



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: September 8, 2005
AGENDA DATE: September 15, 2005
PROJECT ADDRESS: 1905 Cliff Drive (MST2002-00729) (CDP2002-00014)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
Jan Hubbell, AICP, Senior Planner
Kathleen Kennedy, Assistant Planner

I. SUBJECT

The proposed project was originally scheduled for the February 29, 2004 Planning Commission hearing; however, it was postponed so that the applicant could prepare a remediation plan for the Leaking Underground Fuel Tank (LUFT) as required by the Santa Barbara County Protective Services Department. The proposed project is identical to the one proposed previously. Story poles were erected when the proposed project was previously scheduled and photographic documentation of the story poles has been submitted by the applicant.

The proposed project is a 6,596 square foot, two-story, mixed use development consisting of two buildings separated by a paseo. The existing use of the site is a 1,232 square foot gas station, which would be demolished. Removal of the existing use would require remediation of the soil and groundwater due to a leaking underground fuel tank. The proposed project would consist of 3,470 square feet of commercial space and four (4) rental apartments ranging from 650 to 996 square feet, equaling 3,126 square feet. A total of 22 uncovered parking spaces are proposed. A variance, approved by the City Council, to allow encroachments into the Cliff Drive setback, would be required.

The discretionary applications required for this project are:

1. Modification to provide less than the required distance between the main buildings (SBMC§28.21.070);
2. Modification to encroach into the required ten foot front yard setback at the Cliff Drive frontage (SBMC§28.54.060);
3. Modification to encroach into the required ten foot front yard setback at the Meigs Road frontage (SBMC§28.54.060);
4. Modification to provide less than the required parking spaces for the project (SBMC§28.90.100);

5. Modification to allow the required 1,250 square feet of private open space to be configured in areas less than 400 square feet and with less than the required minimum dimension of 20 feet (SBMC§28.18.060);
6. Coastal Development Permit for development in the non-appealable jurisdiction of the Coastal Zone (SBMC§28.45.009); and
7. Development Plan for the 2,238 square feet of additional non-residential floor area (SBMC§28.87.300).

DATE APPLICATION ACCEPTED: July 29, 2005
DATE ACTION REQUIRED: September 27, 2005



Vicinity Map for 1905 Cliff Drive

II. SITE DESCRIPTION

Applicant:	Vadim M. Hsu, Architect
Property Owners:	Darush and Debra Babai
Project Address:	1905 Cliff Drive
Parcel Number:	045-015-007
General Plan:	General Commerce, Neighborhood Shopping Center

Zoning: C-P/R-2/SD-3, Restricted Commercial, Two-Family Residence, Coastal Overlay Zones

Environmental Assessment: Categorically Exempt per CEQA Guidelines Section 15330 (Minor Hazardous Waste Remediation) and Section 15332 (In-fill Development Project)

Existing Use: Automotive Service / Gasoline Station

Proposed Use: Mixed-use development

Topography: 6% slope in a southeasterly direction

Access: Cliff Drive and Meigs Road

Adjacent Land Uses:

North:	Cliff Drive, Commercial Retail and Office
South:	Commercial Retail, Multi-Family Residential
East:	Meigs Road, Commercial Retail
West:	Commercial Retail

III. SITE STATISTICS

LOT AREA: 17,471 square feet (0.40 acres)

PROPOSED LOT COVERAGE:

-Building:	4,284 square feet (24.5%)
-Open Space	1,708 square feet (9.8%)
-Paving:	6,835 square feet (39.1%)
-Enhanced Paving:	3,054 square feet (17.5%)
- <u>Landscaping:</u>	<u>1,590 square feet (9.1 %)</u>
Total	17,471 square feet (100%)

PROPOSED SQUARE FOOTAGE:

Commercial Retail:	806 square feet
Commercial Office:	740 square feet
<u>Restaurant:</u>	<u>1,924 square feet</u>
Total Commercial:	3,470 square feet

Unit A (2-bedrooms):	730 square feet
Unit B (2-bedrooms):	650 square feet
Unit C (2-bedrooms):	750 square feet
<u>Unit D (3-bedrooms):</u>	<u>996 square feet</u>
Total Residential:	3,126 square feet

Total Development: 6,596 square feet

OPEN YARDAREA (per R-2 Zone):

Required:	1,250 square feet
Provided:	1,708 square feet (without the required dimensions)

PRIVATE OUTDOOR LIVING SPACE (per R-2 Zone):

	<u>Required</u>	<u>Provided</u>
Unit A:	140 square feet	152 square feet
Unit B:	140 square feet	152 square feet
Unit C:	140 square feet	212 square feet
Unit D:	160 square feet	163 square feet

PROPOSED PARKING:

-Required:	27 spaces (4 residential + 23 commercial)
-Provided:	22 spaces (4 residential + 18 commercial)

IV. PROJECT DESCRIPTION

The project site is a 17,471 square foot (0.40 acre) lot in the C-P/R-2/SD-3 Zone District, located at the corner of Cliff Drive and Meigs Road. The site is currently developed with a 1,232 square foot gas station. Removal of the existing use would require remediation of the soil and groundwater due to a leaking underground fuel tank.

The proposed project is a 6,596 square foot, two-story, mixed use development consisting of two buildings separated by a paseo. Building 1 would consist of 806 square feet of commercial space on the first floor, a 650 square foot, two-bedroom townhouse and a 730 square foot, two-bedroom townhouse for a total of 2,186 square feet. Building 2 would consist of a 1,924 square foot restaurant and a 750 square foot, two-bedroom apartment on the first floor and a 740 square foot office and a 996 square foot, three-bedroom apartment on the second floor, for a total of 4, 410 square feet. A total of 22 uncovered parking spaces, with four spaces reserved for the residential units, are proposed.

In order to create a pedestrian-oriented development, the applicant has proposed a paseo with enhanced paving between the two buildings that would lead from the Cliff Drive sidewalk to a courtyard area behind the buildings and to the parking area. In addition, each building would have an arcade element located along the street frontage which would have enhanced paving and would provide opportunities for walking, sitting and dining. A variance, approved by the City Council, to allow the encroachment of the arcades into the Cliff Drive setback would be required.

The project includes the widening of the sidewalk to eight (8') feet and the parkway to six (6') feet along the property frontage on Meigs Road. The corner of Cliff Drive and Meigs Road would be reconstructed and the Meigs Road street lanes and crosswalk would be restriped. On-street parking along the Meigs Road frontage would be eliminated. The existing ten (10') foot wide sidewalk and ten (10') foot wide parkway along Cliff Drive would remain. The four (4) existing driveway aprons would be removed and two (2) new driveway aprons would be constructed.

V. **ENVIRONMENTAL REVIEW**

Staff has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15330 (Minor Hazardous Waste Remediation) and Section 15332 (In-fill Development Project) as discussed below.

Minor Hazardous Waste Remediation: The existing gas station was built approximately 40 years ago and has been identified by the Santa Barbara County Protective Services Department as a Leaking Underground Fuel Tank (LUFT) location that requires corrective action. CEQA Guidelines Section 15330 defines certain minor hazardous waste or hazardous substances cleanup actions costing \$1 million or less as a class of exempt projects. This exemption is intended to speed such cleanups, while at the same time providing sufficient safeguards to ensure that no significant environmental effects may occur as a result. The City cannot issue any building permits for the site until all issues regarding the LUFT have been addressed to the satisfaction of the County of Santa Barbara Protective Services Department. Conditions that specifically address this matter have been incorporated into the Conditions of Approval.

In-fill Development Project: CEQA Guidelines Section 15332 is an exemption that consists of projects characterized as in-fill development meeting the conditions described below.

1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. *With the approval of the requested Modifications, the project would be consistent with the general plan designation (General Commerce/Neighborhood Shopping Center), all applicable general plan policies, the zoning designation (C-P/R-2/SD-3: Restricted Commercial/Two-Family Residence/Coastal Overlay) and regulations.*
2. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. *The project site is a 17,471 square foot (0.40 acres) parcel within the City limits and is substantially surrounded by urban uses.*
3. The project site has no value as habitat for endangered, rare, or threatened species. *The existing use on the site is a gas station and it has no value as habitat for endangered, rare, or threatened species.*
4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Traffic: Based on the Shopping Center rate (820) and the Residential Condominium rate (230) provided by the Institute of Transportation Engineers (ITE) manual, it has been determined that 22 AM peak hour trips and 32 PM peak hour trips would be generated by the proposed mixed-use development. The existing gas station is estimated to generate 98 AM peak hour trips and 116 PM peak hour trips. Based on the ITE manual, the existing gas station (rate 844) averages 1,348 daily trips. However, there is an existing pass by rate of 68% factored into the existing use as a gas station, thereby reducing the existing average daily trips (ADT) to 431. The average daily trips for the proposed mixed-use development are estimated to total 726. Therefore, there will be a net increase in the ADT. However, there will be a net reduction in AM peak hour trips by 8 trips and PM peak hour trips by 5 trips. The existing roadway has the capacity to handle the increase in the ADT and the

intersection will benefit from a decrease in the AM and PM peak hour traffic. The proposed development is not anticipated to have an adverse impact on adjacent streets or to the intersection of Meigs Road and Cliff Drive. When the forecasted trips noted are distributed to the existing roadway network, Staff does not anticipate that this project would generate project-specific or cumulative traffic impacts.

Noise: According to the City's Master Environmental Assessment (MEA), the project site is located within the 60-65 dBA (decibels) noise contour, with the primary noise source being traffic. The private outdoor living spaces for the residential units are either located at the interior of the lot or surrounded by a high wall; therefore, potential noise impacts associated with the development would be less than significant.

Air Quality: The City 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 four residential units and 3,470 square feet of commercial space would not result in significant air quality impacts. The project would involve grading, paving and landscaping activities which could result in short-term dust related impacts. Standard dust control measures are included in the conditions of approval; therefore, no significant air quality effects would result.

Water Quality: A condition of approval is included that requires the installation of drain filters; therefore, the proposed project would not be expected to cause significant impacts to water quality.

5. The site can be adequately served by all required utilities and public services. *All required utilities and public services are available to adequately serve the project.*

VI. ARCHITECTURAL BOARD OF REVIEW (ABR)

The Architectural Board of Review (ABR) reviewed the proposed project on three occasions. On June 2, 2003, it was continued indefinitely to the Planning Commission with positive comments. The Board stated that the mass, bulk, scale, and architectural style were generally acceptable, and that the site plan design with the buildings toward the street and parking in the rear was acceptable. The Board supports the setback modifications to allow the arcade to encroach into the front yard setbacks because it provides architectural relief to the building and it is at an acceptable distance from the corner. The Board suggested that the applicant further study some of the architectural elements. The minutes from the ABR meetings are attached as Exhibit D. Preliminary and final approval by the ABR will be required following Planning Commission approval of the project.

VII. ISSUES

A. ZONING ORDINANCE CONSISTENCY

1. Distance Between Buildings Modification

The proposed two-story project consisting of two main buildings would be situated approximately eight (8') feet apart, which is less than the required fifteen (15') feet; therefore, a Modification would be required. A paseo is proposed in the area between

the two buildings, which would connect the sidewalk at the Cliff Drive frontage to the courtyard and parking lot at the rear. Staff supports the reduction in the distance between buildings because the width of the paseo would be in scale with the buildings and would facilitate a pedestrian-oriented environment.

2. Front Yard Setback Modifications

The proposed arcades encroach into the required ten (10') foot front yard setbacks along the Cliff Drive and Meigs Road frontages; therefore, setback Modifications would be required. Staff is supportive of the requested modifications because the arcades would provide opportunities for walking, sitting and dining, and would be consistent with the recommendations in the City's Urban Design Guidelines to locate parking lots behind buildings and provide pedestrian amenities.

3. Parking Modification

The parking requirement for the proposed project is 11 spaces for the restaurant, 12 spaces for the commercial retail and office uses, and 4 spaces for the residential units, for a total of 27 parking spaces. The applicant is proposing to provide a total of 22 parking spaces, five less than required. All parking spaces would be uncovered spaces and the four (4) residential spaces would be reserved.

The mixed-use development is expected to meet its parking demand on site. The parking demand was calculated using the ITE's parking demand rate for a Shopping Center (820) and the City's Transportation Planning rate for four residential units. The ITE defines a Shopping Center as an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. Based on 3,470 commercial square feet proposed for the project, the commercial parking demand is 12 spaces. The residential portion of the project demands a total of four spaces considering the 50% reduction granted for mixed-use projects. The total parking demand on site is 16 spaces and the project is proposing 22 spaces; therefore, the parking demand would be met on site.

4. Open Yard Area Modification

The proposed project does not adhere to the R-2 zoning requirement that an open yard area of 1,250 square feet be provided in one area or in separate areas of not less than 400 square feet (20' x 20' minimum); therefore, a Modification would be required. Staff supports the Modification because the purpose and intent of the Zoning Ordinance is met by providing of a total of 1,708 square feet of open yard area onsite. Staff recognizes that having two front yards impedes the ability to provide the minimum areas. In addition, the project meets the requirement for the private outdoor living areas for each of the residential units.

5. Development Plan (Measure E)

There is currently 1,232 square feet of non-residential square footage onsite. The proposal includes a total of 3,470 square feet of non-residential square footage; therefore, an additional 2,238 square feet of non-residential square footage is being

requested for the project. Development Plan approval is required to allocate non-residential square footage from the Minor Addition and Small Addition categories.

B. GENERAL PLAN CONSISTENCY

In order to approve a Coastal Development Permit, the project must be found consistent with the City's General and Local Coastal Plan. The proposed development would result in a mixed use development in an existing urbanized area that is currently developed with commercial and residential uses.

1. Land Use Element

The project site has a General Plan land use designation of General Commerce and is located in the West Mesa neighborhood of the City, which is bounded on the north by Cliff Drive and by existing development oriented toward Cliff Drive; on the south by the Pacific Ocean; on the east by a line running along Meigs Road to the ocean; and on the west by Arroyo Burro Beach Park. The Land Use Element describes the area as containing the Mesa Shopping Center with surrounding duplex and multiple-dwelling development. The proposed mixed use development is entirely appropriate in this location.

2. Housing Element

A goal of the Housing Element is to assist in the production of new housing opportunities, through the public and private sector, which vary sufficiently in type and affordability to meet the needs of all economic and social groups. Although the proposed residential units would not be restricted under the City's Affordable Housing Program, the proposed rental units are relatively modest in size, ranging from 650 to 996 square feet, and would contribute a needed segment to the mix of units in the City.

Another goal of the Housing Element is to protect existing neighborhood character while encouraging compatible infill development. The project received generally favorable comments from the Architectural Board of Review, and Staff concurs that the project can be found compatible with the surrounding development in the neighborhood.

3. Local Coastal Plan

The project site is located within the Coastal Zone and thus must be found consistent with the City's Local Coastal Plan (LCP), which implements the California Coastal Act. The project site is located within "Component 2" of the LCP. This area is identified as having primarily single-family neighborhoods and a few neighborhood commercial areas with very limited additional development potential. The primary coastal issues in Component 2 include, in part, hazards of sea cliff retreat and flooding, bluff access, protection of archaeological resources, and the maintenance of public views of the coast and open space. Because none of these issues are applicable to the proposed project, the project can be found to be consistent with the City's Local Coastal Plan.

VIII. RECOMMENDATION/FINDINGS

The proposed mixed use development is consistent with the Zoning Ordinance, General Plan and the Local Coastal Plan and complies with applicable standards governing new residential and commercial development. Therefore, staff recommends that the Planning Commission make the following findings and approve the project subject to the attached Conditions of Approval (Exhibit A):

A. DISTANCE BETWEEN BUILDINGS MODIFICATION (SBMC§28.21.070)

In order for the Planning Commission to approve the requested modification to allow less than the required fifteen (15') foot distance between buildings, it must be found 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 buildings would be separated by an eight (8') foot wide paseo that would connect the sidewalk at the Cliff Drive frontage to the courtyard and parking lot at the rear. The paseo would be in scale with the proposed project and would facilitate a pedestrian-oriented environment. Thus, the modification is consistent with the purposes and intent of the Zoning Ordinance, and is necessary to secure an appropriate improvement on the lot.

B. SETBACK MODIFICATIONS (SBMC§28.54.060)

In order for the Planning Commission to approve the requested modification to allow the arcades to encroach into the required ten-foot front yard setback along Cliff Drive and Meigs Road, it must be found 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 arcades in this location would provide opportunities for walking, sitting and dining, and enable the development to comply with the recommendation in the City's Urban Design Guidelines to locate parking lots behind buildings and provide pedestrian amenities. Thus, the modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.

C. PARKING MODIFICATION (SBMC§28.90.100)

In order for the Planning Commission to approve the requested modification to allow less than the required number of parking spaces, it must be found that the modification will not be inconsistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking spaces in the immediate area. As stated previously, the parking demand would be met by the provision of eighteen (18) parking spaces for the commercial uses and four (4) parking spaces for the residential uses. Thus, it can be found that the modification is consistent with the purpose and intent of the Zoning Ordinance.

D. OPEN YARD AREA MODIFICATION (SBMC§28.18.060)

In order for the Planning Commission to approve the requested modification to allow the open yard area to be provided in separate areas of less than 400 square feet; it must be found 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 strict application of the R-2 zoning requirement for open yard area appears to create a hardship for mixed use developments, and especially so for lots that have two front yards. Although the open yard areas would not meet the minimum required dimensions, the proposed project would provide more than the required amount of open yard area. Therefore, it can be found that the modification is consistent with the purpose and intent of the Zoning Ordinance and is necessary to prevent unreasonable hardship.

E. DEVELOPMENT PLAN (SBMC§28.87.300)

1. The proposed development complies with all provisions of the Zoning Ordinance. *With the approval of the requested Modifications, the proposal will be in compliance with the standards described in the C-P/R-2 zone.*
2. The proposed development is consistent with the principles of sound community planning. *The proposed project is consistent with the principles of sound community planning by providing improved sidewalk and parkway areas.*
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. *The ABR has conceptually reviewed the project and has found the mass, bulk, scale, and architectural style to be compatible with the surrounding neighborhood.*
4. The proposed development will not have a significant unmitigated adverse impact upon City and South Coast affordable housing stock. *The project includes four rental apartments as part of the mixed use development.*
5. The proposed development will not have a significant unmitigated adverse impact on the City's water resources. *There is sufficient water supply to meet the demand and would not cause a significant unmitigated adverse impact.*
6. The proposed development will not have a significant unmitigated adverse impact on the City's traffic. *When the peak hour trips are distributed to the existing roadway network, there are no anticipated traffic impacts.*
7. Resources will be available and traffic improvements will be in place at the time of project occupancy. *Traffic improvements are not required to mitigate project*

impacts. Adequate city services are available and the proposal includes sidewalk and parkway improvements.

F. COASTAL DEVELOPMENT PERMIT (SBMC §28.45.009)

The project is consistent with the policies of the California Coastal Act (commencing with Section 30200) including public access and public recreation because it would not affect public access or recreation opportunities. In addition, the project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Municipal Code.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter and addendum dated July 30, 2005
- D. Architectural Board of Review Minutes