

**Documents Received at the
Building and Fire Code Board of Appeals Meeting
On Thursday, September 01, 2016**

Public Comment Speaker Slips Received

DATE: 9/1/16

OPPOSE

SUPPORT

STAFF USE ONLY:

Entered into Advantage:

Entered into People Entered into Parcel/People

date completed _____

initials _____

BUILDING AND FIRE CODE BOARD OF APPEALS REQUEST TO SPEAK / INTERESTED PARTY

ITEM ADDRESS: Pub. Com.

AGENDA ITEM NUMBER: ①

YOUR FULL NAME: James Martson

YOUR ADDRESS: _____

CITY/STATE/ZIP: _____ PHONE NUMBER: (____) _____

Organization represented (if applicable): _____

Written material also submitted: Yes _____ No _____ Please use other side of this form for written comments. →

EMAIL ADDRESS _____

COMMENTS:

N/A

DATE: 01 Sept. 2016

OPPOSE

SUPPORT

STAFF USE ONLY:

Entered into Advantage:

Entered into People Entered into Parcel/ People

date completed

initials

BUILDING AND FIRE CODE BOARD OF APPEALS
REQUEST TO SPEAK / INTERESTED PARTY

ITEM ADDRESS: 501 N. Salsipuedes AGENDA ITEM NUMBER: Public Comment

YOUR FULL NAME: Trevor J. Martinson

YOUR ADDRESS: 1849 Mission Ridge Rd.

CITY/STATE/ZIP: S.F. 93103-1857 PHONE NUMBER: () 965-2385

Organization represented (if applicable): _____

Written material also submitted: Yes No _____ Please use other side of this form for written comments. ⇨

EMAIL ADDRESS _____

COMMENTS:

This issue has been ongoing for over Two (2) months

Let's get it done - please - Thanks

**Documents Received at the
Building and Fire Code Board of Appeals Meeting
On Thursday, September 01, 2016**

Item# 2

28 Anacapa

Appeal of Decision of the Building Official: Accessibility

DATE: 9/1/10

OPPOSE

SUPPORT

STAFF USE ONLY:

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date completed

initials

BUILDING AND FIRE CODE BOARD OF APPEALS REQUEST TO SPEAK / INTERESTED PARTY

ITEM ADDRESS: 28 Anacapa AGENDA ITEM NUMBER: 2

YOUR FULL NAME: James Marston

YOUR ADDRESS: _____

CITY/STATE/ZIP: _____ PHONE NUMBER: (____) _____

Organization represented (if applicable): _____

Written material also submitted: Yes _____ No _____ Please use other side of this form for written comments. →

EMAIL ADDRESS _____

COMMENTS:

NA



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

City of Santa Barbara
Building and Safety Division

SEP 01 2016

RECEIVED

01 September 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 - Public Comment

Subject: Continuation of the 02 June 2016
Board meeting, on the above referenced
appeal, and the specific directions of the board
to the City.

Members of the Board:

As you will recall, your determinations made at the 14th June meeting, the board decided the building permit approved retaining walls A & B shown on Sheets C1.1, C1.4 and C1.5 adjacent to the Catholic Charities property be reexamined by a licensed structural engineer and a report be made to the City and the Building and Fire Code Board of Appeals. I presented the issue, under investigation, to your board as follows:

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.

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Krystal M. Vaughn, Commission Secretary
Building and Fire Code Board of Appeals
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Now it appears, as mentioned in my 01 August letter, we have discovered an unpermitted change in this wall issue and a new "as-built" retaining wall, of a different design and lower height has been constructed. This wall does not meet the original City approved design parameters to provide privacy to the adjacent Catholic Charities offices and to reduce noise from the playground area and to avoid any intrusion and trespass from the tenants and their children when Catholic Charities site was closed. Question to be answered, why and how did the Contractor/Developer do this construction without first obtaining the City's review and building permit approval?

The attached exhibits, for the original City building permit approved walls "A" & "B", and the recently discovered "as-built" unpermitted wall violations are as follows:

Exhibit "One" Wall Key Map; showing locations of both the site walls A & B and the CMU Wall Stem Expansion Joint Detail on Sheet C1.4 on the City approved permit drawings. Please note, the eastern property line Walls A & B are 160 feet long and there is no expansion joints installed, which are required, by the approved permit plans, every 24 lineal feet, which would require a minimum of six (6) in this wall length. How did the City Building Inspector miss this obvious construction requirement for the "as-built" wall? The Concrete Masonry Association of California and Nevada (CMACN) also support this requirement in their design manual for Masonry Contractors.

Exhibit "Two" Retaining Wall "A" Detail found on sheet C1.5 on the approved permit drawings. Please note the vertical reinforcing steel (#5 at 8" o.c. vertical each face) in the 8" vertical CMU wall do not go down into the reinforced concrete footing below. This is an obvious structural error that was made by the engineer and was not noticed by the Building Department. Another problem is the minimum thickness of the concrete footing at only.....

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Exhibit "Two" cont. 12" which does not allow the full value of the vertical steel with a 90 degree bend into the footing because of the 3 inch required minimum separation of all reinforcing steel from the earth, on both sides, which will allow only a 30 to 40 percent value of the vertical steel into this footing. A thicker reinforced concrete footing appears to be necessary.

Exhibit "Three" Retaining Wall "B" Detail Found on sheet C1.5 on the approved permit drawings. This detail has the vertical reinforcing steel going into the reinforced concrete footing but still has the same problem, that Wall "A" (Exhibit "Two") had with only a minimum 12" thickness in the concrete footing and will require an increase of the depth of this footing.

Exhibit "Four" Retaining Wall A & B Detail of the unpermitted "as-built" retaining wall submitted on 15 July 2016 by Wayne Fitch C.E. 60864 of Penfield and Smith (now Stantec) to the City. This detail is an exact copy of Wall "B" (Exhibit "Two") with some odd changes. No log in review has been noted on the City's All Activities Summary List on this new wall detail. Also, please note the vertical wall height dimensions of 8 and 10 feet have been switched over to the Catholic Charities side of the common property line. These dimensions, on the approved permit plans, are shown on the Jardin de las Rosas side and at their finish grade (F.G.) elevation which, of course, is approximately 5 feet higher in elevation. Is someone now trying to deceive us and do a "Ryan Lochte" on the City?

Exhibit "Five" As-built Retaining Wall A & B Detail (noted as Exhibit "Four" above) with my notes and corrections in wall heights shown in red and pink highlighter pen. Clearly, we can now see the shortcomings of this "as-built" wall to the Catholic Charities site and, for visual scale, note the human figure shown on the Jardin de las Rosas side, which is at 5 foot six inches in height.

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With these five exhibits I believe the board and the structural engineering firm of California Code Check and its principal, Tom Harris S.E., can now analyze the wall issues in a more straightforward manner.

It should also be noted for the record, that the Department of Housing and Urban Development (HUD) has Minimum Property Standards (MPS), which must be used in conjunction with the local Building Codes. Chapter 2 of the MPS General Acceptability Criteria notes, in 202-1 Trespass: *"The property shall be so designed that it can be used and maintained without trespass upon adjoining properties."* That is why the walls were designed to be 8 to 10 feet, above finish grade in height, on the Jardin de las Rosa side of this retaining wall to prevent trespass.

Also, in Chapter 3 of the MPS, Site Design notes, in 302-2 Noise Control: *"Through the use of site design techniques such as building location and orientation, window placement and the use of barriers, predictable undesirable site noise shall be moderated to meet the requirements of 24 CFR Part 51, Environmental Criteria and Standards."* Once again, this is why we have the 8 to 10 foot high walls on the common property line.

These two paragraphs, from the Department of Housing and Urban Development MPS mentioned above, clearly support the original approved design of the retaining wall heights and must be maintained.

The unpermitted as-built retaining wall Exhibit "Four" as constructed by the Contractor/Developer cannot be modified to extend its height and must be completely demolished and removed, structurally redesigned correctly and then rebuilt to the permit approved heights shown on the original City approved permit drawings.

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In closing, I must commend all the members of the Building and Fire Code Board of Appeals for their hard work and attention to this serious matter and I am looking forward to your decision, in the near future, for the benefit of all the concerned Haley/Salsipuedes neighbors to this project.

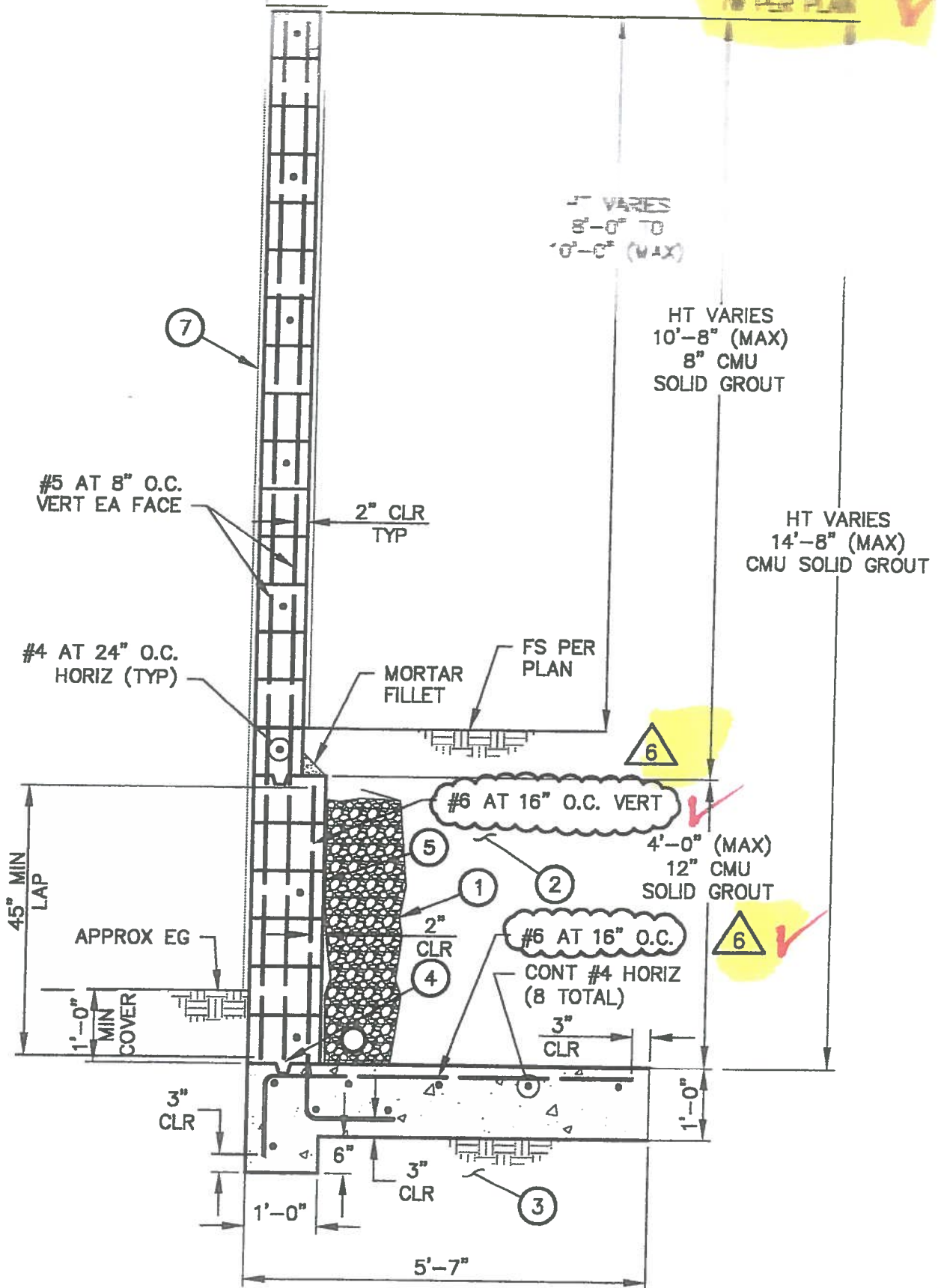
Respectfully Submitted,

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

Trevor J. Martinson
Architect, Planner & Forensic

XC: Arthur J. Posch, DVM
Brian Clarke, Catholic Charities & Social Services
Stanley Mendes, Structural Engineer
William G. Vasquez, Director, Community Planning & Development
U. S. Dept. of Housing & Urban Development
Santa Barbara News-Press
The Independent

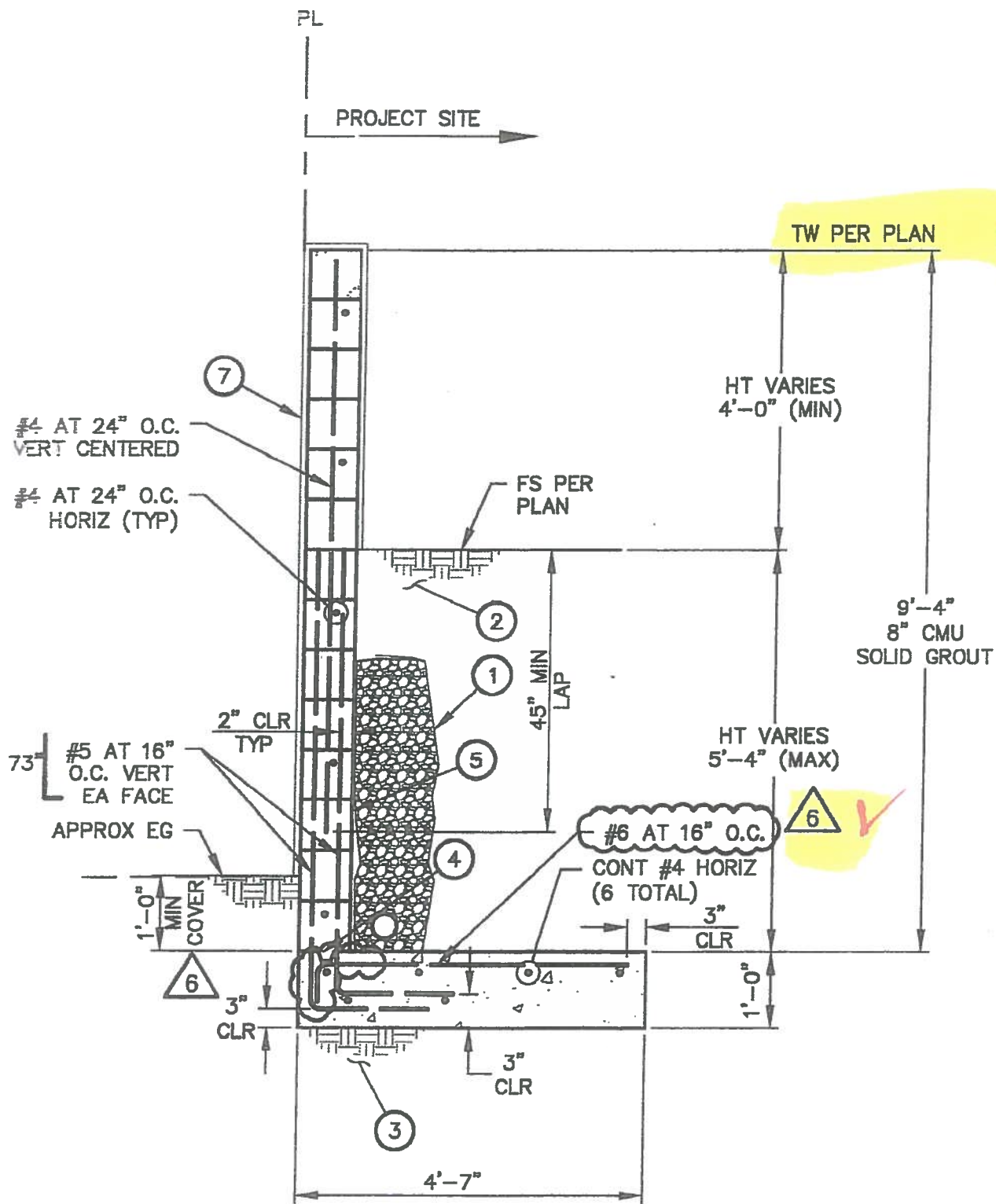
Attachments: Exhibits "One" thru "Five"



RETAINING WALL A DETAIL

SCALE: 1" = 1'

Exhibit "Two"

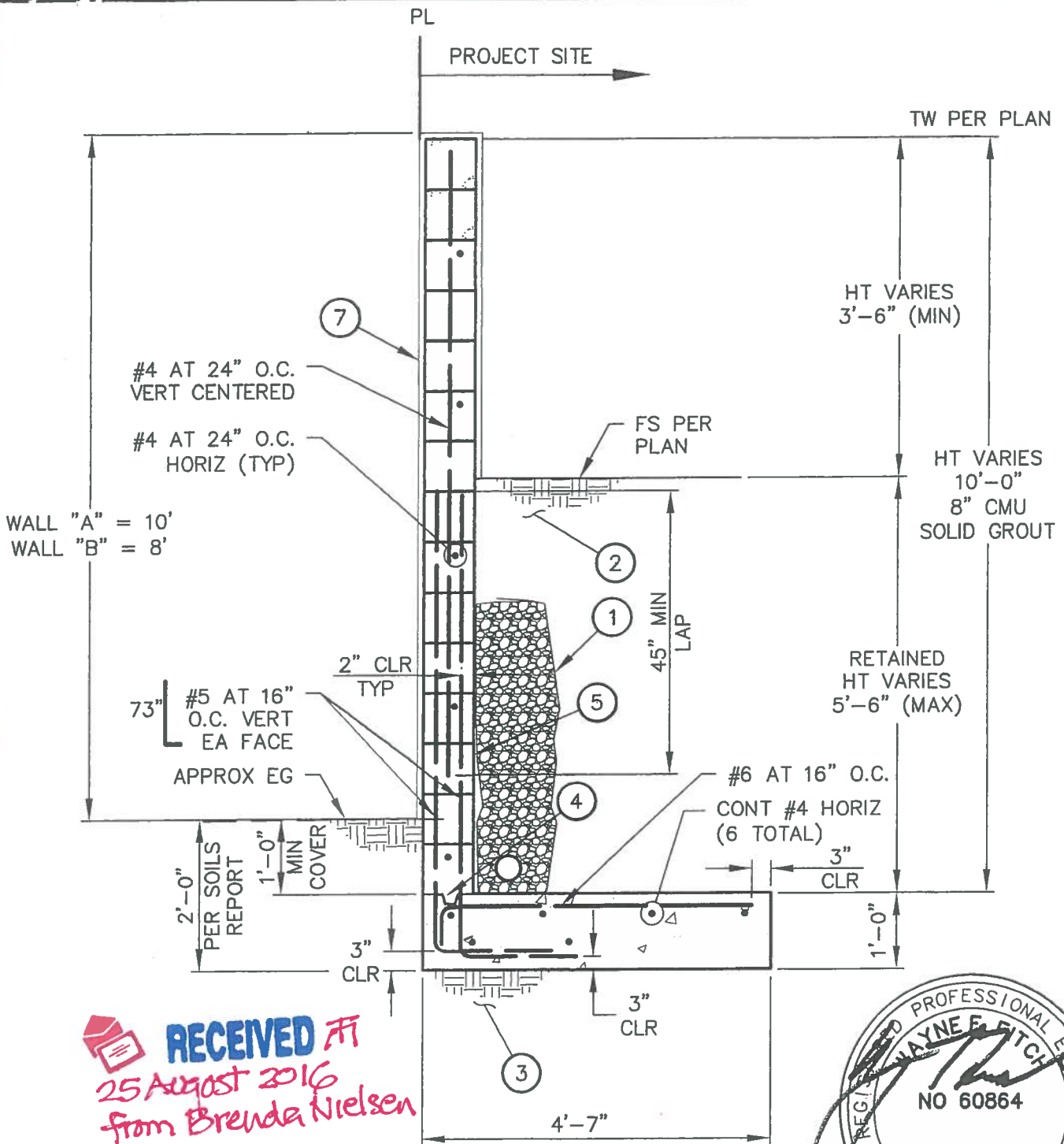


RETAINING WALL B DETAIL

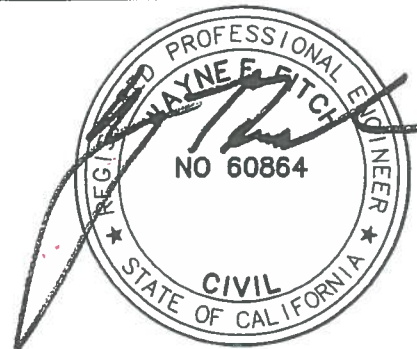
SCALE: 1" = 1'

Exhibit "Three"

TJMItr01Sept2016B&FCBofA



RECEIVED *FF*
 25 August 2016
 from Brenda Nielsen



RETAINING WALL A AND B DETAIL

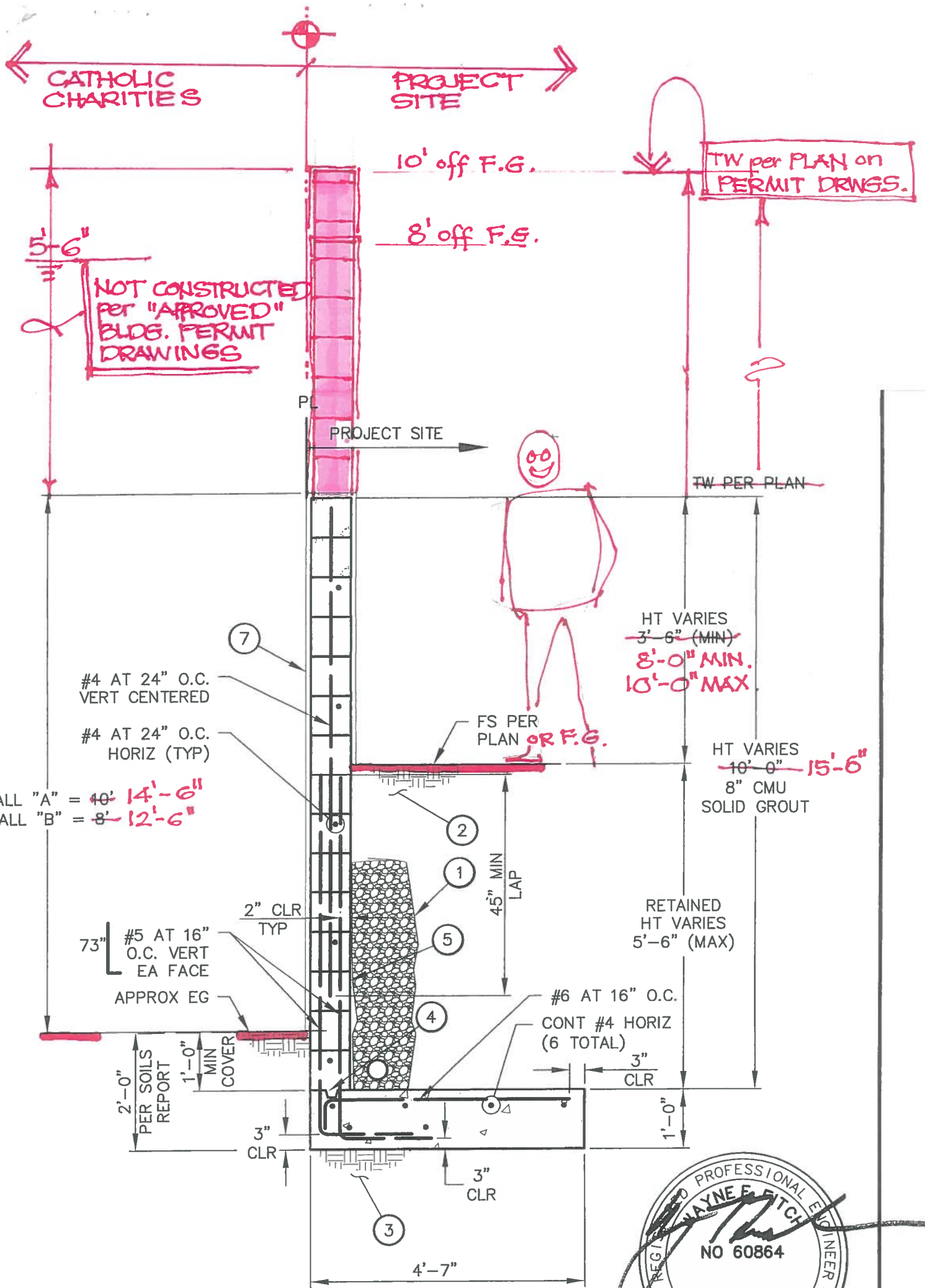
B
 -

SCALE: 1" = 1'



Penfield & Smith
 Engineering · Surveying · Planning
 · Construction Management ·

PEOPLE Exhibit "Four"
510 N TJMltr01Sept2016B&FCBoFA



"AS-BUILT"

RETAINING WALL A AND B DETAIL

B
-

SCALE: 1" = 1'



Penfield & Smith
Engineering · Surveying · Planning
· Construction Management ·

2064020944

2016-07-15

NOW STANTEC

PEOPLE Exhibit "Five"

510 N. TJMltr01Sept2016B&FCBofA