



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

JANUARY 20, 2016

CALL TO ORDER:

Susan Reardon, Senior Planner, called the meeting to order at 9:01 a.m.

STAFF PRESENT:

Susan Reardon, Senior Planner
Allison DeBusk, Project Planner
JoAnne La Conte, Assistant Planner
Michelle Bedard, Assistant Planner
Tony Boughman, Assistant Planner
Stacey Wilson, Associate Transportation Planner
Julie Rodriguez, Planning Commission Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
- None.
- B. Announcements and Appeals.
1. Ms. Reardon announced that on January 14, 2016, the Planning Commission denied, without prejudice, the appeal of the Staff Hearing Officer's denial of a Storefront Collective Dispensary Permit for a project located at 2609 De La Vina Street.
 2. Ms. Reardon announced an appeal has been filed on the Staff Hearing Officer's January 6, 2016 denial of a Front Setback Modification for a project located at 1417 San Miguel Avenue. A Planning Commission hearing date has not been scheduled.
- C. Comments from members of the public pertaining to items not on this agenda.
- None.

II. CONSENT ITEM:

ACTUAL TIME: 9:02 A.M.

A. APPLICATION OF JARRETT GORIN, AICP, AGENT FOR 127 WCP, LLC, 127 W. CANON PERDIDO STREET, APN 037-042-002, C-2 ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCE AND RESIDENTIAL 12 UNITS PER ACRE (MST2011-00294)

This is a request for a two-year extension of the expiration date of the Tentative Map approved by the Staff Hearing Officer on November 16, 2011 for 127 W. Canon Perdido St. The project consists of a one-lot subdivision to create three commercial condominium units in an existing 12,070 square foot commercial building on an 18,025 square foot lot. The only physical development proposed is the construction of three trash enclosures, one for each commercial condominium.

The subject tentative map was approved on November 16, 2011, and was set to expire November 16, 2013. Assembly Bill 116 was signed by the Governor on July 11, 2011 stating that a tentative map that was approved after January 1, 2000, and which had not expired by July 11, 2013 is automatically granted a 24-month time extension. The subject tentative map fits within these criteria, and therefore AB 116 extended this project approval from November 16, 2013 to November 16, 2015.

A two year extension is now being requested pursuant to SBMC 27.07.110.D. The applicant submitted a request for an extension on November 12, 2015, thereby satisfying the City's requirements for an extension. The proposed new expiration date would be November 16, 2017.

Case Planner: Allison De Busk, Project Planner

Email: ADebusk@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 4552

Ms. Reardon announced that she read the Staff Report.

ACTION:

Assigned Resolution No. 003-16

Approved the two-year time extension, to November 16, 2017, for the Tentative Map, subject to the original Conditions of Approval in Staff Hearing Officer's Resolution No. 045-11, dated November 16, 2011.

It was announced that the approval of the time extension is not appealable to the Planning Commission.

III. PROJECTS:

ACTUAL TIME: 9:03 A.M.

A. APPLICATION OF TOM OSCHNER, ARCHITECT FOR RC STEINER LIVING TRUST, 1425 MISSION RIDGE ROAD, APN: 019-103-023, A-2 (ONE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 2 DU/ACRE) (MST2015-00474)

The 1.92-acre site is currently developed with a 3,374 square foot single-family residence and an attached 526 square foot two-car garage. The proposed project involves demolition of the existing single family residence and garage, construction of a new two-level single family residence comprising a 4,390 square foot main level, a 3,660 square foot basement, a 550 square foot attached two-car garage, a 704 square foot detached three-car garage, and a 480 square foot detached accessory building. The project also includes a new 512 square foot pool, landscaping, a terrace, and 2,400 cubic yards of grading, of which 600 cubic yards will be exported off site. The proposed total of 9,790 square feet (of which 7,960 square feet applies to the floor-to-lot area ratio) is 145% of the guideline maximum floor-to-lot area ratio (FAR). The proposal requires a determination of Substantial Conformance with the Staff Hearing Officer approval of October 22, 2008. This project will address a violation in a Zoning Information Report (ZIR2015-00057).

The discretionary applications required for this project are:

1. A Modification to allow the total garage floor area to exceed the maximum allowable size of 750 square feet (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. A Modification to allow the detached accessory building to be located within a front yard (SBMC § 28.87.170 and SBMC § 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 and 15305 (New Construction and Minor Alterations in Land Use Limitations).

Case Planner: Jo Anne La Conte, Assistant Planner

Email: JLaconte@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 3320

Present: Tom Oschner, Architect; and Russell Steiner, Owner.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Jo Anne La Conte, Assistant Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 9:31 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

Ms. Reardon stated that given the size of the property, additional garage space is appropriate but expressed concerns regarding the proposed location of the three-car garage and the amount of public view blockage it creates from Franceschi Park near the intersection of Mission Ridge and Franceschi Roads. She stated that during previous reviews of projects on this property the public view corridor of the ocean and City from Franceschi Park near the intersection of Mission Ridge and Franceschi Roads were identified by the Planning Commission as an important public view corridor to protect.

Ms. Reardon stated that the proposed development is not in substantial conformance with the Staff Hearing Officer's resolution #082-08, condition II.B.5. The existing house, which is proposed to be demolished, is indicated in City records as having a maximum height of 19 feet. Although the proposed new residence is two-story, the lower floor (first story) is below grade and therefore the new residence appears to be one-story from Mission Ridge Road which meets the intent of the condition that any future residence be one story. However, the height of the second floor is 22'6" which is not in substantial conformance with the existing residence height of 19' and the location of the three-car garage significantly blocks views of the City.

Ms. Reardon requested that the Single Family Design Board review the proposed project for conformance with the condition of approval to preserve the view corridor from Franceschi Park in the area near the intersection of Franceschi and Mission Ridge Roads.

ACTION:

Assigned Resolution No. 004-16

Approved the Modifications making the findings as outlined in the Staff Report dated January 14, 2016, and as revised at the hearing.

Said approval is subject to the conditions as outlined in the Staff Report dated January 14, 2016, and as revised at the hearing.

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

ACTUAL TIME: 9:42 A.M.

B. APPLICATION OF PATRICK MARR, ARCHITECT, FOR PAUL AND PATRICIA CRISSMAN, 969 ISLETA AVE, APN: 035-253-019, E-1 SINGLE FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU/ACRE) (MST2015-00393).

The 8,134 square foot parcel, located in the Hillside Design District, is currently developed with an existing 1,262 square foot single-family residence, with an attached 394 square foot two-car garage. The proposal involves an interior remodel, a 290 square foot one-story addition, a 546 square foot two-story addition, a 48 square foot upper level deck, the demolition of the existing front entry stairs and porch, and the construction of new entry stairs, porch, and deck. The proposed total of 2,550 square feet is 79% of the maximum floor-to-lot area ratio (FAR). The proposal will address violations outlined in Zoning Information Report ZIR2014-00257.

The discretionary applications required for this project are:

1. Front Setback Modification to allow improvements including new entry stairs, porch, and deck to encroach into the front setback and conforming one- and two-story additions that will change the basic exterior characteristics of the existing residence that is nonconforming to the required 30-foot front setback (SBMC § 28.87.030, § 28.15.060, and SBMC § 28.92.110);
2. Interior Setback Modification to allow conforming one- and two-story additions that will change the basic exterior characteristics of the existing residence that is nonconforming to the eastern required 10-foot interior setback (SBMC § 28.87.030 and SBMC § 28.92.110); and
3. Interior Setback Modification to allow conforming one- and two-story additions that will change the basic exterior characteristics of the existing residence that is nonconforming to the western required 10-foot interior setback (SBMC § 28.87.030 and SBMC § 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations in Land Use Limitations).

Case Planner: Michelle Bedard, Assistant Planner

Email: MBedard@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 4551

Present: Patrick Marr, Architect; and Paul & Patricia Chrissman, Owners.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Michelle Bedard, Assistant Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 9:59 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

ACTION: **Assigned Resolution No. 005-16**
Approved the Front Setback Modification and Interior Modification Setbacks making the findings as outlined in the Staff Report dated January 14, 2016.

Said approval is subject to the conditions as outlined in the Staff Report dated January 14, 2016, and as revised at the hearing.

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

ACTUAL TIME: 10:07 A.M.

C. APPLICATION OF RYAN HOWE, 118 NORTH MILPAS STREET, 017-091-016, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/HIGH RESIDENTIAL (MST2015-00319)

Proposal for a Medical Marijuana Storefront Collective Dispensary in an existing commercial building. Interior tenant improvements, minor exterior alterations, and landscaping are proposed.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(a), Existing Facilities.

Case Planner: Tony Boughman, Assistant Planner
Email: TBoughman@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 4539

Present: Bill Wolf, Pacific Architects; Ryan Howe, Applicant; and Joe Allen, Attorney.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Tony Boughman, Assistant Planner, gave the Staff presentation and recommendation. Stacey Wilson, Associate Transportation Planner, was available to answer any questions.

Ms. Reardon acknowledged the twenty-one public comment letters received. She stated the main concerns raised in the public comment letters related to proximity to schools, lack of parking on-site and in general area, public safety, potential for increased crime and traffic, decrease in property values, existing homeless and gang activity in the area, and the unloading of product.

Public comment opened at 10:38 a.m.

- 1) Peter Thomas Dal Bellow, neighbor, opposition; submitted written comments and expressed concerns regarding potential crime and impact on property values.
- 2) Rebecca Julia Gutierrez, opposition; expressed concerns regarding potential pedestrian and vehicle traffic increase.
- 3) Gloria Cavallero, direct neighbor, opposition; expressed concerns regarding close proximity to schools, parking deficiency, and location.
- 4) Sebastian Aldana, Jr., neighbor, submitted a survey of 21 comments with 20 commenters in opposition/one neutral; and expressed concerns regarding close proximity to schools, resident's safety, and parking deficiency.
- 5) Sharron Byrne, Milpas Community Association, opposition; expressed concerns regarding the Milpas corridor zoning for dispensaries due to the close proximity to schools, parking deficiency, and pedestrian access.

With no one wishing to speak, the public comment was closed at 10:51 a.m. and a recess was called. The meeting was reconvened at 11:06 a.m.

ACTION: **Assigned Resolution No. 006-16**
Approved the Storefront Collective Dispensary Permit making the findings as outlined in the Staff Report dated January 14, 2016.

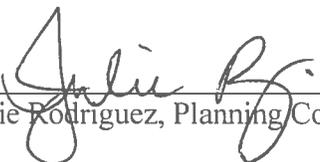
Said approval is subject to the conditions as outlined in the Staff Report dated January 14, 2016, and as revised at the hearing.

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

IV. ADJOURNMENT

Ms. Reardon adjourned the meeting at 12:10 p.m.

Submitted by,



Julie Rodriguez, Planning Commission Secretary

