



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 001-05 1316 AND 1327 BATH STREET MODIFICATIONS JANUARY 6, 2005

APPLICATION OF LARRY THOMPSON, ARCHITECT AND AGENT FOR MARLIES MARBURG, PROPERTY OWNER; 1316 AND 1327 BATH STREET; APN: 039-121-020 AND 039-112-009; R-4- HOTEL-MOTEL-MULTIPLE RESIDENCE ZONE; GENERAL PLAN DESIGNATION: RESIDENTIAL – 12 UNITS PER ACRE (MST2001-00822)

The proposal involves the conversion and partial demolition of a 468 square foot two-car garage to a 374 square foot hotel room for the Glenborough Inn. A 70 square foot addition is proposed to join the converted garage to the main building, which includes four existing hotel rooms. Proposed above the converted hotel room (Unit #5) is a 282 square foot hotel room (Unit #4). The former Unit #4 would be converted to a breakfast pavilion for the hotel guests. A 64 square foot gazebo is also proposed. Three uncovered parking spaces would be provided on site and two uncovered parking spaces would continue to be provided at the main site of Glenborough Inn located at 1327 Bath Street. The main site includes five additional bed and breakfast units. One of the existing parking spaces in a three car garage at 1327 Bath Street would be converted to a storage room resulting in a total of seven on site parking spaces.

The discretionary applications required for this project are modifications to allow Unit #5 to be located within the rear and interior yard setbacks, for the 70 square foot addition to be located within the interior yard setback, for Unit #4 to be located in the rear yard setback and for the converted storage room to encroach into the required rear yard setback (SBMC §28.21.050 and SBMC §28.21.085).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no people appeared to speak in favor or in opposition of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, January 3, 2005
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

- I. Approved the subject application making the following findings and determinations:
 - A. Findings for the Modification to allow Unit #5 to be located within the rear and interior yard setbacks (SBMC §28.21.050 and SBMC §28.21.085)

The existing two car garage is located within the interior and rear setbacks. If a garage is converted to another use, such as a hotel unit in this case, modifications are required to continue to allow the structure to be located in the interior and rear yard setbacks. The converted hotel room would abut a private alley to the north and an existing garage to the east. The proposed hotel room location would not result in a significant impact to the adjacent uses and the proposed conversion is would result an appropriate improvement to the lot. Also, keeping all of the proposed upgrades to the rear (north) of the property would not degrade the architectural integrity of the historic house.

B. Findings for the Modification to allow the 70 square foot addition to be located within the interior yard setback (SBMC §28.21.050 and SBMC §28.21.085)

A 70 square foot addition is proposed to join the converted garage to the main building, which includes four existing hotel rooms. This 70 square foot addition and the former location of Unit #4 would be the new breakfast pavilion for the hotel guests. Because the proposed addition is a non-residential use, it must adhere to double the required setback, which is 12 feet. Planning Commission supports the modification because the addition would meet at least the 6 foot interior yard setback in the R-4 zone and would secure an appropriate improvement on a lot. The Glenborough Inn patrons would not have to walk across the street to the main Glenborough Inn site for breakfast because on-site breakfast facilities would be provided. This would also give the owner flexibility to have 1316 Bath Street be a separate bed and breakfast and not dependent on the main Glenborough Inn site other than for parking.

C. Findings for the Modification to allow for Unit #4 to be located in the rear yard setback (SBMC §28.21.050 and SBMC §28.21.085)

Proposed above the converted hotel room (Unit #5), is a 306 square foot hotel room (Unit #4). Because the proposed addition is a non-residential use, it must adhere to double the required setback, which is 20 feet. Planning Commission supports the modification because the addition would meet at least the 10 foot interior yard setback for a second story in the R-4 zone and the rear yard encroachment would not impact the neighboring properties since it abuts the private alley. Also, keeping the second story addition to the rear (north) of the property would not degrade the architectural integrity of the historic house.

D. Findings for the Modification to allow the converted storage room to encroach into the required rear yard setback (SBMC §28.21.050 and SBMC §28.21.085)

The existing three car garage is located within the interior and rear setbacks. If a garage is converted to another use, such as storage space in this case, modifications are necessary to continue to allow the structure to be located in the interior and rear yard setbacks. The portion of the garage that would be converted is located is only in the rear yard setback. Planning Commission finds that the conversion of the garage to storage does not result in a significant impact to the adjacent uses and supports that the conversion is securing an appropriate improvement to the lot.

II. Said approval is subject to the following conditions:

- A. **Recorded Conditions.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be recorded by the Owner in a written instrument which shall be reviewed as to form and content by the City Attorney:
1. **Uninterrupted Flow of Water.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner which will preclude any hazard of life, health or damage to the Real Property or any adjoining property.
 2. **Development Approved.** The development of the Real Property approved by the Planning Commission on January 6, 2005 is limited to the addition of a hotel room and breakfast pavilion to the existing four unit bed and breakfast hotel, and the improvements shown on the Site Plan signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
 3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan as approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
 4. **Recyclable Material Use and Collection.** Hotel operators shall encourage guests to recycle by using recyclable materials, and providing sufficient and appropriate receptacles, such as recycling or green waste containers, in each room. Recyclable material collection and pick-up areas shall be provided on-site for the hotel operations. The hotel operators shall use materials that are recyclable to the extent feasible.
 5. **Bus Passes.** The Owner shall contact Metropolitan Transit District (MTD) to purchase shuttle bus passes or their equivalent for their hotel employees. These passes shall be provided free of charge to hotel employees to encourage shuttle bus usage. A copy of the contract with MTD shall be submitted to the Transportation Planning Manager.
- B. **Design Review.** The following is subject to the review and approval of the Architectural Board of Review (ABR):
1. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Lighting shall be directed toward the ground.
 2. **Trash Enclosure Provision.** A trash enclosure with an area for recycling containers shall be provided on the Real Property and screened from view from

surrounding properties and the street. Such structure shall be located at least five (5) feet from any building unless protected with fire sprinklers.

3. **Landscape Plan.** The Owner shall comply with the Landscape Plan as approved by the Architectural Board of Review (ABR). The landscape plan shall incorporate additional landscaping to screen the proposed gazebo.
- C. **Prior to Permit Issuance.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property; the Owner shall submit the following or evidence of completion of the following:
1. **Historic Designation.** Prior to issuance of a building permit, please submit a Structure of Merit application to the Historic Landmarks Commission.
 2. **Water Extraction Rights Assignment.** The Owner shall execute an Agreement Assigning Water Extraction Rights. Said assignment and any related agreements are subject to the review and approval of the City Attorney. Said agreement shall be recorded in the Office of the County Recorder.
 3. **Best Management Practices.** The Owner shall apply storm water quality control guidelines to the project per the Public Works Department Construction Project Best Management Practices.
 4. **Streetlight Petition Notice.** The Owner shall provide a written Streetlight Petition Notice (Notice) to all property owners, businesses, and residents in the 1300 block fronting the subject property. The Owner shall coordinate with the Public Works Department Facilities Manager to create the Notice. The recipients of the Notice shall vote on whether they do or do not support a mid-block residential streetlight on their block. A simple majority vote is required to add a mid-block streetlight. The Notice shall contain a description of the issues related to streetlight placement, and shall include a name and phone number of a contact person who can answer questions and provide related information. The Notice is the standard process used by the Public Works Department to facilitate the addition of mid-block City standard streetlight.

If it is determined that a residential streetlight is to be added, the Owner shall install City standard residential streetlight(s), as determined by the Public Works Department at the expense of the Owner.

If a residential mid-block streetlight is not installed as a result of the initial petition, then either a) five years following Planning Commission approval or, b) prior to Certificate of Occupancy, whichever occurs first, the Owner shall again provide a written Notice to all property owners, businesses, and residents on those same streets fronting the subject property. The citizens will be given another opportunity to request a residential mid-block streetlight. If a residential mid-block streetlight is determined to be added, the Owner shall install a City standard residential streetlight as determined by the Public Works Department at the expense of the Owner.

D. **Construction Plans.** The following requirements shall be incorporated into, or submitted with the construction plans submitted to the Division of Building & Safety with applications for building permits. All of these construction requirements must be completed prior to the issuance of a Certificate of Occupancy:

1. **Public Right of Way Improvements.** The Owner shall submit building plans for construction of improvements along the subject property road frontage on Bath Street. As determined by the Public Works Department, the improvements shall include replacement of approximately 150 square feet of City standard sidewalk and curbs, curb drain outlets, one "Type B" City residential streetlight (dependent upon Petition outcome) to City standard, flow calculations for the existing water meter, preserve and/or reset contractor stamp and/or survey monuments, drought-tolerant parkway landscaping and provide adequate positive drainage from site. Where tree roots are the cause of the damage, the roots are to be pruned under the direction of the City Arborist. The building plans shall be prepared by a registered civil engineer or licensed architect and reviewed by the City Engineer.
2. **Hydrology Calculations.** Submit to the Land Development Engineer hydrology calculations justifying that the onsite proposed and existing drainage conveyance system adequately convey a 25-year storm event.
3. **Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic on adjacent streets and roadways.
4. **Contact Signage.** Immediately after building permit issuance, signage shall be posted along the front property line that list the contractor(s) name, contractor(s) phone number, work hours, and City contact phone numbers to assist the neighbors, Building Inspectors and Police Officers in the enforcement of the conditions of approval and inform subcontractors of site rules and restrictions.
5. **Construction Hours.** Construction is prohibited (including preparation for construction work) on Saturdays, Sundays, between the hours of 5:00 p.m. and 8:00 a.m., and holidays observed by the City as legal holidays as shown below:

New Year's Day	January 1 st
Martin Luther King Jr.'s Birthday	3 rd Monday in January
Washington's Birthday	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	1 st Monday in September
Thanksgiving Day	4 th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving
Christmas Day	December 25th

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday respectively shall be observed as a legal holiday.

6. **Construction Storage.** On-site or off-site storage shall be provided for construction materials and equipment. Storage of construction materials within the public right-of-way is prohibited.
7. **Construction Materials Recycling.** The Owner shall, to the maximum extent feasible, recycle all construction/demolition waste and materials in order to minimize construction-generated waste conveyed to the landfill. Containers shall be provided on site for that purpose.
8. **Surface Drainage.** Any construction on this parcel shall not direct the flow of surface water onto any adjacent parcel and must either control the surface water on site or collect it and distribute it to the public way in accordance with an approved plan and permit from the Public Works Department.
9. **Contractor Stamps.** Any existing contractor stamps in the sidewalks, driveway aprons, and curbs shall be preserved and protected in place during all construction to the satisfaction of the Public Works Department.
10. **Archaeological Monitoring Contract.** Contract with an archaeologist from the most current City Qualified Archaeologists List to re-inspect the area impacted by the project during initial site preparation (after removal of existing pavement and prior to removal of foundations), and report the survey findings to, and receive authorization from, the City's Environmental Analyst, before site improvements commence. The archaeologist's monitoring contract shall include the following additional provisions, recommended in the Phase I Archaeological Survey prepared for this site by Macfarlane Archaeological Consultants (October 21, 2002):

At such time as the natural soil surface is exposed, the archaeologist shall conduct a formal survey of the project area. The archaeologist shall remain on-site to monitor initial site preparation grading and/or trenching in order to examine subsurface soils for indication of an archaeological site, artifacts, or other remains. The archaeologist need not be present during recompaction of excavated soils. Reports of the monitoring during initial grading activities and recommendations shall be reported to the City of Santa Barbara in the form of a formal report. The contract(s) shall be subject to the review and approval of the Environmental Analyst.

If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site

Monitors List, preparation and implementation of Phase II/III Archaeological Resources Report in accordance with the City Master Environmental Assessment Guidelines for Assessment of Archaeological Resources and Historic Structures and Sites, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find.

11. **Planning Commission Conditions and Signatures.** All Planning Commission Conditions of Approval shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner		Date
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Contractor	Date	License No.
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Architect	Date	License No.
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Engineer	Date	License No.
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- E. **Completion Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department.

2. **Complete Required Public Improvements.** Public improvements as shown on the building plans.
3. **Cross Connection Requirement.** The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist.

NOTICE OF MODIFICATION TIME LIMITS:

The Planning Commission's action approving the Modification shall terminate one (1) year from the date of the approval, per SBMC 28.87.360, unless:

1. A building permit for the use authorized by the approval is sought within twelve months of the approval. An extension may be granted by the Planning Commission if the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.
2. The approval has not been discontinued, abandoned or unused for a period of six months following the earlier of (a) an Issuance of a Certificate of Occupancy for the use, or (b) one (1) year from granting the approval.

This motion was passed and adopted on the 6th day of January, 2005 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.



Liz N. Ruiz, Planning Commission Secretary

4/7/05

Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.