



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: August 5, 2005
AGENDA DATE: August 11, 2005
PROJECT ADDRESS: 13 W. Haley Street (MST2003-00001)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
Jan Hubbell, AICP, Senior Planner
Marisela G. Salinas, Associate Planner

I. SUBJECT

The proposed project involves the construction of a 699 square foot, four-story residence with an attached 259 square foot one-car garage and a roof deck on a 400 square foot vacant lot. The project site is located on a private alley off West Haley Street (Exhibits B & C). City Council previously approved this project on appeal on April 13, 2004 (Exhibit E); however, the approval has expired. The discretionary applications required for the proposed project are:

1. A Modification to not provide the required ten-foot (10') setback from all interior lot lines (SBMC §28.69.060);
2. A Modification to provide one (1) covered parking space instead of the required two (2) covered parking spaces (SBMC §28.90.100);
3. A Modification to allow parking to be located in the required interior yard setback (off the private alley) (SBMC §28.90.001.8); and
4. A Modification to not provide the ten percent required open yard area (SBMC §28.21.080.6).

II. RECOMMENDATION

With approval of the modifications, the proposed project would conform to the City's Zoning and Building Ordinances. The project has not changed significantly from the approval granted by the City Council on appeal. Therefore, Staff continues to recommend that the Planning Commission approve the project, making the findings outlined in Section IV of this report, and subject to the conditions of approval in Exhibit A.

DATE APPLICATION ACCEPTED: July 21, 2005
DATE ACTION REQUIRED: October 19, 2005

III. BACKGROUND/ISSUES

The project received final approval from the Historic Landmarks Commission on October 27, 2004, following an approval from the City Council on appeal for the modifications and the garage waiver. Subsequently, that design review decision was appealed to the City Council and, on December 14, 2004, the City Council upheld the approval of the Historic Landmarks Commission. Since then, the applicant has moved forward with the project and has been working to address concerns regarding the accuracy of the site plan, Building Code compliance, and construction staging.

There were inconsistencies found between the site plan and survey. Upon further review, it was determined that the survey was inaccurate and it was revised to reflect the correct dimensions, consistent with the site plan.

In order to comply with Building Code requirements, the applicant applied to the Building Department for Code Modification. They were granted a Code Modification by the City Building Official on April 20, 2005.

Lastly, changes were made to the construction staging. Their new proposal involves using the lots at 401 State Street (off Gutierrez Street) and 523-521 Chapala Street for staging purposes (Exhibit D). These sites will be used for materials storage and for material drop-off. The materials will then be shuttled to the site in smaller vehicles. Transportation Operations staff have reviewed and approved the staging area and truck route. The construction phase is projected to last approximately four months.

IV. FINDINGS

The project has not changed significantly from the approval granted by the City Council on appeal. Therefore, Staff continues to recommend that the Planning Commission approve the project as outlined in the Staff Report and subject to the Conditions of Approval (Exhibit A) and findings outlined below.

A. SETBACK MODIFICATIONS (SBMC §28.69.060)

In order for the Planning Commission to approve the requested modification to permit the entire residence and attached garage to be constructed on the property lines instead of observing the ten foot interior yard setbacks, it must be found that the modifications are consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on a lot, prevent unreasonable hardship, or promote uniformity of improvement.

The interior yard modifications are supportable because the alley will provide a permanent setback from the commercial development to the north, the structure will meet Title 24, California Building Code requirements, and the foreseeable noise impacts would be mitigated to a less than significant level. Given the small size of the lot, the modifications are necessary to develop the project. The HLC found the project compatible and appropriate. The property owners also recognize that they are in a commercially zoned area and acknowledge the potential nuisances that come along with downtown living.

B. OPEN SPACE AREA MODIFICATION (SBMC §28.21.080.6)

In order for the Planning Commission to approve the requested modification to not provide the ten percent of the lot for required open yard area, it must find that the modification is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on a lot, prevent unreasonable hardship, or promote uniformity of improvement.

The proposed project would provide 134 square feet of private outdoor space on the roof deck, which is greater than the combined requirement for open yard and private outdoor space. Although the square footage in addition to the 72 square feet required for private outdoor space does not meet the open yard area requirements, the intent of the Zoning Ordinance for adequate outdoor space is being met.

C. PARKING MODIFICATION (SBMC §28.90.100)

In order for the Planning Commission to approve the requested modification to allow one covered parking space instead of two covered parking spaces, it must find that the modification is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on a lot, prevent unreasonable hardship, or promote uniformity of improvement.

The modification request is supportable because the parking demand for one residential unit in the Central Business District is one space. Additionally, the parking demand for a one-bedroom residential unit that is 750 square feet or less in size would be met with one parking space. The proposed parking modification would be consistent with the purposes and intent of the Zoning Ordinance and would not cause an increase in the demand for parking space in the immediate area.

Exhibits:

- A. Conditions of Approval
- B. Site Plan & Elevations
- C. Applicant letter
- D. Construction Phasing
- E. City Council Staff Report dated April 13, 2004