



# City of Santa Barbara

## STAFF HEARING OFFICER REVISED AGENDA SEPTEMBER 11, 2019

9:00 A.M.

David Gebhard Public Meeting Room  
630 Garden Street  
[SantaBarbaraCA.gov](http://SantaBarbaraCA.gov)

**STAFF:**

Susan Reardon, Staff Hearing Officer/Senior Planner  
Mary Ternovskaya, Commission Secretary

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**PUBLIC HEARING PROCEDURE:** This agenda is subject to change. Applicants and interested parties should plan to arrive at 9:00 a.m.

The order of presentation after the Staff Hearing Officer introduces an item is as follows: 1. Staff Presentation (3 minutes)\*; 2. Applicant Presentation (5 minutes)\*; 3. Public Hearing\*; 4. Additional response by Applicant/Staff (5 minutes)\*; 5. Staff Hearing Officer questions and comments; 6. Staff Hearing Officer consideration of Findings and Conditions of Approval; and 7. Action taken by the Staff Hearing Officer. \**Time may be extended or limited by the Staff Hearing Officer.*

**PUBLIC COMMENT:** The public is invited to comment on any item on the agenda. The Staff Hearing Officer will announce when public testimony can be given for each item. Speaker slips are available by the door and should be handed to staff before the agenda item begins. Due to time constraints, individual comments are typically limited to two minutes. Written comments are also welcome. Mail to SHO Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990 or email to [SHOSecretary@SantaBarbaraCA.gov](mailto:SHOSecretary@SantaBarbaraCA.gov). Please note that the Staff Hearing Officer may not have time to consider written comments received after 4:30 p.m. on the Monday before the meeting.

**AGENDAS, MINUTES, & REPORTS:** Documents relating to agenda items are available for review in the Community Development Department at 630 Garden Street, and agendas, minutes, and reports are also posted online at [SantaBarbaraCA.gov/SHO](http://SantaBarbaraCA.gov/SHO). Please note that online Staff Reports may not include some exhibits. Materials related to an item on this agenda submitted to the Staff Hearing Officer after distribution of the agenda packet are available for public inspection in the Community Development Department at 630 Garden Street during normal business hours.

**PLANS & ADDITIONAL INFORMATION:** The scope of a project may be modified as it proceeds through the planning process. If you have any questions, wish to review the plans, or wish to be placed on a mailing list for future agendas for an item, contact the Case Planner as listed in the project description. Office hours are 8:30 a.m. to 4:30 p.m., Monday through Thursday, and every other Friday (see [SantaBarbaraCA.gov/Calendar](http://SantaBarbaraCA.gov/Calendar) for closure dates).

**AMERICANS WITH DISABILITIES ACT:** If you need auxiliary aids or services or staff assistance to attend or participate in this meeting, contact the SHO Secretary at (805) 564-5470, ext. 4572. If possible, notification at least 48 hours prior to the meeting will usually enable the City to make reasonable arrangements. Specialized services, such as sign language interpretation or documents in Braille, may require additional lead time to arrange.

**TELEVISION COVERAGE:** Staff Hearing Officer meetings are broadcast live on City TV-Channel 18 and online at [SantaBarbaraCA.gov/CityTV](http://SantaBarbaraCA.gov/CityTV). See [SantaBarbaraCA/CityTVProgramGuide](http://SantaBarbaraCA.gov/CityTVProgramGuide) for a rebroadcast schedule. An archived video of this meeting will be available at [SantaBarbaraCA.gov/SHOVideos](http://SantaBarbaraCA.gov/SHOVideos).

**APPEALS & SUSPENSIONS:** Most items before the Staff Hearing Officer may be appealed to the Planning Commission. In addition, the Planning Commission may take action to suspend any decision of the Staff Hearing Officer and schedule a public hearing before the Planning Commission to review said decision. Any appeal or suspension must be filed with the Community Development Department within 10 calendar days of the date of the Staff Hearing Officer decision.

### **NOTICE OF CASE NUMBER FORMAT CHANGE**

*The City has recently updated permit tracking software necessitating a change to the case number prefix from "MST" to "PLN."*

#### **I. PRELIMINARY MATTERS**

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
- B. Announcements and appeals.
- C. Comments from members of the public pertaining to items not on this agenda. Due to time constraints, each person is limited to two minutes.

#### **II. CONSENT ITEM**

**APPLICATION OF JARRETT GORIN, APPLICANT FOR 803 NORTH MILPAS LLC, 817 NORTH MILPAS STREET, APN 031-042-022, C-G ZONE (COMMERCIAL GENERAL), GENERAL PLAN DESIGNATION: COMMERCIAL/HIGH DENSITY RESIDENTIAL (MAX 28-36 DU/ACRE) (PLN2005-00667)**

This is a request for a one year time extension for the Tentative Subdivision Map approved by the Planning Commission on March 15, 2007 for 817 North Milpas Street. The approved Map would have expired on March 15, 2019; however, the time extension request was received prior to the expiration date, on March 13, 2019.

The approved project consists of a two- and three-story mixed-use project consisting of five new residential condominium units for a total of 8,846 square feet (net), one new 778 square foot (net) commercial space and 13 parking spaces on a 13,471 square foot lot. The residential units consist of 2 two-bedroom units and 3 three-bedroom units. The existing structures onsite would be demolished.

The discretionary application approved for this project was a Tentative Subdivision Map for a one-lot subdivision to create five (5) residential condominium units and 778 square feet of commercial space (SBMC§27.07 & 27.13).

Case Planner: Kathleen Kennedy, Project Planner  
Email: [KKennedy@SantaBarbaraCA.gov](mailto:KKennedy@SantaBarbaraCA.gov)

Phone: (805) 564-5470, ext. 4560

**III. PROJECTS****A. APPLICATION OF JARRETT GORIN, AGENT FOR QCI 420 EAST CARRILLO, 414 & 420 EAST CARRILLO STREET, APNS 029-302-023 & 029-302-028, C-G (COMMERCIAL GENERAL) ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL/MEDIUM HIGH RESIDENTIAL (PLN2019-00057)**

The project consists of a Voluntary Lot Merger of five existing parcels into two parcels, and a subsequent Lot Line Adjustment between the two resulting parcels (known as: 414 E. Carrillo Street and 420 E. Carrillo Street). The site has a combined lot area of 34,761 square feet and is currently developed with two commercial buildings. The purpose of the Lot Merger and Lot Line Adjustment is to adjust the parcel lines so that the existing buildings and parking do not cross parcel lines. The project includes a reciprocal access easement in benefit of both proposed parcels for purposes of ingress/egress, parking, and trash/recycling enclosures. No site alterations are proposed in association with this Lot Line Adjustment.

The discretionary application required for this project is a Lot Line Adjustment (SBMC Chapter 27.40).

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

Case Planner: Tony Boughman, Assistant Planner

Email: [TBoughman@SantaBarbaraCA.gov](mailto:TBoughman@SantaBarbaraCA.gov)

Phone: (805) 564-5470, ext. 4539

**B. APPLICATION OF TERI MALINOWSKI, APPLICANT FOR GRASSINI FAMILY TRUST, 802 E. COTA STREET, APN 031-233-001, C-G ZONE (COMMERCIAL GENERAL), GENERAL PLAN DESIGNATION: COMMERCIAL-HIGH DENSITY RESIDENTIAL (MAX 25-36 DU/ACRE) (PLN2019-00046)**

The 5,597 square-foot site is currently developed with mixed use building with a ground floor garage, second story offices, and a single residential unit and separate mechanical room on the third floor. The proposed project involves permitting the “as-built” conversion of the third floor single residential unit into a residential duplex on the third floor of the existing mixed use building. The proposal also includes permitting the “as-built” wrought iron exterior fencing on the third floor and the security gates located at the exterior stairwells.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is an Open Yard Modification to allow a reduction in the required common open yard to not meet the 15% net lot area size requirement and the required 10’-0” by 10’-0” common open yard dimensions, and for all required open yard (private and common) to be located on the third floor rather than the ground floor (SBMC §30.140.140.C.2 and SBMC §30.250.060.F).

No further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183- Projects Consistent with the General Plan). This project requires an environmental finding pursuant to California Environmental Quality Act Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning).

Case Planner: Ellen Kokinda, Administrative Analyst

Email: [Ekokinda@SantaBarbaraCA.gov](mailto:Ekokinda@SantaBarbaraCA.gov)

Phone: (805) 564-5470, ext. 4559

**C. APPLICATION OF LORI KARI, APPLICANT FOR JOHN D. AND EDITH J. KAY FAMILY TRUST, 635 CASTILLO STREET, APN 037-111-006, R-MH ZONE (RESIDENTIAL MULTI-UNIT AND HOTEL), GENERAL PLAN DESIGNATION: HIGH DENSITY RESIDENTIAL (25-36 DU/ACRE) (PLN2019-00131)**

The 3,133 square-foot site is currently developed with a one-story single family dwelling. The project involves a proposal to permit a laundry room addition at the back of the building with a landing, stairs and other site work. The proposal also includes a request for a Minor Zoning Exception for Single Family Design Board review for a wood framed trash enclosure to be located in the front setback and front yard. The project will address violations identified in enforcement case ENF2018-00962 for an unpermitted interior remodel and alterations to the exterior.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is an Interior Setback Modification to allow the construction of a residential addition and deck with stairs within the required 6'-0" interior setback (SBMC §30.20.030.B and §30.250.060.F).

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

Case Planner: Ellen Kokinda, Administrative Analyst

Email: [Ekokinda@SantaBarbaraCA.gov](mailto:Ekokinda@SantaBarbaraCA.gov)

Phone: (805) 564-5470, ext. 4559

**D. APPLICATION OF JIM DAVIS, APPLICANT FOR GREG VOIGT, 59 TIERRA CIELO, APN 021-071-030, RS-1A ZONE (RESIDENTIAL SINGLE UNIT), GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 1 DU/ACRE) (PLN2019-00325)**

The 40,899 square-foot site is currently developed with a single family residence with an attached two-car garage, and an existing swimming pool and spa. The proposed project includes a request to permit the "as-built" accessory pool equipment shed with skylight, a new accessory trellis, and barbeque structure, and outdoor dining and fire pit.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is a Front Yard Modification to allow for the "as-built" accessory pool equipment shed to be located in the front yard (SBMC §30.140.090.C.7 and SBMC §30.250.060.F).

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 of Small Structures) and 15305 (Minor Alterations in Land Use Limitations).

Case Planner: Ellen Kokinda, Administrative Analyst

Email: [Ekokinda@SantaBarbaraCA.gov](mailto:Ekokinda@SantaBarbaraCA.gov)

Phone: (805) 564-5470, ext. 4559

**E. APPLICATION OF MATT HEPNER, APPLICANT FOR OWNER, BROCK AND BRYCE ROSENTHAL, 130 LOS ALAMOS AVENUE, APN 045-195-001, E-3/S-D-3 ZONE, LOCAL COASTAL PLAN: 5 DWELLING UNITS/ACRE (PLN2019-00030).**

The 6,963 square-foot site is currently developed with a one-story single family dwelling on a corner lot (intersection of Los Alamos Avenue and Santa Rosa Place). The proposed project involves converting habitable space (bedroom) to a two-car garage, demolish a previous building addition at the rear of the house and to construct a new two-story addition at the front and side of the house. The project also includes interior remodel and alterations to the exterior. The discretionary applications under the jurisdiction of the Staff Hearing Officer required for this project are:

1. An Interior Setback Modification to allow a door opening to encroach into the required 6'-0" southerly interior setback and to allow a change of use for the bedroom (habitable space) to be converted to a two-car garage (non-habitable space) (SBMC §28.15.060.B and §28.92.110.B).
2. An Open Yard Modification to allow the reduction of the required 1,250 square feet of open yard (SBMC §28.15.060.C and §28.92.110.B).
3. A Modification to allow a conforming second story addition that will change the basic exterior characteristics of the existing residence that is nonconforming to the required 6-foot interior setback (SBMC §28.87.030.D and §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 Sections 15301 (Existing Facilities) and 15305 (Minor Alterations in Land Use Limitations).

Case Planner: Ellen Kokinda, Administrative Analyst

Email: [Ekokinda@SantaBarbaraCA.gov](mailto:Ekokinda@SantaBarbaraCA.gov)

Phone: (805) 564-5470, ext. 4559

**F. APPLICATION OF ALEX PUJO, APPLICANT FOR BEAR MOUNTAIN COOLING, LLC, 2122 BATH STREET, APN 025-231-006, R-M ZONE (RESIDENTIAL MULTI-UNIT), GENERAL PLAN DESIGNATION: MEDIUM HIGH DENSITY RESIDENTIAL (MAX 15-27 DU/ACRE) (PLN2019-00177)**

The 4,278 square-foot site is currently developed with a single family residence with a detached two-car garage nonconforming to the front and interior setbacks. The proposed project involves the demolition and construction of a one-story Accessory Dwelling Unit within the existing footprint of the nonconforming garage. The project includes paving in the front setback along Jesmary Lane to provide replacement parking for the primary unit. Two setback trees are proposed to be removed and replaced with new street tree plantings.

The discretionary applications under the jurisdiction of the Staff Hearing Officer required for this project are:

1. A Front Setback Modification to allow for to allow the construction of an Accessory Dwelling Unit within the same footprint of the existing nonconforming garage to encroach into the required 10'-0" front setback. This request includes to allow the

replacement parking for the primary unit to encroach into the required 10'-0" front setback (SBMC §30.175.060.C, §30.20.030.B and §30.250.060.F); and

2. An Interior Setback Modification to allow the construction of the Accessory Dwelling Unit to encroach into the required 6'-0" interior setback within the same location as the existing nonconforming garage footprint (SBMC §30.20.030.B and §30.250.060.F).

No further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183- Projects Consistent with the General Plan). This project requires an environmental finding pursuant to California Environmental Quality Act Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning).

Case Planner: Ellen Kokinda, Administrative Analyst

Email: [Ekokinda@SantaBarbaraCA.gov](mailto:Ekokinda@SantaBarbaraCA.gov)

Phone: (805) 564-5470, ext. 4559

#### IV. ADJOURNMENT