



# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 004-10  
632 EAST CANON PERDIDO STREET  
TIME EXTENSION  
JUNE 3, 2010

**APPLICATION OF BOYS AND GIRLS CLUB OF SANTA BARBARA, INC., 632 EAST CANON PERDIDO STREET, APN 031-032-017, R-3/MULTI-FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS/ACRE (MST2002-00786)**

The applicant requests to extend the Conditional Use Permit to allow the El Montecito School to remain on the site as approved in 2001, for up to three additional years. The new expiration date of the CUP would be July 29, 2013

On August 16, 2001, the Planning Commission approved a three-year Conditional Use Permit (CUP) for the operation of the Santa Barbara Montessori School on the Boys and Girls Club site. Improvements included the demolition of a 1,240 square-foot garage, and installation of four portable classrooms, totaling 7,200 square feet. The proposal was intended to be a temporary solution until arrangements could be made for construction of permanent classrooms on the property. Previous time extensions have been granted and the approval is still valid.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section §15301(e).

**WHEREAS**, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, 3 people appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, May 27, 2010
2. Site Plans

**NOW, THEREFORE BE IT RESOLVED** that the City Planning Commission:

I. Approved the subject application making the following findings and determinations:

A. **MODIFICATIONS**

1. **Parking Requirements (SBMC §28.90.100J)**

The requested modification for relief of the required parking requirements results in a project which remains 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. The project would continue to provide twenty-four (24) striped parking spaces, and based on the parking analysis provided by the applicant, the parking proposed would meet the parking demand of the project and the demand for parking

spaces or loading space in the immediate area will not be increased. Additional vehicle-use disincentives have been incorporated to reduce the project parking demands on the site.

2. **Setback Requirements (SBMC §28.21.085.A)**

The requested modification of the regulations for non-residential building, structures and uses which require double setback requirements is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on a lot because the use of the site for educational purposes is appropriate. The modification will allow for the continued placement of pre-manufactured modular classrooms on the site without encroaching into the existing soccer field. The portable buildings will respect the residential setbacks and remain consistent with the residential development in the neighborhood.

3. **Lot Area (SBMC §28.21.085.B)**

The requested modification of the regulations for non-residential buildings, structures and uses which requires that no more than 25% of the lot area be covered by building used for non-residential purposes is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on a lot. The proposed modular classrooms are pre-fabricated, and thus, adjustments to the proposed new building coverage is very limited. Additionally, the proposed development exceeds the allowed lot coverage by only 317 square feet, or 0.3% of the total lot coverage, and will not be inconsistent with the lot coverage of surrounding development.

B. **CONDITIONAL USE PERMIT (SBMC §28.94.020)**

This Conditional Use Permit (CUP) is intended to serve as a Master CUP for any conditional uses that may occur on the site, and document all existing uses on the site (the Boys and Girls Club) at the time of approval. All conditions of approval, including those regarding the operation of uses on the site, will remain a part of the Master CUP.

1. The use is deemed essential or desirable to the public convenience or welfare and is in harmony with the various elements or objectives of the Comprehensive General Plan. The proposal is consistent with the General Plan, which identifies this neighborhood as being an area with varying uses, and provides additional educational opportunities in the urban core.
2. The use will not be materially detrimental to the public peace, health, safety, comfort and general welfare and will not materially affect property values in particular neighborhood involved. The Boys and Girls club facility has operated at this location in varying capacities since 1947. This proposal involves the temporary placement of modular classrooms for the El Montecito School which, together with the Boys and Girls Club programs, will function similarly to the two public schools existing within the neighborhood.

3. The total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding properties is avoided. The proposed modular classrooms conform with the residential yard requirements and will be screened with landscaping along the western property line. Although the Zoning Ordinance requires non-residential uses to have double yard setbacks, the amount of encroachment of the proposal is not inconsistent with the surrounding developed neighborhood.
4. Adequate access and off-street parking including parking for guests is provided in a manner and amount so that the demands of the development for such facilities are adequately met without altering the character of the public streets in the area at any time. Twenty-four striped parking spaces will be provided on the site. Based on the parking analysis submitted by the applicant, the parking provided would meet the demand of the project. Additional vehicle-use disincentives have been incorporated to reduce the project parking demands on the site. Transportation Staff has reviewed the project and determined that the parking demand shall be met on-site.
5. The appearance of the developed site in terms of the arrangement, height, scale and architectural style of the buildings, location of parking areas, landscaping and other features is compatible with the character of the area. The proposed modular classrooms are consistent with the height and scale of existing development on the site and the surrounding neighborhood. Fencing and vegetation will be used to screen the view from East Canon Perdido and Quarantina Streets, and the location and extent of the parking area will not change. The project will be in scale with the surrounding development in the area and will remain compatible with the existing neighborhood.

**C. DEVELOPMENT PLAN (SBMC §28.87.300)**

1. The proposed development complies with all provisions of the Zoning Ordinance since with the modifications 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 quasi-public use of the site would continue to provide services to the neighborhood and the community at large, 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. The proposed structures are temporary in nature; however, some of the enhanced landscaping will be a permanent improvement to the site; 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 continuation of an existing educational use; 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.

II. Said approval is subject to the following conditions:

- A. The following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be recorded by the Owner in a written instrument which shall be reviewed as to form and content by the City Attorney, Community Development Director, and the City Engineer (recordation must be complete within 90 days of the Planning Commission's approval):
  1. Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. Owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner which will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
  2. Owner shall comply with the Landscape Plan as approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape Plan.
  3. The existing development of the Real Property recognized by the Planning Commission on August 16, 2001 is limited to 19,419 square of building area. A quasi-public Boys and Girls Club use with approximately 200 children (participants) and 20 staff persons on-site is also recognized, as described below:
    - a. Hours of operation are 12:00 p.m. through 8:00 p.m. from Monday through Friday during the school year
    - b. Hours of operation are 9:00 a.m. through p.m. from Monday through Friday, during the non-school year and on holidays.
    - c. Hours of operation are 10:00 a.m. through 8:00 p.m. on Saturday, and 12:00 p.m. through 8:00 p.m. on Sunday.
  4. The three year time extension for the approval of the temporary development of the Real Property approved by the Planning Commission on June 3, 2010 is limited to 7,200 square feet of building area. Also approved is the El Montecito

School use with a maximum of 150 children and 14 staff persons on-site, and the improvements shown on the Development Plan, signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

- a. The portable classrooms and restroom building, totaling 7,200 square feet of building area, shall be removed from the site by July 29, 2013. At that time, the disturbed portion of the site shall be restored to its pre-construction condition, except for the public improvements within the right-of-way, or plans shall be submitted to the Planning Department for new site improvements.
  - b. There shall be a maximum of 150 children (including all programs) and 14 staff persons at the El Montecito School at any given time between the hours of 8:30 a.m. and 2:30 p.m. from Monday through Friday.
  - c. The East Canon Perdido Street driveway and on-site student loading and unloading shall be used for the transportation of children seven years and younger.
5. Boys and Girls Club sponsored children's sleepovers may occur on-site up to a maximum of 24 times annually.
  6. There shall be no more than twenty-two (22) special events per year, , such as Open House and Monte Carlo Casino Night, on the premises and limited to no more than 500 persons per event. These events shall terminate no later than 11:00 p.m.
  7. A change in use or increase in intensity of use of the property could have potential land use, traffic and parking impacts. Prior to initiating a change of use or an increase in intensity of use greater than 10% on the site, a report shall be submitted by the property owner to the Community Development Director to determine whether additional City approvals are necessary such as Temporary Use Permits or an Amendment to the Conditional Use Permit, or any other appropriate review procedure.
  8. Reports shall be provided to the Community Development Director by August 2011 and August 2012 to ensure compliance with the CUP. Said reports shall include a listing with the number of events and the number of participants at the events. The second annual report shall be submitted for review by the Planning Commission. This report shall include the information listed above and an update on the status of the proposed Conditional Use Permit Amendment for the long-term school use and permanent facilities. The Conditional Use Permit for the Boys and Girls Club shall b reviewed in three years.
  9. Due to potential traffic impacts, uses other than the approved quasi-public and temporary educational uses are not permitted without further environmental and/or Planning Commission review and approval. Prior to initiating a change of use, the Owner shall submit a letter to the Community Development Director

- detailing the proposal, and the Director shall determine the appropriate review procedure and notify the Applicant.
10. The following vehicle-use disincentives shall be incorporated into the project to reduce traffic impacts caused by the project.
    - a. Owner or all employers shall enter into an agreement with the Metropolitan Transit District (MTD) to purchase bus passes or the equivalent for their employees. These passes shall be provided free of charge to employees who request them for travel to and from work. Notice of the free passes shall be provided to existing employees and new employees when they are hired.
    - b. Notice of MTD bus routes and schedules shall be placed and maintained up-to-date in a central (public) location accessible to employees.
  11. The property owner shall inform the employees of the Boys and Girls Club and the El Montecito School to park on-site and not in the adjacent residential neighborhood.
  12. The rolling vehicle gate on Quarantina Street shall be open at all times during hours of operation.
  13. The rolling vehicle gate on Canon Perdido Street shall only be opened for student drop off and pick up between the hours of 8:15 a.m. to 8:45 a.m. for drop off and 2:30 p.m. to 3:00 p.m. for pick-up, Monday through Friday.
  14. The new driveway on East Canon Perdido Street shall be used as an "entrance only" driveway. Exiting the site onto Canon Perdido Street is not permitted.
  15. It is understood that the air conditioning units on the modular classrooms will not be used on a daily basis, however, they may be used in extreme conditions.

**NOTICE OF DEVELOPMENT PLAN & OTHER APPROVALS TIME LIMITS:**

The extension for the development plan approved per SBMC Section 28.87.350, shall expire three (3) years from the date of approval unless:

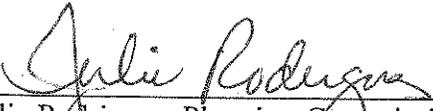
1. A building or grading permit for the work authorized by the development plan is issued prior to the expiration date of the approval.
2. A time extension is granted by the Planning Commission for one (1) year prior to the expiration date of the approval, only if it is found that there is due diligence to implement and complete the proposed project.

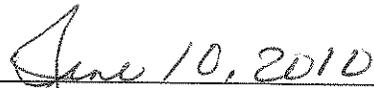
This motion was passed and adopted on the 3<sup>rd</sup> day of June, 2010 by the Planning Commission of the city of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Jacobs)

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I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

  
\_\_\_\_\_  
Julie Rodriguez, Planning Commission Secretary

  
\_\_\_\_\_  
Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.