



City of Santa Barbara

STAFF HEARING OFFICER

MINUTES

JANUARY 17, 2018

9:00 A.M.

David Gebhard Public Meeting Room
630 Garden Street
SantaBarbaraCA.gov

STAFF:

Susan Reardon, Staff Hearing Officer/Senior Planner
Kathleen Goo, Commission Secretary

CALL TO ORDER

Ms. Reardon called the meeting to order at 9:03 a.m.

STAFF PRESENT

Susan Reardon, Staff Hearing Officer/Senior Planner
Allison De Busk, Project Planner
Kelly Brodison, Assistant Planner
Kathleen Goo, Commission Secretary

I. PRELIMINARY MATTERS

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

There were no requests, but Ms. Reardon requested a moment of silence for those who have lost loved ones, for those who are still missing, and those who continue to be impacted in the aftermath of the recent devastating fires, rain storms, and flooding.

- B. Announcements and appeals.

Ms. Reardon announced that on January 11, 2018, the Planning Commission upheld the appeal of the Staff Hearing Officer's denial of a front setback modification and approval of the front setback modification for a property located at 1540 Franceschi Road.

- C. Comments from members of the public pertaining to items not on this agenda.

No public comment.

II. PROJECTS**ACTUAL TIME: 9:04 A.M.****A. APPLICATION OF ED DE VICENTE, ARCHITECT FOR RAY MAHBOOB, MOHAMED MAHBOOB AND GITY MAHBOOB, 29 E. CABRILLO BLVD., APN 033-112-006, HRC-2/SD-3 (HOTEL AND RELATED COMMERCE 2 AND COASTAL OVERLAY) ZONES, LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: HOTEL AND RELATED COMMERCE II (MST2016-00540)**

The proposed project involves renovations and additions to an existing two-story structure on a 14,148 square foot lot to create space for two restaurant tenants. The project includes a complete remodel of the building façades along E. Cabrillo Blvd. and Anacapa St., including changes to the building articulation, windows, doors, lighting, and finish details. The project includes the demolition of existing floor area to create outdoor dining areas, an "as-built" addition at the rear of the building for restroom and circulation, and the conversion of an existing residential unit on the second floor to additional restaurant space.

The discretionary applications required for this project are:

1. A Front Setback Modification to allow alterations to portions of an existing building that is non-conforming to the required 20-foot front setback along E. Cabrillo Boulevard (SBMC § 28.92.110); and
2. A Front Setback Modification to allow alterations to portions of an existing building that is non-conforming to the required 20-foot front setback along Anacapa Street (SBMC § 28.92.110).

The project requires an environmental finding pursuant to California Environmental Quality Act Guidelines Section 15183.

Allison DeBusk, Project Planner, gave the Staff presentation and recommendation.

Ed De Vicente, Architect, gave the Applicant presentation.

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

Public comment opened at 9:32 a.m., and as no one wished to speak, it closed.

Correspondence from Will Rehling of Accessible Santa Barbara was acknowledged regarding whether the development was exempt from requiring a Coastal Development Permit (CDP).

ACTION: **Assigned Resolution No. 001-18**
Approved both Front Setback Modifications, making the findings as outlined in the Staff Report dated January 10, 2018.

Said approval is subject to the conditions as outlined in the Staff Report dated January 10, 2018, and as revised at the hearing.

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

ACTUAL TIME: 9:37 A.M.

B. APPLICATION OF RICHELE MAILAND, APPLICANT FOR JOSEPH L. GAGNON REVOCABLE TRUST, 240 MOHAWK ROAD, APN 041-326-009, E-3/S-D-3 ZONES, LOCAL COASTAL PROGRAM AND LAND USE PLAN DESIGNATION: RESIDENTIAL, 5 UNITS PER ACRE (MST2017-00547)

The project includes the conversion of an existing 281 net square foot detached garage to an Accessory Dwelling Unit (ADU) pursuant to Government Code 65852.2. As part of the conversion of garage to an ADU, a new roof with an increased roof pitch is proposed, as well as a new window and the conversion of a portion of the structure to storage space. The project also proposes a 228 net square foot addition to the structure, the construction of a new patio cover, and two uncovered parking spaces in a tandem configuration on a repaved driveway. The existing garage to be converted into the ADU and the proposed addition are located within the required interior setbacks and, therefore, require approval of Interior Setback Modifications.

The project is located within the Non-Appealable Jurisdiction of the City's Coastal Zone and, because the new ADU created is detached, a Coastal Development Permit is required for the ADU per Coastal Commission Memorandum dated April 18, 2017 (New Accessory Dwelling Unit Legislation).

The discretionary applications required for this project are:

1. An Interior Setback Modification along the northern property line to allow a change to the roof pitch and conversion from a garage to storage for a nonconforming structure located within the required six-foot interior setback (SBMC §28.92.110);
2. An Interior Setback Modification along the eastern (rear) property line to allow a change to the roof pitch, a new window and an extension of the existing nonconforming structure with a new window located within the required six-foot interior setback (SBMC §28.92.110); and
3. A Coastal Development Permit (CDP2017-00007) to allow a detached Accessory Dwelling Unit in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.45.009).

Pursuant to SBMC 28.44.110, when a proposed development only involves the addition of a secondary dwelling unit to an existing single-family residence, the application shall be reviewed by the Staff Hearing Officer without a public hearing in accordance with subdivision (j) of Government Code Section 65852.2. The Staff Hearing Officer shall not issue a decision on the application until at least ten (10) calendars days after notice has been provided. The Staff Hearing Officer may receive and consider written comments from the public, but without a public hearing. The decision will be the final action of the City.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303, New Construction or Conversion of Small Structures.

Allison DeBusk, Project Planner, gave the Staff presentation and recommendation.

Richele Mailand, Applicant, gave the Applicant presentation, and Joseph Gagnon, Owner, was available to answer questions.

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

Public comment opened at 9:46 a.m.

Roger Schwartz, neighbor, spoke in support of the proposed project as a welcome improvement to the neighborhood.

Public comment closed at 9:47 a.m.

ACTION: **Assigned Resolution No. 002-18**
Approved both Interior Setback Modifications and the Coastal Development Permit, making the findings as outlined in the Staff Report dated January 10, 2018.

Said approval is subject to the Conditions of Approval as outlined in the Staff Report dated January 10, 2018, and as revised at the hearing.

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

ACTUAL TIME: 9:49 A.M.

C. APPLICATION OF RICHARD REDMOND, ARCHITECT FOR NOPAL INVESTMENT COMPANY, LLC, PROPERTY OWNERS OF 707 AND 709 KIMBALL AVENUE, APNS 017-161-006 AND 017-161-005, M-1/SD3 ZONES, GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: INDUSTRIAL (MST2017-00052 AND CDP-2017-00003)

The project consists of the addition of 2,992 square feet of non-residential floor area to an existing 3,325 square foot building, to be occupied by industrial, warehouse, and office uses. A total of 7 parking spaces are proposed. The project includes the voluntary merger of 707 and 709 Kimball Avenue. The 8,600 square foot lot is in the M-1, Light Manufacturing Zone and the Non-Appealable jurisdiction of the City's Coastal Zone with a Local Coastal Plan Designation of Industrial.

The discretionary applications required for this project are:

1. A Coastal Development Permit (CDP2017-00003) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44); and

2. A Development Plan to allow the construction of 2,992 square feet of nonresidential floor area (SBMC Chapter 28.85).

The project requires an environmental finding pursuant to California Environmental Quality Act Guidelines Section 15183.

Kelly Brodison, Assistant Planner, gave the Staff presentation and recommendation.

Richard Redmond, Architect, gave the Applicant presentation, and was joined by Joe William, Agent for Owners.

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

Ms. Reardon requested the applicant describe the proposed use of the building given the building was designed as having a large open area designated as industrial and warehouse. Mr. Matthews explained that the use envisioned for this building was warehouse and occasional assembly of parts, but that it was suggested to him that the project description include industrial uses to provide flexibility in uses. Ms. Reardon stated that as proposed, the project does not include enough parking spaces for the amount of industrial use indicated in the legend. Ms. Reardon explained that the zoning parking requirement takes into account warehouse/storage uses in the parking calculation of industrial uses and therefore warehouse/storage areas are not separated out in the calculation of the parking requirement. Mr. William indicated that he would change the proposed use to warehouse use to be consistent with the parking requirements.

Public comment opened at 9:57 a.m., and as no one wished to speak, it closed.

ACTION: **Assigned Resolution No. 003-18**
Approved the Development Plan and the Coastal Development Permit, making the findings as outlined in the Staff Report dated January 10, 2018, and as revised at the hearing.

Said approval is subject to the Conditions of Approval as outlined in the Staff Report dated January 10, 2018, and as revised at the hearing.

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

III. ADJOURNMENT

Ms. Reardon adjourned the meeting at 10:16 a.m.

Submitted by,



Kathleen Goo, Commission Secretary