



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** October 27, 2005  
**AGENDA DATE:** November 3, 2005  
**PROJECT ADDRESS:** 826 Bath Street (MST2004-00747)

**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
Jan Hubbell, AICP, Senior Planner  
Chelsey Swanson, Assistant Planner

### **I. PROJECT DESCRIPTION**

The project consists of five new condominium units on a 12,318 square foot lot in the R-3/ R-4 Zones. An existing 1,280 square foot single-family residence would be converted to a two-story three-unit triplex resulting in a 1,618 square foot three-bedroom unit, and two one-bedroom units totaling 650 square feet and 690 square feet each. In addition, an existing 1,508 square foot two-story duplex would be demolished and a new two-story duplex containing one three-bedroom unit (1,308 square feet) and one two-bedroom unit (1,175 square feet) would be constructed. A total of eight parking spaces would be provided within three two-car garages and two one-car garages and a Modification to allow fewer than the required nine parking spaces is proposed.

### **II. REQUIRED APPLICATIONS**

The discretionary applications required for this project are:

1. A Modification of the parking requirement to allow fewer than the required number of parking spaces (SBMC §28.90); and
2. A Tentative Subdivision Map for a one-lot subdivision to create five (5) residential condominium units (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. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



**Vicinity Map for 826 Bath Street**

**APPLICATION DEEMED COMPLETE:** September 21, 2005  
**DATE ACTION REQUIRED PER MAP ACT:** December 10, 2005

**IV. SITE INFORMATION AND PROJECT STATISTICS**

**SITE INFORMATION**

Applicant: David Sullivan, ON Design, LLC	Property Owner: CFJ Partners, LLC
Parcel Number: 037-041-022	Lot Area: 12,318 sq. ft.
General Plan: Residential, 12 units/ acre	Zoning: R-3/ R-4
Existing Use: Residential	Topography: 0.7% average slope to the northeast (rear of property)
Adjacent Land Uses: North - Commercial South - Multi-Family Residential East - Multi-Family Residential West - Multi-Family Residential	

**PROJECT STATISTICS**

	Existing	Proposed
Living Area	2,788 sq. ft.	5,441 sq. ft.
Garage	0 sq. ft.	1,676 sq. ft.
Accessory Space	0 sq. ft.	0 sq. ft.

Proposed	Unit A	Unit B	Unit C	Unit D	Unit E
Square Feet	1,618	690	650	1,308	1,175
# Bedrooms	3	1	1	3	2
Parking	2 covered	1 covered	1 covered	2 covered	2 covered
Private Outdoor Living Space	170 sq. ft. (2 <sup>nd</sup> floor)	99 sq. ft. (2 <sup>nd</sup> floor)	72 sq. ft. (2 <sup>nd</sup> floor)	266 sq. ft.	280 sq. ft.

**V. ZONING ORDINANCE CONSISTENCY**

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks -Front -Interior -Rear	-10' for one-story and 15' for two stories -6' -6' for one-story and 10' for two stories	-conforming -front house is legal non-conforming -conforming	-conforming -front house to remain legal non-conforming -conforming

Building Height	45' and 3 stories	20' and 2 stories	26'8" and two stories
Parking	9 spaces; 5 covered, 4 uncovered	4 uncovered spaces	8 covered spaces
Lot Area Required for Each Unit (Variable Density)	Studio = 1,600 sq. ft. 1-Bdrm = 1,840 sq. ft. 2-Bdrm = 2,320 sq. ft. 3-Bdrm = 2,800 sq. ft.	(2) 1,840 sq. ft. (1) 2,320 sq. ft. Total Rqd. = 4,160 sq. ft.	(2) 1,840 = 3,680 sq. ft. (1) 2,320 = 2,320 sq. ft. (2) 2,800 = 5,600 sq. ft. Total Rqd.= 11,600 sq. ft.
10% Open Space	1,231 sq. ft.	Requirement not met. Majority of open space is available for use as parking.	1,642 sq. ft.
Private Outdoor Living Space	Unit A – 96 sq. ft. (2 <sup>nd</sup> floor) Units B, C – 72 sq. ft. (2 <sup>nd</sup> floor) Unit D – 160 sq. ft. (1 <sup>st</sup> floor) Unit E 140 sq. ft. (1 <sup>st</sup> floor)	Requirement not met.	Unit A – 170 sq. ft. Unit B – 99 sq. ft. Unit C – 72 sq. ft. Unit D – 266 sq. ft. Unit E – 280 sq. ft.
Lot Coverage			
-Building	N/A	2,505 sq. ft. 20%	4,725 sq. ft. 38%
-Paving/Driveway	N/A	5,900 sq. ft. 47%	2,622 sq. ft. 22%
-Landscaping	N/A	3,913 sq. ft. 33%	4,971 sq. ft. 40%

The proposed project would meet the requirements of the R-3 Limited Multiple-Family Residence Zone and R-4 Hotel-Motel-Multiple Residence Zone, with regard to setbacks, building height and solar access, lot area (variable density), and private outdoor living space and additional 10% open space. The front house is considered legal non-conforming with regard to the interior yard setback and would remain legal non-conforming. The addition of the two units in the rear of the front house would conform to all required setbacks. Conforming additions are allowed to non-conforming buildings per SBMC §28.87.030.

## VI. ISSUES

### A. **MODIFICATION**

A modification is requested to allow one less parking space than what is required; eight spaces instead of nine. To approve a parking modification, the Planning Commission must find that the modification will be consistent 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. Staff is typically supportive of residential parking modifications to provide one parking stall (rather than 1.5 stalls) for one-bedroom residential units of less than 750 square feet. Transportation Staff has determined that the parking demand for both Units B and C would be one parking

space per unit, based on the size of each unit (690 square feet and 650 square feet).

A total of 4 parking spaces are required for the duplex per the Zoning Ordinance, and 4 covered spaces are being provided within two two-car garages. The parking requirement for the triplex is 1.5 spaces for each one-bedroom unit and 2 spaces for the three-bedroom unit, for a total of 5 spaces. The provided parking for the triplex is 4 covered parking spaces. Per SBMC 28.90.100, for multi-family residential structures (three or more attached units) that are condominiums, at least one parking space that is in a garage or carport shall be allocated to each residential unit. Units B and C would each have a covered parking space provided in a one-car garage. Staff supports the modification to allow one less parking space than what is required and believes the required finding can be made that the project is consistent with the intent of the Zoning Ordinance and will not cause an increase in the demand for parking space or loading space in the immediate area.

#### **B. DESIGN REVIEW**

This project was reviewed by the Architectural Board of Review (ABR) on three separate occasions (see ABR Minutes, Exhibit D). At the first Conceptual review on December 13, 2004, the main concerns stated by the Board were the mass, bulk, and scale, the density, and the lack of landscaping and excess paving. The project was reviewed again on March 14, 2005 and received positive comments by the ABR and was continued to the Planning Commission. The ABR stated that they appreciated the size of the project had been scaled down; landscaping was increased and paving reduced; and that the one-story bungalow fronting the street was being preserved, which was found consistent with the pattern of the streetscape. The Board also supported the second story addition to the front house and supported the modification for one less parking space. The applicant has not yet addressed the Board's comment to break up the Unit A garage with two carriage doors. Staff would not support two garage doors; therefore, the applicant plans to redesign the garage door to appear as two. Additionally, the ABR requested photo documentation of the existing gate as there are some concerns with the use of the gate. Staff also has concerns with the use of the gate as gates are not generally supported for new residential projects. The third Conceptual Review was held on May 16, 2005, to review the landscape plan, which was found acceptable by the Board. The applicant has addressed all comments on the landscape plan.

#### **C. COMPLIANCE WITH THE GENERAL PLAN**

*Land Use Element:* The Land Use Element of the General Plan describes the project site as being located in the West Downtown neighborhood. The West Downtown neighborhood is bounded on the north by Sola Street; on the south and west by Highway 101; and on the east by De la Vina, Ortega and Chapala streets. Many of the homes in the area have been converted into relatively low-density apartments and there continues to be a transition to higher density commercial and residential use. The entire neighborhood is zoned for multiple-unit development or commercial uses; however, single-family residences occupy portions of the neighborhood as well.

The General Plan land use designation for this area is Residential, 12 dwelling units per acre. The project density would be 17.8 units per acre. The General Plan recognizes that, in multiple

family residential zones where variable density standards apply, development may be allowed that exceeds the limits of the 12 units per acre General Plan designation without causing an inappropriate increase in the intensity of development. Therefore, the proposed density is consistent with the General Plan.

*Housing Element:* Santa Barbara has very little vacant or available land for new residential development and, therefore, City housing policies support build out of infill housing units in the City's urban areas. The development would provide for homeowner opportunities in a neighborhood with close proximity to the downtown.

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. The proposed project contains a mix of unit sizes. The proposed residential units would not be restricted to low- or moderate-income households. The City provisions for inclusionary zoning only apply to projects that involve ten or more units.

#### **D. ENVIRONMENTAL REVIEW**

*Archaeological Resources:* The parcel is located in the Spanish/Mexican Period, Hispanic-American Transition Period 1850-1870, American Period 1870-1900, and Early 20<sup>th</sup> Century Settlement 1900-1920 cultural resource sensitivity areas. A Phase I Archaeological Resource Report was accepted by the Historic Landmarks Commission for the subject site on February 19, 2003. The Phase I was prepared for a different proposal on the property, which was approved but never constructed; however, the area of proposed ground disturbance was in the same locations as the current proposal. Therefore, the recommendations in the Phase I would apply to this project. The report stated that no surface evidence of cultural resource material deposits or items were identified during the intensive field study, and concluded that there is very low potential for archaeological resources being encountered during the construction project. The recommendations in the report included standard measures to be taken in the event that cultural resources are encountered or suspected during construction, which are incorporated into the conditions of approval.

*Historic Structures:* A Historic Structures Report was prepared to assess the potential historic significance of the front house on the property and its potential eligibility for designation as a City Landmark or Structure of Merit. The report concluded that the house at 826 Bath Street is potentially eligible for designation as a City of Santa Barbara Structure of Merit since it contributes to the integrity of the surrounding streetscape. It was determined that the impact of the proposed project can be reduced from a Class II impact to less than significant if the required conditions outlined in the report are implemented. These conditions have been incorporated into the project design and are also incorporated into the conditions of approval. The existing house will remain, although it will be modified. The additions have been designed in accordance with the recommendations of the Historic Structures Report (see Conditions B.1).

*Conclusion:* Staff has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15303 for new construction of small structures.

## **VII. FINDINGS**

The Planning Commission finds the following:

### **A. PARKING MODIFICATION (SBMC § 28.90)**

The parking modification to allow fewer than what is required is consistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking space or loading space in the immediate area.

### **B. THE 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 vision for this neighborhood of the General Plan. The design of the project will not cause environmental damage, and associated improvements will not cause public health problems.

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

1. There is compliance with all provisions of the City's Condominium Ordinance.

*The project complies with the physical standards for condominiums related to parking, private storage space, utility metering, laundry facilities, density, and outdoor living space requirements.*

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

*The project can be found consistent with policies of the City's General Plan including the Housing Element and Land Use Element. The project will provide infill residential development 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 residential project proposed in an area where residential development is a permitted use. The project is adequately served by a public street, will provide adequate parking to meet the demands of the project and will not result in traffic impacts. The design has been reviewed by the City's design review board, which found the architecture, density, and preliminary landscaping appropriate to the site and surrounding neighborhood.*

Exhibits:

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- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter dated August 18, 2005
- D. ABR Minutes
- E. Historic Structures Report excluding project plans, dated June 15, 2005