



# City of Santa Barbara California

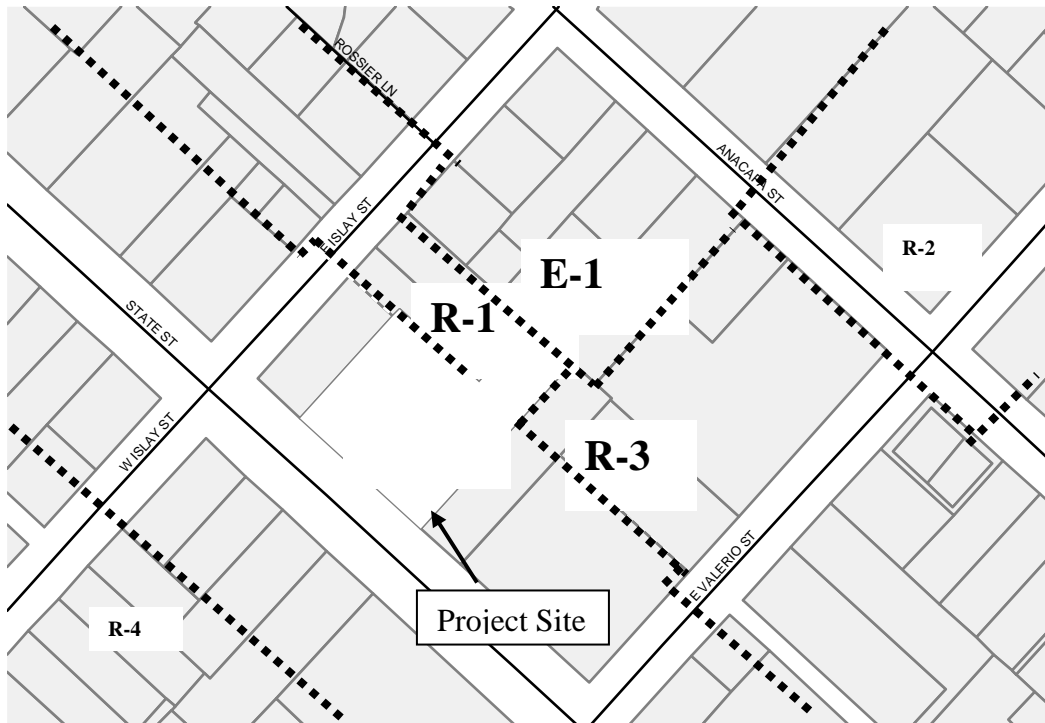
## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** October 17, 2005  
**AGENDA DATE:** November 3, 2005  
**PROJECT ADDRESS:** 1722 State Street (MST2005-00455)  
**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
Jan Hubbell, AICP, Senior Planner  
Steve Foley, Associate Planner

### **I. SUBJECT**

The applicant is requesting that the City initiate a change in zone for the eastern portion of the subject property from R-1 (One-Family Residential) to R-3 (Multiple Family Residential) or C-2 (Commercial zone). The property's eastern arm is zoned differently than the western portion (C-2) and the applicant's request would result in the entire property being zoned either C-2 or C-2/R-3. At this time, the discretionary application required for this project is an Initiation of a Zone Change. The purpose of the staff report is to provide a brief summary of the proposal and discussion of related issues, and recommend that the Planning Commission initiate the change in zone. Because the change in zone is important to the applicant to continue with the processing of a conceptual mixed-use project, staff requests that the Planning Commission to comment on the conceptual plans.

If the Planning Commission initiates the zone change, the applicant and city staff will continue to process the project, including environmental review, prior to further Planning Commission hearings.



## II. SITE DESCRIPTION

Applicant:	Jan R. Hochhauser
Property Owner:	Ernest Brooks
Parcel Number:	027-102-021
General Plan:	Offices and Residential
Existing Zoning:	C-2 and R-1
Proposed Zoning:	C-2 or C-2 and R-4 (Rear)
Existing Use:	Photography and Videography Classroom
Proposed Use:	Mixed Use: Residential and Commercial
Topography:	Approximately 4-5%, draining toward State Street
Lot Area	28,875 square feet
Access:	State Street
Adjacent Land Uses:	
North:	Residential/Commercial (C-2, R-1 zones)
South:	Commercial/Office (C-2, R3 zones)
East:	Residential (R-1, E-1 zones)
West:	State Street, Commercial (C-2 zone)

### **III. REQUEST AND ISSUES**

The applicant is requesting that the city initiate a zone change for a portion of the subject property from R-1 (One Family Residential) to either R-3 (Multiple Family Residential) or C-2 (Commercial) to match up with the designation of the front portion of the parcel. Either of these designations would be required in order to process the applicant's mixed-use project proposal. Currently, the 28,875 square-foot lot is split by two zoning designations; the eastern portion, totaling approximately 4,125 square feet, is zoned R-1, and the western portion adjacent to State Street, totaling 24,750 square feet, is zoned C-2. There are several areas of the City where zone boundaries do not align with property lines, so it is not unusual that this property is split by two zones.

A change of zone is a legislative process and the City procedures require that the Planning Commission or City Council initiate the rezoning before the applicant can submit a formal application for rezoning. A zone change can be initiated by either an applicant, or the Planning Commission or City Council. In this case, a property owner is initiating the zone change.

The purpose of this hearing is to receive direction from the Planning Commission on the appropriateness of the requested rezone, and to either initiate the rezone for further study or to decline to initiate the request for the rezone. If the requested rezone is initiated, staff would evaluate the potential for environmental impacts related to the request, which would result in the entire property being zoned C-2 or a split zoned property of C-2 and R-3.

The surrounding property to the east is zoned R-1 and E-1 (One-Family Residential), the south is zoned R-3 (Multiple Family) and the north and east is zoned C-2 (Commercial).

The Planning Commission should consider two specific issues of the change of zone request. The C-2 district is a commercial zone that allows multiple family residences in a mixed-use configuration as conceptually proposed. However, staff is concerned that, in this instance, the proposed mixed-use project with its potential merit of providing residences in close proximity to the core commercial area should not impel the zone to be changed. This could send a potentially misleading message to future developers of the property if the city initiates and adopts the C-2 zone without a follow-up mixed-use project coming to fruition. In other words, the merits of the zone change should be self evident, not driven by a specific project.

Future projects would be required to meet the zone district in place. Some of the properties surrounding this portion of the site are single family residential and any development of this property should respect the compatibility issues.

The R-3 district could also accommodate mixed uses on this site; however, the separation of zones would limit commercial uses to the existing C-2 zoned westerly portion of the property away from the area currently developed with single-family residences. Noting the previous concerns, the R-3 designation would match the designation of the adjacent property to the south, and would prohibit commercial development at the rear of the property. At the same time, rezoning the rear to the R-3 zone would allow the potential for a well-designed residential project compatible with the existing buildout of the surrounding adjacent residential neighborhood.

The following chart compares the zoning standards that apply to the existing R-1 zoning and the

proposed C-2 and R-3 zoning categories.

Zone	Max Ht.	Minimum Lot Size for New Lots	Lot-Area Requirements	Front Yard	Interior Yard	Open Yard/ Open Space	Distance Between Buildings
R-1	30'	6,000 sf	1 unit per lot	1-story = 15'; 20' for second story portions; 20' for garages facing street	5'	1,250 sf; in one area	20'
R-3	45'	14,000 sf	Variable density applies	1 & 2 story =10'; 3 story =15'	1 & 2 story =6'; 3 story =10'	10% of lot area	15'
C-2	60'	None, except residential buildings shall comply with R-4 zone	Variable density applies	None except buildings used exclusively for residential purposes subject to R-4 zone provisions (1 & 2 story =10'; 3 story =15')	Bldg adjacent to non-residentially zoned property = 0'  Bldg. adjacent to residentially zoned property = the greater of 10' or ½ the height of the bldg.	Not required	None, except residential buildings shall comply with R-4 zone (10'– 15')

Based on the current configuration of the lot, the R-1 zoned eastern portion of the property could potentially be developed with one residential unit. An open yard area of at least 1,250 square feet for the unit would be required, and the requirements of the Solar Access Ordinance would need to be met. Although a mix of uses could occur over the entire property while respecting the zone boundaries and use limitations in the two different portions of the site, a traditional mixed-use building would be difficult to design, unless the design approached the site as two separate projects; single family in the rear and mixed use or commercial in the front. A limited number of commercial, public, or quasi-public uses are allowed in the R-1 zone with a Conditional Use Permit (CUP), and any parking for commercial uses in the residential portion of the site would require a CUP.

The portion of the property zoned C-2 allows for a variety of commercial uses, and other uses allowed in the C-P (Restricted Commercial) zone. Variable density applies to residential projects and would allow for a mix of unit types. Depending on the bedroom count of the units, approximately 10 to 15 residential units could potentially be constructed in this portion of the site. The actual number of units may be less, based on site conditions, and the project's ability to meet private outdoor living space, open space area, and parking requirements. Development in this portion of the site would not be

subject to the Solar Access Ordinance, as it only applies to development located in residential zones.

If the entire site were zoned C-2, a traditional mixed-use building could be constructed and the residential portion of the project would be subject to the variable density provisions of the Zoning Ordinance. This change would allow up to 18 units, depending on number of bedrooms. Parking for both residential and non-residential uses could also occur on the site, and the building height maximum would increase from 60 feet for the eastern arm portion.

Currently, the Zoning Ordinance provides some protection of residentially zoned properties from adjacent non-residential development, including additional height and setback restrictions shown in the table above. These restrictions would provide some buffer for the adjacent residentially zoned properties, because the interior yard setback would increase as the building height increases. These buffers and setbacks would be similar to the intent of the Solar Access Ordinance.

If the rear R-1 zoned portion of the site was rezoned to R-3, a mixed-use building could also be constructed allowing a maximum of 18 units over the entire site. Under this configuration, the rear area would be limited to residential uses only. Protections to the existing surrounding residential properties from future residential development in the rear of the project property would include the above table-mentioned height and setback restrictions.

#### **IV. PROPOSED PROJECT**

The applicant has proposed a mixed-use project comprised of 10,000 square feet of commercial development and 12 residential condominium units. The existing 7,500 square foot commercial building would be demolished and replaced by new commercial buildings a net commercial floor area increase of 2,500 square feet. Two of the units would be affordable as required by the city's inclusionary requirements. The proposed residential units are 4 three-bedroom units, 6 two-bedroom units (one affordable) and 2 one-bedroom units (one affordable).

The design includes subterranean parking. The structural layout has a maximum of three stories in the front of the lot adjacent to State Street, commercial on the first and second floors and residential on the third. Behind the three-story elements would be residential units in a two-story configuration.

#### **V. RECOMMENDATION/FINDINGS**

Staff recommends that the Planning Commission initiate the requested re-zone of the eastern arm portion to R-3 and allow further study of the proposal for the following reasons:

- The entire site could be designed in a mixed-use capacity, allow for more flexibility in site design, uses, variability in residential units, and parking configuration.
- The R-3 zoning would be consistent or designed to be compatible with the surrounding R-1, R-3, E-1, and C-2 properties.
- The R-3 zone would protect adjacent residential properties from incompatible commercial uses immediately adjacent to them.
- The zoning requirements inherent in developing a commercial or mixed-use building adjacent to a residentially zoned property have the potential to provide adequate protection for the

residential uses to the east. Further discussion of these requirements will take place during the period that staff would be evaluating the impacts of this specific proposal.

- The zoning designation would be consistent with the General Plan designation of Offices and Residential.

Staff recommends that the Planning Commission initiate the change in zone for purposes of environmental review. **This initiation does not imply any approval of, or formal position on a future proposed project other than acknowledging that the proposed change in can proceed for further study and environmental review.**

Exhibits:

- A. Site Plan
- B. Applicant's letter, dated July 7, 2005