



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** November 3, 2005  
**AGENDA DATE:** November 10, 2005  
**PROJECT ADDRESS:** 523-531 Chapala Street (MST2004-00854)  
**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
Jan Hubbell, AICP, Senior Planner  
Renee Brooke, AICP, Redevelopment Specialist

### **I. PROJECT DESCRIPTION**

The project site is 17,250 square feet, comprised of two parcels, located on Chapala Street between Haley and Cota Streets, in downtown Santa Barbara. The project involves demolition of two existing office buildings on the site and construction of a three-story mixed-use building, containing 2,552 square feet of commercial space and seven residential condominiums, ranging from 1,980 to 3,157 square feet. A 13-space parking garage at the ground level is also proposed. Please refer to Exhibits B and C, Site Plan and Applicant Letter, for additional project details.

### **II. REQUIRED APPLICATIONS**

The discretionary applications required for this project are:

1. A Development Plan to allow the construction of 2,552 square feet of nonresidential development (SBMC §28.87.300); and
2. A Tentative Subdivision Map (TSM) for a one lot subdivision to create seven residential condominiums and two commercial condominiums (SBMC Chapters 27.07 and 27.13).

### **III. RECOMMENDATION**

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Given that the City is generally built out, and the opportunity for increased residential development is minimal, this is a good opportunity to provide additional housing units in the City's West Downtown area. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VIII of this report, and subject to the conditions of approval in Exhibit A.

**DATE APPLICATION ACCEPTED:** September 15, 2005  
**DATE ACTION REQUIRED PER MAP ACT:** December 5, 2005

**Vicinity Map**



**IV. SITE INFORMATION AND PROJECT STATISTICS**

**SITE INFORMATION**

Applicant: Jeff Shelton	Property Owner: Leon Olson & Carlo Sarmiento
Parcel Numbers: 037-163-004, -021	Lot Area: 17,250 square feet
General Plan: General Commerce	Zoning: C-2 (Commercial) Zone
Existing Use: Used car lot/office	Topography: Relatively flat
Adjacent Land Uses:	
North – Commercial	East – Commercial
South – Commercial	West – Residential

**PROJECT STATISTICS**

	<b>Bedrooms</b>	<b>Size (Net)</b>	<b>Parking</b>	<b>Private Outdoor Living Space</b>
<b>Unit A</b>	1	2,113 sq. ft.	1-car garage	120 sq. ft. +
<b>Unit B</b>	2	2,314 sq. ft.	1-car garage	107 sq. ft. +
<b>Unit C</b>	2	2,296 sq. ft.	1-car garage	107 sq. ft. +
<b>Unit D</b>	2	1,980 sq. ft.	1-car garage	146 sq. ft. +
<b>Unit E</b>	3	2,551 sq. ft.	1-car garage	165 sq. ft. +
<b>Unit F</b>	3	2,622 sq. ft.	1-car garage	300 sq. ft. +
<b>Unit G</b>	3	3,157 sq. ft.	1-car garage	300 sq. ft. +

**V. ZONING ORDINANCE CONSISTENCY**

<b>Standard</b>	<b>Requirement/Allowance</b>	<b>Existing</b>	<b>Proposed</b>
Lot Area Required for Each Unit (Variable Density)	1-Bdrm = 1,840 sq. ft. 2-Bdrm = 2,320 sq. ft. 3-Bdrm = 2,800 sq. ft.  (1) 1,840 = 1,840 sq. ft. (3) 2,320 = 6,960 sq. ft. (3) 2,800 = 8,400 sq. ft. Total = 17,200 sq. ft.	17,250 square feet	17,250 square feet
Setbacks -Front -Interior -Rear	None None None	54 to 73 feet 0 to 48 feet None	0 to 3 feet 0 to 10 feet 8 feet
Building Height	60 feet (4 stories)	13 feet	42 feet (3 stories)
Parking	Residential - 7 spaces Commercial - 5 spaces	N/A N/A	Residential - 8 spaces Commercial - 5 spaces
Open Yard	10% of the lot (1,725 sq. ft.)	N/A	13% (2,193 sq. ft.) An additional 10% (1,824 sq. ft.) is provided at the podium level
Private Outdoor Living Space	1-Bd Units = 72 sq. ft. 2-Bd Units = 84 sq. ft. 3-Bd Units = 96 sq. ft.	N/A	No unit has less than 107 square feet
Lot Coverage -Building -Paving/Driveway -Landscaping	N/A N/A N/A	552 sq. ft. 3.2% 16,698 sq. ft. 96.8% 0 sq. ft. 0.0% 17,250 sq. ft. (100%)	14,602 sq. ft. (84.7%) 455 sq. ft. (2.6%) 2,193 sq. ft. (12.7%) 17,250 sq. ft. (100%)

**A. PARKING**

The property is located within the Central Business District (CBD), which has a requirement of one parking space per 500 square feet of nonresidential square footage. The site is also located

in a 10% Zone of Benefit, which means that only 90% of the required nonresidential parking must be provided. The residential parking requirement in the CBD is one covered space per residential unit, with no guest parking requirement. As such, the Zoning Ordinance requires five parking spaces for the proposed 2,552 square feet of commercial use ( $2,552/500 = 5.1$  spaces  $\times$  90% = 4.6) and seven spaces for the seven residential units, for a total of 12 spaces. The project includes 13 parking spaces, one more than are required by the Code, due to the Building Code requirement that an accessible parking space be provided for the residential units. A covered bicycle storage area is also proposed within the garage.

#### **B. RESIDENTIAL CONDOMINIUM DEVELOPMENT**

The proposed project would meet all of the requirements of the C-2 Zone, and would be consistent with the general City requirements and physical standards for new condominium development, per SBMC §27.13.050 and §27.13.060, respectively. The project would provide the required covered parking, 300 cubic feet of private storage space and laundry facilities for each unit. Each unit would have its own utility meters, and all utilities are proposed to be underground. Each unit would also meet the requirements for private outdoor living space.

#### **C. MEASURE E**

The project includes the demolition of approximately 552 square feet of commercial/office space and construction of approximately 2,552 square feet of commercial space. Pursuant to the provisions of SBMC §28.87.300, the project would be allocated a total of 2,000 square feet of Measure E nonresidential square footage from the Minor Addition category for the two properties involved in the project (1,000 square feet of Minor Addition square footage is allocated to each property).

### **VI. ENVIRONMENTAL REVIEW**

The Guidelines of the California Environmental Quality Act (CEQA) include a number of types of projects that are generally exempt from environmental review. The Environmental Analyst has determined that the project qualifies for an exemption per CEQA Guidelines §15304, which allows for minor alterations to the land. The project is also exempt per §15332, which provides for in-fill development projects in urban areas where it is determined that there will be no significant effects on the environment as identified by the following criteria:

#### **A. THE PROJECT IS CONSISTENT WITH THE APPLICABLE GENERAL PLAN DESIGNATION AND ALL APPLICABLE GENERAL PLAN POLICIES AS WELL AS WITH APPLICABLE ZONING DESIGNATION REGULATIONS.**

The General Plan designation for this area is General Commerce. There are several General Plan policies as well as zoning regulations that apply to the project. These are discussed under Sections V and VII of this report. The proposed use is consistent with the site's land use designation as it would provide commercial space as well as residential units. Planning Staff's conclusion is that the project is consistent with the General Plan Land Use Designation, Zoning designation, and applicable policies and regulations.

**B. THE PROPOSED DEVELOPMENT OCCURS WITHIN CITY LIMITS ON A PROJECT OF NO MORE THAN FIVE ACRES SUBSTANTIALLY SURROUNDED BY URBAN USES**

This project site is 17,250 square feet (0.40 acre) and located within the City of Santa Barbara. The surrounding area is developed with a mix of commercial, office and residential uses. The site is surrounded by urban uses in all directions.

**C. THE PROJECT SITE HAS NO VALUE AS HABITAT FOR ENDANGERED, RARE OR THREATENED SPECIES.**

The site has been previously disturbed and has no value as habitat for endangered, rare or threatened species.

**D. APPROVAL OF THE PROJECT WOULD NOT RESULT IN ANY SIGNIFICANT EFFECTS RELATING TO TRAFFIC, NOISE, AIR QUALITY, OR WATER QUALITY.**

1. **Traffic**

The project will not result in an impact to traffic. Transportation Staff performed an analysis of the estimated vehicle trip generation and distribution for the proposed project. The proposed mixed-use development, based on the net change in land use, would generate approximately three additional A.M. peak-hour trips, four additional P.M. peak-hour trips, and 40 average daily trips (ADT).

In order to determine if there is the potential for traffic impacts based on traffic entering an impacted intersection, or causing an intersection to become impacted, the City's practice is to follow five trips in any direction, to or from a site. Because less than five trips would be generated during the A.M. and P.M. peak-hour as a result of this project, the project is not expected to significantly impact the existing Downtown road network.

2. **Noise**

The City's Master Environmental Assessment indicates that project site is located in an area exposed to a noise level of 60 to 65 dB(a). Pursuant to the Noise Element, the required private outdoor living spaces for the residential units must not be exposed to a noise level in excess of 60 dB(a), and maximum interior noise levels shall not exceed 45 dB(a). A Noise Study was prepared by Dudek & Associates, Inc. (dated July 27, 2004), which concludes that none of the required private outdoor living spaces would exceed the 60 dB(a) threshold. Therefore, potential noise impacts to the development are expected to be less than significant.

Two areas, the southeast deck for Unit E and the northeast deck for Unit G, would exceed the threshold for exterior noise levels; however, they are outdoor areas provided in excess of the requirement, and are not subject to the same Noise Element requirements.

The study concluded that all windows and doors must be closed to ensure that interior noise levels would not exceed 45 dB(a) in the units along Chapala Street. Therefore, the design of these units must include mechanical ventilation and/or air conditioning to provide adequate ventilation (Condition F.5).

3. **Air Quality**

For environmental review purposes, the City of Santa Barbara uses the Santa Barbara County Air Pollution Control District's (APCD) thresholds of significance for air quality impacts. Based on the APCD's Land Use Screening Table, a project of seven residential units and two commercial spaces would not result in significant air quality impacts from ozone precursors due to mobile emissions. Due to the fact that the project is much smaller than those indicated on the table, it is expected there would be less than significant air quality impacts from mobile source emissions.

The project will involve grading, paving and landscaping activities which could result in short term dust related impacts; however, the applicant would be required to incorporate standard dust control mitigation measures during grading and construction activities. These measures are included as Conditions of Approval F.14 through F.19.

In accordance with City demolition permit requirements and Santa Barbara County Air Pollution Control District requirements, the demolition of the office building requires notification to the Air Pollution Control District prior to issuance of a demolition or building permit to ensure that any discovery of asbestos is properly handled per Air Pollution Control District regulations (Condition of Approval E.3).

4. **Water Quality**

The existing site consists of an asphalt parking area and two small office buildings, totaling 552 square feet. The entire site, approximately 0.40 acre, is almost flat and drains very slightly towards Chapala Street.

The proposed project is not expected to cause significant impacts to water quality, and would likely result in an improvement over the existing condition. The existing site is completely covered by paving and buildings and runoff currently sheet flows toward the street. The proposed project would provide landscaped areas to capture surface runoff, and runoff collected in the parking garage would be treated prior to entering the City storm drain system.

5. **Hazardous Materials**

A leaky underground fuel tank (LUFT) that existed on the western edge of the site was removed in 1992 along with contaminated soil to a depth of about 11 feet. A 2004 subsurface investigation by Hayden Environmental, Inc. found that the previous remedial action did not remove the soil contaminant plume that lies at depths between approximately 12 to 20 feet below the surface. A Remedial Action Plan was prepared (Hayden Environmental, Inc., August 16, 2004) that outlined activities necessary to remove the rest of the contaminated soil. The Santa Barbara County Fire Department, Fire Prevention Division (FPD) reviewed and approved the plan, with several conditions. Remediation of the soil began in March 2005 and is still underway.

To ensure that the site is remediated to the satisfaction of the FPD, Condition E.2 requires verification from the Applicant that the LUFT remediation plan has been completed before building permits are issued.

**E. THE SITE CAN BE ADEQUATELY SERVED BY ALL REQUIRED UTILITIES AND PUBLIC SERVICES.**

All utilities are existing and available at the site and can be extended to the development. The proposed project would result in an insignificant increase in demand for public services, including police, fire protection, electrical power, natural gas and water distribution and treatment.

**VII. ISSUES**

**A. DESIGN REVIEW**

This project was reviewed by the HLC on three occasions (See Exhibit D – Minutes). The first review occurred on January 5, 2005, at which time the project was continued with concerns regarding the mass of the building, although the HLC found the architectural style beautiful. The Commission felt that the project was incompatible with the neighboring homes and particularly, the Brinkerhoff Avenue Historic District.

The Applicant revised the plans in response to the HLC's comments, and returned for a second review on March 16, 2005. On that date, the HLC felt that the size, bulk, and scale was going in a positive direction, but the majority of the Commission thought the architecture should be simplified. The HLC also wanted to see section drawings, especially through the Brinkerhoff District, to see how the building would relate to it. They also stated that if the courtyard remained on the second level, the staircase should become more important, and in-ground plantings should be incorporated into the courtyard.

On July 6, 2005, the project was reviewed again by the HLC and they found the size, bulk and scale acceptable, and expressed support for the open space modification (which was later found not to be necessary) because the 10% open space requirement is met through the second floor courtyard. The Commission also stated that they appreciate the eight-foot rear yard and ten-foot side yard setbacks that will allow for additional in-ground landscaping.

**B. COMPLIANCE WITH THE GENERAL PLAN**

Before a condominium project and a tentative map can be approved, they must be found consistent with the City's General Plan. The project site is located in the West Downtown neighborhood, which is more intensely used than other parts of the City, and high-density residential and commercial development is envisioned in this area.

1. **Land Use Element**

The subject site has a General Plan designation of General Commerce. The residential portion of the mixed-use development would be subject to the density requirements of the R-3/R-4 Multiple Family Residential Zones, which allow 12 dwelling units to the acre. The General Plan Land Use and Housing Elements recognize, however, that in zones where variable density standards apply, development may exceed the limit of twelve units per acre without causing an inappropriate increase in the intensity of activities. The proposed project would result in a density of about 18 units per acre, which, based on the

above discussion, would be consistent with the Land Use and Housing Elements of the General Plan.

2. **Housing Element**

The City Housing Element encourages construction of a wide range of housing types to meet the needs of various household types. This proposal would satisfy that goal through the mix of unit types proposed.

*Neighborhood Compatibility*

In accordance with Housing Element Policy 3.3, which requires new development to be compatible with the prevailing character of the neighborhood, the proposed building would be compatible in scale, size and design with the surrounding neighborhood.

The surrounding neighborhood is comprised of a mix of office, residential and commercial buildings, with a wide range of heights. This area of the City is currently in transition, as evidenced by the recently approved mixed-use projects within two blocks north and south of the project site along Chapala Street, and by other pending projects in the vicinity.

In addition, one of the goals of the Urban Design Guidelines is compatibility of new development with the character of the City, the surrounding neighborhood, and adjacent properties. The HLC considers the Urban Design Guidelines in reviewing development proposals. As discussed above, the HLC is supportive of the mass, bulk and scale, and, after careful consideration of the proposed development's close proximity to the Brinkerhoff District, they found the development to be appropriate for this site and neighborhood.

3. **Circulation Element**

The Circulation Element contains goals and policies that promote housing in and adjacent to the downtown to facilitate the use of alternative modes of transportation and to reduce the use of the automobile. For example, Circulation Element Implementation Strategy 13.1.1 encourages "the development of projects that combine and locate residential uses near areas of employment and services." This project provides housing as well as commercial space in the downtown and is, therefore, consistent with this goal.

4. **Conservation Element**

The City's Conservation Element policies provide that significant environmental resources of the City be preserved and protected. The Conservation Element requires implementation of resource protection measures for archaeological, cultural and historic resources; protection and enhancement of visual, creek habitat, biological and open space resources; protection of specimen and street trees; maintenance of air and water quality; and minimizing potential drainage, erosion and flooding hazards. The project's potential to affect air and water quality was discussed in the Environmental Review section of this report; the potential effect related to archaeological resources is discussed below.

Archaeological Resources

The City's cultural sensitivity maps indicate that this site is located in several cultural sensitivity zones including the Spanish/Mexican Period, 1850-1870; the Hispanic-American Transition Period, 1850-1870; the American Period 1870-1900; and the Early 20<sup>th</sup> Century, 1900-1920 cultural sensitivity zones. A Phase 1 Cultural Resources Report assessing potential impacts to any historic or archaeological resources was required, and was approved by the Historic Landmarks Commission on February 16, 2005.

The Phase I Archaeology Report for the proposed development project, prepared by Stone Archaeological Consulting and dated January, 2005, found no prehistoric or historic archeological sites recorded within the property; however, ground visibility was very poor since the site is currently paved. Given the potential for the parcel to contain cultural material relating to residences that previously occupied the site since at least 1888, and the obscured ground surface of the parcel, the report recommended that the property be re-inspected after the existing pavement has been removed.

An Archaeological Letter Report, prepared by Stone Archaeological Consulting (February 2, 2005), for the soil remediation work currently occurring on-site resulted in the same conclusion. When the pavement was removed in the area of remediation work, the area was re-surveyed and no significant resources were discovered.

Per City MEA procedures, if any artifacts, features or deposits of historic or prehistoric nature are encountered during extended Phase I investigations, excavation would be halted and/or redirected while these cultural remains are assessed and, as necessary, mitigation implemented (please refer to Conditions of Approval F.2 and F.3). An additional recommendation from the reports, to perform controlled grading to a three-foot depth along the westerly property line where the highest potential for encountering historic archaeological resources exists, is included as Condition F.4.

**VIII. FINDINGS**

The Planning Commission finds the following:

**A. DEVELOPMENT PLAN APPROVAL (SBMC §28.87.300)**

1. The proposed development complies with all provisions of the Zoning Ordinance, can be found consistent with the purpose and intent of the Ordinance and the proposed project is an appropriate use for the neighborhood; and
2. The proposed development is consistent with the principles of sound community planning. The proposed mixed-use project would allow for additional residential units and commercial spaces in the West Downtown area, and is consistent with the existing mix of uses in the surrounding neighborhood; and

3. The proposed development will not have a significant adverse impact upon the neighborhood's aesthetics/character in that the size, bulk or scale of the development will be compatible with the neighborhood; and
4. The proposed development will not have a significant unmitigated adverse impact upon City and South Coast affordable housing stock since the proposal involves the addition of seven residential units in the City's housing stock; and
5. The proposed development will not have a significant unmitigated adverse impact on the City's water resources because the City currently has a sufficient dependable water supply to serve this project; and
6. The proposed development will not have a significant unmitigated adverse impact on the City's traffic because the proposed use will meet its parking demand for the site and vehicle trips associated with the use will not significantly impact the City's street network.

**B. TENTATIVE MAP (SBMC §27.07.100)**

The Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development, the project is consistent with the variable density provisions of the Municipal Code and the General Plan, and the proposed use is consistent with the Land Use Element and zoning designation for the site, and the vision for this neighborhood in the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems or conflict with easements, acquired by the public at large, for access through or use of property within the proposed development.

**C. NEW CONDOMINIUM DEVELOPMENT (SBMC §27.13.080)**

1. *The project complies with all provisions of the City's Condominium Ordinance.*

The project complies with the density requirements and each unit includes adequate covered parking with storage, laundry facilities, separate utility metering, adequate unit size and required private outdoor living space.

2. *The proposed development is consistent with the General Plan of the City of Santa Barbara.*

The project is consistent with policies of the City's General Plan including the Land Use Element, Housing Element, Conservation Element, Noise Element and Circulation Element. The proposed development is consistent with the principles of sound community planning and will not have an adverse impact upon the neighborhood's aesthetics, parks, streets, traffic, parking and other community facilities and resources. The project will provide infill residential development in the downtown that is compatible with the surrounding neighborhood.

3. *The proposed development is consistent with the principles of sound community planning and will not have an adverse impact upon the neighborhood's aesthetics, parks,*

*streets, traffic, parking and other community facilities and resources.*

The project is an infill mixed-use project proposed in an area where residential and commercial uses are permitted. The project is adequately served by public streets, will provide adequate parking to meet the demands of the project and will not result in traffic impacts. Adequate park facilities exist nearby, and the project would not adversely impact other community resources, such as water, sewer, police, fire, and schools. The design has been reviewed by the City's design review board, which found the architecture and site design appropriate.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter dated June 27, 2005
- D. HLC Minutes
- E. Applicable General Plan Policies