2012

City Planning Department,  
Modification Hearing Officer  
630 Garden Street  
Santa Barbara, CA 93101

Re: 3126 / 3128 State Street, 053-332-019, C-2 / SD-2

Suzanne,

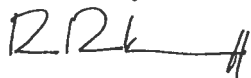
I am requesting on behalf of George Merino and Jaime Melgoza, owners of the above referenced property, relief from the required 10'-0" front yard setback to install two awnings. The existing building is legal non-conforming because the building encroaches into the setback by 4'-0" +/-, leaving approximately 6'-0". The proposed awnings will encroach an additional 5'-6", but will require no vertical supports.

The reason a modification is necessary is that the awnings are required because the building is facing due south. The awnings are consistent with other buildings in this block that have utilized awnings or other architectural projections to provide sun protection and were either grandfathered in or have received similar relief through the modification process. The owners tell me that the building had awnings previously, however I can find no photographic or permit evidence of this.

The project has received ABR approval as an aesthetic improvement to the community, prior to us being informed that a modification should have been approved before they took action. This was an honest oversight on my part and the City planner on the project.

I thank you in advance for consideration of our request, and if there in any additional information you need to assist you in your decision, please do not hesitate to call me.

Sincerely,



Rex Ruskauff,  
Architect,  
C23229

**STUDIO**  
architecture & design



Rex Ruskauff, Architect  
6152 Pedernal Ave  
Goleta, CA 93117

**EXHIBIT B**

ph 805.899.4864  
rex@sbcxmail.com



## DESIGN REVIEW ACTIVITIES SUMMARY

**3126 STATE ST (MST2012-00374)**

**COMM ALTERATIONS**

*Proposal to permit as-built tenant improvements to the existing commercial building to merge two tenant spaces. Alterations consist of new plaster and color change, two new fabric awnings on the front facade, new parking configuration and striping, new storage space connecting the main building to the detached storage building, new block stucco walls enclosing the rear patio with wood gate and awning, new wood fence and gate at alley, painting the existing doors and windows, new block stucco trash enclosure, replacement of the existing concrete slab with pavers, new light fixtures, and new festoon lighting on the rear patio and along the south side of building over the side alley. The as-built signage will be reviewed by the Sign Committee.*

<b><u>Status:</u> Pending</b>	<b><u>DISP</u></b>	<b><u>Date 3</u></b>
<b>ABR-Consent (New)</b>	<b>CONT</b>	<b>10/01/12</b>
(Concept Review only. Project requires environmental assessment and complete plan submittal.)		

Continued one week with comments: 1) restudy to bring harmony to the State Street elevation and give character and charm; 2) add landscaping and trees between the patio wall and the parking lot; 3) study adding a tree at the alley; 4) show the trash enclosure.

<b>ABR-Consent (Continued)</b>	<b>POST</b>	<b>10/08/12</b>
(Action may be taken if sufficient information is provided.)		

Postponed one week at the applicant's request.

<b>ABR-Consent (Continued)</b>	<b>CONT</b>	<b>10/15/12</b>
(Action may be taken if sufficient information is provided.)		

Continued one week with comments: 1) study shortening the existing cabinet wall sign to expose some plaster wall area on the façade to break up the long black mass of awnings and sign; 2) substitute Queen palms for the King palms in the rear planter, tree size to be 8 feet brown trunk height; 3) add 5 gallon Aloe Arborescence plants; 4) include 1 or 5 gallon Aloe Nobilis plants.

<b>ABR-Consent (Continued)</b>	<b>APVD</b>	<b>10/22/12</b>
(Action may be taken if sufficient information is provided.)		

Project Design and Final Approvals with the condition that the aloe be the "Arboescens" variety.

### EXHIBIT C



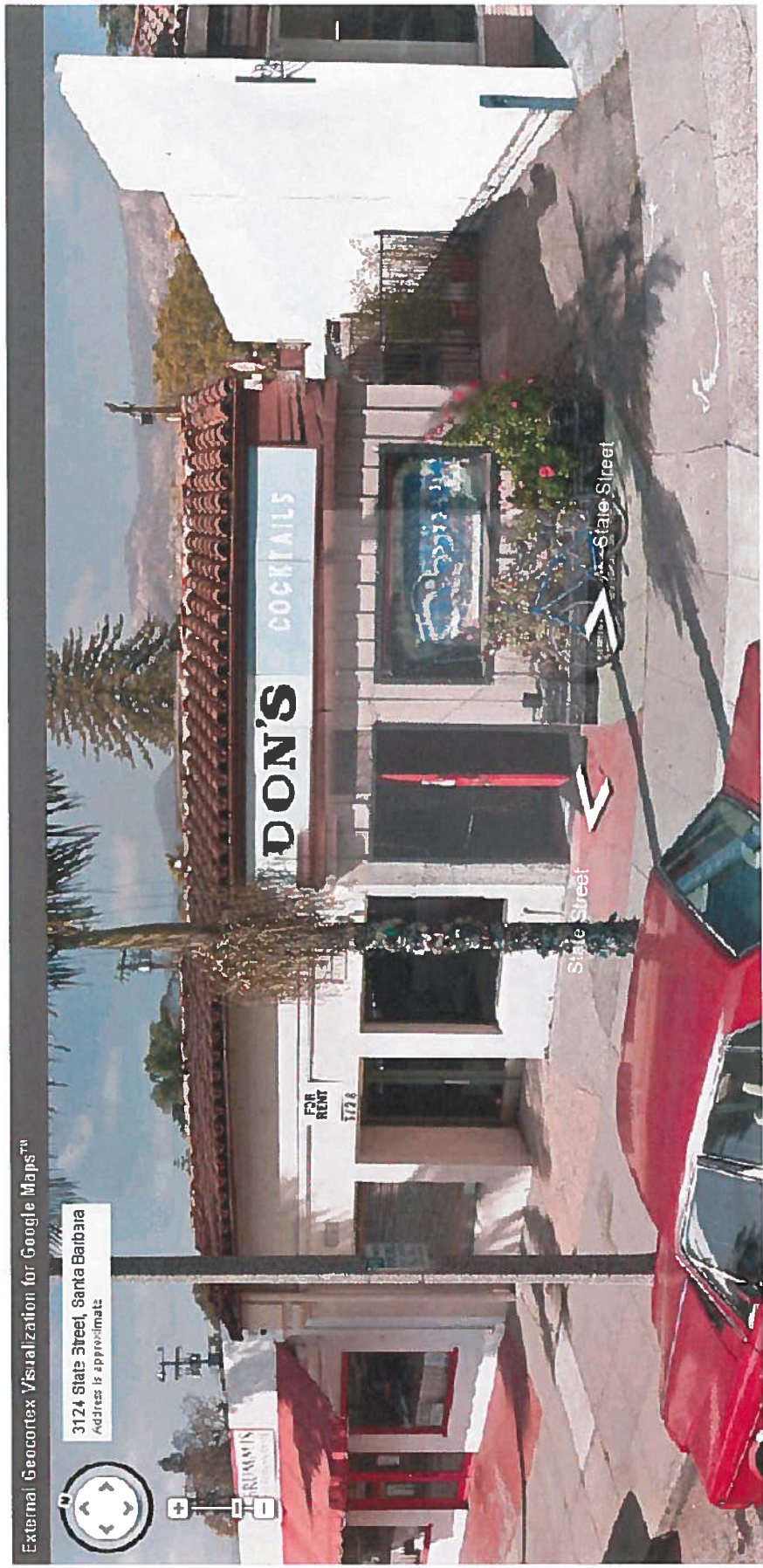


Exhibit E: Google Street View Image of Subject Property, dated March 2012