



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: May 8, 2014
AGENDA DATE: May 15, 2014
PROJECT ADDRESS: 608 - 614 Chapala Street (MST2013-00397)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470, extension 4531
 Renee Brooke, AICP, Senior Planner *RLB*
 Kelly Brodison, Assistant Planner *KAB*

I. PROJECT DESCRIPTION

The project consists of a proposal to infill 5,215 square feet under an existing roof area attached to a 20,859 square foot commercial building and to add a 187 square foot restroom addition to an existing 179 square foot detached office building. No change in use is proposed and no grading is required. Total development on this 42,972 square foot parcel will be 26,440 square feet of commercial/office space and 33 parking spaces. The existing building is on the City's List of Potential Historic Resources and is included in the State Historic Resources Inventory as the "Former C & H Chevrolet constructed in 1946."

II. REQUIRED APPLICATIONS

The discretionary application required for this project is a Development Plan to allow the construction of 5,402 square feet of nonresidential development (SBMC Chapter 28.85).

APPLICATION DEEMED COMPLETE: April 1, 2014
DATE ACTION REQUIRED: May 31, 2014

III. RECOMMENDATION

If approved as proposed, the project would conform 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 VIII of this report, and subject to the conditions of approval in Exhibit A.



608-614 Chapala Street – Vicinity Map

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Figueroa Investors, Ltd.		
Property Owner:	Heidi Jones, SEPPS		
Site Information			
Parcel Number:	037-131-020	Lot Area:	42,972 sq. ft.
General Plan:	Commercial/High Residential 28-36 du/acre	Zoning:	C-M
Existing Use:	Commercial	Topography:	~2%
Adjacent Land Uses			
	North – Volkswagen Dealership/Paseo Nuevo Mall	East - Commercial	
	South – Commercial Building	West – Frazee Paint Store	

B. PROJECT STATISTICS

	Existing	Proposed	Total
Two- Story Commercial Building	20,859 sq. ft.	+5,215 sq. ft.	26,074 sq. ft.
Detached Accessory Building	179 sq. ft.	+187 sq. ft.	366 sq. ft.
Total	21,038 sq. ft.	+5,402 sq. ft.	26,440 sq. ft.

V. POLICY AND ZONING CONSISTENCY ANALYSIS

A. ZONING ORDINANCE CONSISTENCY

PARKING

Because of its location in the Central Business District, the required parking for this site is one space per 500 square feet of net floor area. Also, the site is located within the 50% Zone of Benefit, which reduces the parking requirement from 53 to 26. The site currently has 44 spaces. The applicant is proposing to provide 33 spaces in a reconfigured parking lot with additional landscaping and a relocation of the trash enclosure.

Standard	Requirement/ Allowance	Existing		Proposed	
Lot Coverage					
-Building	N/A	18,092 sq. ft.	42%	23,674 sq. ft.	55%
-Paving/Driveway	N/A	23,789 sq. ft.	55%	17,237 sq. ft.	41%
-Landscaping	N/A	1,092 sq. ft.	3%	1,933 sq. ft.	4%

The proposed development would be consistent with the allowed uses and development standards of the C-M (Commercial Manufacturing) Zone. There are no setback requirements or minimum distance between buildings for nonresidential development on this site in the C-M Zone, and the height of the building is not changing as a result of this addition.

1. C-M COMMERCIAL MANUFACTURING ZONE

The C-M (Commercial Manufacturing) Zone strives to provide a desirable living environment by preserving and protecting surrounding residential land uses in terms of light, air and existing visual amenities. The proposed project would add floor area intended for nonresidential use in an area directly adjacent to the eastern property line, and adjacent to existing commercial uses. In addition to commercial and mixed-use developments, the C-M Zone also allows for residential development, which would require setbacks. However, the proposed project is solely commercial and, therefore, there are no required setbacks from the adjacent properties. If a residential use were to occupy the building in the future, it would be re-evaluated at that time for consistency with the zoning requirements for residential uses in the Commercial Manufacturing zone.

2. DEVELOPMENT PLAN APPROVAL

Santa Barbara Municipal Code Chapter 28.85, which became effective on April 11, 2013, implements the City's Nonresidential Growth Management Program. In order to approve a development plan, the Planning Commission must find that the proposed project is consistent with the Zoning Ordinance, the principles of sound community planning, will not have a significant adverse impact on the neighborhood's aesthetics and character, and is consistent with the policies of the City's Traffic Management Strategy.

The project site consists of two separate, legal lots. Because the existing building crosses a property line, a Lot Tie Agreement will be required as a condition of approval whereby the owner of the real property agrees to maintain both lots in common ownership for as long as the development on the lots requires the treatment of the two lots as a single lot in order to comply with applicable land use regulations. Under Chapter 28.85, square footage from Small and Minor Addition categories can be combined and used together for non-residential development projects. The 2,000 square foot limit per lot of Small Additions, combined with the 1,000 square foot limit per lot of Minor Additions, means that the total new non-residential square footage available for this project site from these categories is 6,000 square feet.

No additions to the project site have taken place since the implementation of Measure E or the recently adopted Nonresidential Growth Management Ordinance. This proposal consists of enclosing the existing covered, roof area at the rear of the existing commercial building. The in-fill addition area totals 5,215 square feet. An addition of 187 square feet is also proposed to the existing 179 square foot detached office building at the front of the property on Chapala Street, for a total of 5,402 square feet of additional nonresidential floor area.

B. GENERAL PLAN CONSISTENCY

Exhibit E includes a list of relevant, applicable General Plan policies. The proposed project is consistent with General Plan Policies to: preserve and encourage the long-term integrity of light manufacturing uses (LG8); strengthen and enhance community character (LG12); encourage technology (EF11); re-use commercial space (EF12); support local needs (EF14); ensure respectful and compatible development (HR2); and pursue adaptive reuse (HR4). The pertinent policies are summarized below:

Land Use Element

The project site is located in the Lower State Street Neighborhood, which is bounded on the north by Ortega Street; on the south by Cabrillo Boulevard; on the east by Santa Barbara Street; and on the west by Chapala Street and Mission Creek. The Lower State Street Neighborhood includes a mix of commercial retail, restaurant, hotel, office, warehouse, and light industrial uses. The area also has some mixed use and multi-family development.

The Land Use Element calls for the protection of manufacturing uses in the C-M zone and the strengthening and enhancement of community character and includes possible implementation actions to ensure that proposed buildings are compatible with the surrounding built environment. The proposed tenant for the project is a local research and development firm. The majority of the building will remain intact, with some façade and related site improvements, and includes a compatible infill addition to the structure.

Economy and Fiscal Health Element

The Economy and Fiscal Health Element calls for the encouragement and investment in technology that supports local enterprises and attracts new businesses to the City. The proposed addition and tenant improvement is proposed for an emerging research and technology business that will potentially attract other businesses to the City of Santa Barbara as well as provide additional employment opportunities.

Historic Resources Element

The Historic Resources Element promotes the protection and enhancement of historical resources and strives to protect, preserve and enhance the City's historical, architectural, and archaeological resources. Implementation of this policy can be achieved by seeking to ensure that all development respects rather than detracts from individual historic resources as well as the neighborhood and the overall historical character of the city, and by discouraging the demolition of potentially historic structures.

The existing building is on the City's List of Potential Historic Resources and is included in the State Historic Resources Inventory as the "Former C & H Chevrolet constructed in 1946".

The City's Urban Historian and the Historic Landmarks Commission have reviewed the commercial addition and found it to be compatible with the original design of the main elevation of the building and that it will not negatively impact the character-defining features.

Pedestrian Master Plan and Chapala Street Guidelines

New multi-family or nonresidential development projects typically include pedestrian improvements in the public right-of-way, and are subject to the guidelines and policies of the Pedestrian Master Plan. The applicant is proposing to replace the existing poured-in-place concrete sidewalks with sandstone colored concrete pavers with a sandblasted finish to be placed on a 90 degree grid. The existing sidewalk contains tree wells and the current width of the sidewalk from the face of the building to the face of the curb is 10'-2". Although the PMP Pedestrian Design Guidelines call for a total of 12 feet of sidewalk and parkway along this portion of Chapala Street, no additional sidewalk dedication is required with this project because the building at the back of the sidewalk is remaining in place.

VI. ENVIRONMENTAL REVIEW

The proposed project is within the scope of the 2011 General Plan and the program EIR analysis for the General Plan. The project is consistent with the development potential designated and analyzed in the Program EIR, and potential adverse, significant project-specific environmental effects are addressed with existing development standards and regulations.

After performing a trip generation and trip distribution analysis, Transportation Planning Staff found the project consistent with policies of the City of Santa Barbara Traffic Management Strategy as expressed in SBMC 28.85.050, and that the project will result in the addition of a negligible amount of additional traffic to area streets, which will not result in any project-specific traffic impacts.

A Phase 1 Archaeological Resources Report prepared by Dudek, was accepted by the Historic Landmarks Commission on March 12, 2014. The report provided an evaluation of potential archaeological resources and impacts resulting from the proposed project, including ground disturbances extending at least three feet below existing grade. The report concluded that impacts on archaeological resources from the proposed project would be less than significant and that no other measures, including construction monitoring, are considered necessary. The standard cultural resource discovery condition is recommended to address the unlikely, but possible, scenario that intact prehistoric archaeological resources are encountered during proposed grading.

This project is required to comply with Tier 2 of the City's Storm Water Management Program because a majority of the addition (5,204 square feet) will take place within the footprint of the existing building and only a small addition (187 square feet) will be constructed at the rear of the existing accessory building at the front of the property. The applicant is installing additional landscaped planters in the parking lot, which will not only enhance the aesthetics of

the parking lot and break up the expansive pavement, but will serve to enhance natural storm water capture and treatment from the parking lot and buildings.

Based on city staff analysis, no further environmental analysis is required for this project pursuant to the California Environmental Quality Act (Public Resources Code 21082.3 and CEQA Guideline Section 15183). City Council environmental findings adopted for the 2011 General Plan remain applicable for this project. A Planning Commission finding that the project qualifies for the §15183 CEQA determination is required.

VII. DESIGN REVIEW

This project was reviewed by the Historic Landmarks Commission on three separate occasions (meeting minutes are attached as Exhibit D). On December 4, 2013 the project first appeared before the Commission for an initial Conceptual Review. The board members stated appreciation for the adaptive reuse of the existing building and found that the Compatibility Analysis Criteria were being met with the proposal. The Commission requested the applicant provide information on the parking lot and proposed landscape upgrades.

The project was subsequently revised to accommodate some of the design needs of the proposed commercial tenant intending to occupy the building. On February 12, 2014, the project returned to the HLC for a second conceptual review. The Commission restated their support for the adaptive reuse of the building, however, had some concerns that the proposed glazing did not meet the El Pueblo Viejo Guidelines, and that the existing awning at the street was not part of the original building and this remodel provided an opportunity for improvement.

On February 26, 2014, the applicant present updated plans in an effort to address the Commission's concerns with the storefront glazing and awning. The City's Urban Historian advised that the building is listed on the Potential Historic Resources list for its mid-century modern style and that the Commission may approve projects that retain, restore and compliment the historic style rather than require the rehabilitation of the existing building to conform to the El Pueblo Viejo Guidelines. The Commission supported the changes to the details and the awning and forwarded the project to the Planning Commission. After Planning Commission action, the proposal will return to the Full Commission for Project Design and Final Approvals.

VIII. FINDINGS

The Planning Commission finds the following:

A. CEQA ENVIRONMENTAL DETERMINATION

The project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15183, based on the City staff analysis and the CEQA certificate of determination on file for this project.

B. DEVELOPMENT PLAN APPROVAL FINDINGS (SBMC §28.85)

1. The proposed development complies with all provisions of SBMC Title 28.

As discussed in section V.A., the proposed commercial use conforms to the allowed uses of the C-M (Commercial Manufacturing) Zone, and the proposed development complies with all provisions of the Zoning Ordinance.

2. The proposed development is consistent with the principles of sound community planning.

The proposed development is consistent with the principles of sound community planning as determined by the project's consistency with the City's General Plan land use designation and applicable policies regarding (LG8) Manufacturing Uses, (LG12) Community Character, (EF11) Technology, (EF12) Re-Use of Commercial Space, (HR1) Protection of Historic and Archaeological Resources, (HR2) Ensuring respectful and compatible development, (HR3) Discouraging Demolition, and (HR4) Pursuing Adaptive Reuse.

3. The proposed development will not have a significant adverse impact upon the community's aesthetics or character in that the size, bulk or scale of the development will be compatible with the neighborhood based on the Project Compatibility Analysis criteria found in Sections 22.22.145 or 22.68.045 of the Municipal Code.

The majority of the proposed additional square footage will be constructed within the existing roof structure and will not change the height of the existing building. Also, the project was reviewed by the Historic Landmarks Commission and the proposed additions were found acceptable for the surrounding area.

4. The proposed development is consistent with the policies of the City of Santa Barbara Traffic Management Strategy (as approved by City Resolution No. 13-010 dated as of March 12, 2013) as expressed in the allocation allowances specified in SBMC Section 28.85.050.

As described above, the project includes 5,402 net new square feet of commercial area. Staff used the City of Santa Barbara traffic model rates for industrial uses to calculate the anticipated amount of additional traffic generated as a result of the proposed project. If approved, the project will result in the addition of a negligible amount of additional traffic to area streets and is not anticipated to result in any traffic impacts.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated March 6, 2014
- D. HLC Minutes
- E. Applicable General Plan Policies

PLANNING COMMISSION CONDITIONS OF APPROVAL

608 - 614 CHAPALA STREET
DEVELOPMENT PLAN
MAY 15, 2014

I. In consideration of the project approval granted by the Planning Commission and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

A. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:

1. Obtain all required design review approvals.
2. Pay Land Development Team Recovery Fee (30% of all planning fees, as calculated by staff) at time of building permit application.
3. Submit an application for and obtain a Building Permit (BLD) to demolish any structures / improvements and/or perform rough grading. Comply with condition E "Construction Implementation Requirements."
4. Record any required documents (see Recorded Conditions Agreement section).
5. Permits.
 - a. Submit an application for and obtain a Building Permit (BLD) for construction of approved development and complete said development.
 - b. Submit an application for and obtain a Public Works Permit (PBW) for all required public improvements and complete said improvements.

Details on implementation of these steps are provided throughout the conditions of approval.

B. **Recorded Conditions Agreement.** The Owner shall execute a *written instrument*, which shall be prepared by Planning staff, reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on May 15, 2014, is limited to a total of 5,402 square feet (net) of commercial development consisting of a proposal to infill 5,215 square feet under an existing roof area attached to the existing 20,859 square foot commercial building and a 187 square foot restroom addition to an existing 179 square foot detached office building. Total development on this 42,972 square foot parcel will be 26,440 square feet of commercial/office space and 33 parking spaces and the improvements shown on the plans signed by the chairperson of the Planning Commission on said date and on file at the City of Santa Barbara.

2. **Uninterrupted Water Flow.** The Owner shall allow for the continuation of any historic flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
 3. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
 4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Historic Landmarks Commission (HLC). Such plan shall not be modified unless prior written approval is obtained from the HLC. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan, including any tree protection measures. If said landscaping is removed for any reason without approval by the HLC, the owner is responsible for its immediate replacement.
 5. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in a functioning state. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the Owner shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
 6. **Areas Available for Parking.** All parking areas and access thereto shall be kept open and available in the manner in which it was designed and permitted.
 7. **Gates.** Any gates that have the potential to block access to any designated commercial space shall be locked in the open position during business hours.
- C. **Design Review.** The project, including public improvements, is subject to the review and approval of the Historic Landmarks Commission (HLC). The HLC shall not grant project design approval until the following Planning Commission land use conditions have been satisfied.
1. **Screened Backflow Device.** The backflow devices for fire sprinklers, pools, spas and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building, as approved by the HLC.
 2. **Location of Dry Utilities.** Dry utilities (e.g. above-ground cabinets) shall be placed on private property unless deemed infeasible for engineering reasons. If dry utilities must be placed in the public right-of-way, they shall be painted "Malaga Green," and if feasible, they shall be screened as approved by HLC.

3. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers (an area that allows for a minimum of 50 percent of the total capacity for recycling containers) shall be provided on the Real Property and screened from view from surrounding properties and the street. Dumpsters and containers with a capacity of 1.5 cubic yards or more shall not be placed within five (5) feet of combustible walls, openings, or roofs, unless protected with fire sprinklers.
- D. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.
1. **Public Works Department.**
 - a. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff prepares said agreement for the Owner's signature.
 - b. **Chapala Street Public Improvements.** The Owner shall submit Public Works plans for construction of improvements along the property frontage on Chapala Street. Plans shall be submitted separately from plans submitted for a Building Permit, and shall be prepared by a licensed civil engineer registered in the State of California. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to meet City standards and Chapala Street Design Guidelines, the following: 125 linear feet of Sombrero Buff sidewalk with 24" x 24" square pattern aligned at 90 degrees from face of curb, two Sombrero Buff commercial driveway aprons modified to meet Title 24 requirements with a maximum width of 16 linear feet for the south driveway and 21 linear feet for the north driveway, existing tree wells be trimmed using the red brick standard in use on State Street, preserve and/or reset survey monuments, protect and relocate existing contractor stamps to parkway, and supply and install directional/regulatory traffic control signs per the CA MUTCD during construction. Any work in the public right-of-way requires a Public Works Permit.
 - c. **Construction-Related Truck Trips.** Construction-related truck trips for trucks with a gross vehicle weight rating of three tons or more shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) in order to help reduce truck traffic on adjacent streets and roadways.

2. **Community Development Department.**

- a. **Recordation of Agreements.** The Owner shall provide evidence of recordation of the written instrument that includes all of the Recorded Conditions identified in condition B "Recorded Conditions Agreement" to the Community Development Department prior to issuance of any building permits.
- b. **Lot Tie Agreement.** The Owner shall provide a Lot Tie agreement, or other similar legal agreement acceptable to the City, entered into between the property owner and the City whereby the owner of the real property agrees to maintain both lots in common ownership for as long as the development on the lots requires the treatment of the two lots as a single lot in order to comply with applicable land use regulations. If one of the lots is ever intended to be sold separately, the Owner shall notify the City to ensure that code-required parking, bike parking, access, trash, etc. is provided and that any required permits (e.g. building code issues associated with a change of use) are obtained prior to either of the lots being transferred separately.
- c. **Drainage and Water Quality.** The project is required to comply with Tier 2 of the Storm Water Best Management Practice (BMP) Guidance Manual. The Owner shall implement one or more BMPs from Chapter 5 of the City's Storm Water BMP Guidance Manual. Project plans for grading, drainage, stormwater facilities and treatment methods, and project development, shall be subject to review and approval by the City Building Division and Public Works Department.
- d. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the appropriate design review board and as outlined in Section C "Design Review," and all elements/specifications shall be implemented on-site.
- e. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the sheet as follows: The undersigned have read and understand the required conditions, and agree to abide by any and all conditions which are their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

E. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction, including demolition and grading.

1. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, telephone number(s), construction work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.
2. **Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Transportation Manager with a Public Works permit.
3. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

F. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
2. **Complete Public Improvements.** Public improvements, as shown in the public improvement plans or building plans, shall be completed.

G. **General Conditions.**

1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.
2. **Approval Limitations.**
 - a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
 - b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Planning Commission.

- c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.
3. **Site Maintenance.** The existing site/structure(s) shall be maintained and secured. Any landscaping shall be watered and maintained until demolition occurs.
4. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of being notified of a lawsuit regarding the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF DEVELOPMENT PLAN TIME LIMITS:

The Planning Commission action approving the Development Plan shall expire four (4) years from the date of approval per Santa Barbara Municipal Code §28.85.090, 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. The Community Development Director grants an extension of the development plan approval upon finding that the applicant has demonstrated due diligence in implementing and completing the proposed project. The Community Development Director may grant one (1) one-year extension of the development plan approval.

BEST MANAGEMENT PRACTICES

Disturbance of earth, rock, and other construction related materials must be prevented from being transported from the site by the force of wind or water. All vehicles, equipment, and materials must be covered with tarps or other protective measures. Silt and sediment must be contained within the site boundaries. All vehicles, equipment, and materials must be covered with tarps or other protective measures. Silt and sediment must be contained within the site boundaries. All vehicles, equipment, and materials must be covered with tarps or other protective measures. Silt and sediment must be contained within the site boundaries.

BUILDING AREA ANALYSIS

TYPE OF CONSTRUCTION: (CSC Chapter 6, Section 006.1) (CSC Chapter 6, Section 006.1)

PERMITTED TOTAL: $P = 17'10" \times 4'6" \times 8'6" = 106'10" \times 6'6" \times 12'3" = 12'3" \times 12'3" \times 8'6" = 218'6" \times 188'10" \times 20'1"$

PROPOSED MAN BUILDING AREA TOTAL: 27,200 SF

RECEIVED

APR 09 2014

CITY OF SANTA BARBARA

PLANNING DIVISION

SCALE: 1/8" = 1'-0"

SITE PLAN - EXISTING CONDITIONS

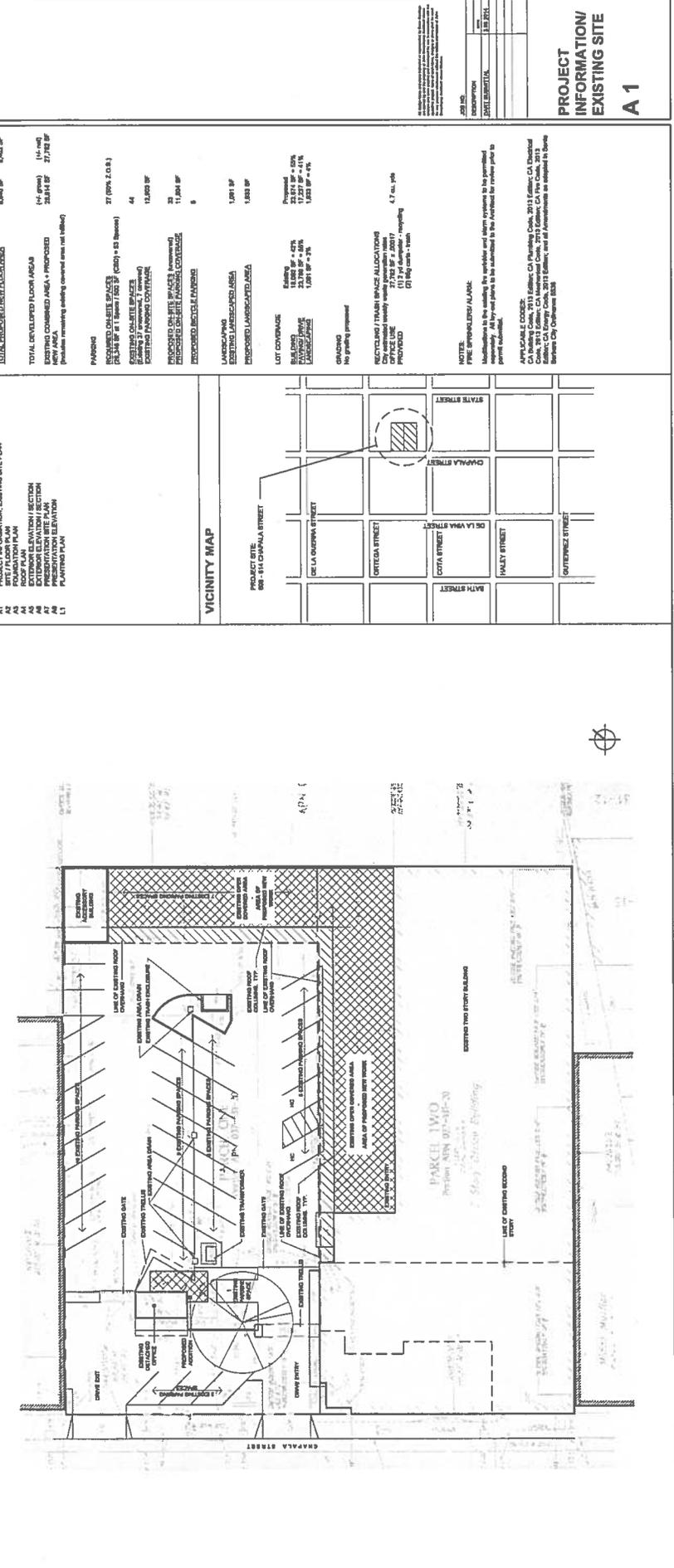


EXHIBIT B

PROJECT DIRECTORY

OWNER: PRIMERIA INVESTORS, LTD.
201 E. FONDACA STREET
SANTA BARBARA, CA 93101

ARCHITECT FOR OWNER: JOHN BEAUCHAMP - ARCHITECT
114 EAST DE LA OLIVERA STREET
SANTA BARBARA, CA 93101

ARCHITECT FOR TENANT: BRUNN + DONALDSON ARCHITECTS, INC.
1000 CHAMPAIGN AVENUE
SANTA BARBARA, CA 93101

LANDSCAPE ARCHITECT: LISA L. OGDEN LANDSCAPE ARCHITECT
1000 CHAMPAIGN AVENUE
SANTA BARBARA, CA 93101

PERMIT PROCESSING: SUZANNE ELLIEN
1000 CHAMPAIGN AVENUE
SANTA BARBARA, CA 93101

PROJECT INFORMATION

PROJECT DESCRIPTION: The proposed project is a full conversion of an existing commercial building to a multi-unit residential building. The building is located at 808-814 Champaign Street, Santa Barbara, CA. The building is currently a single-story commercial building. The proposed project is a full conversion of the building to a multi-unit residential building. The building is currently a single-story commercial building. The proposed project is a full conversion of the building to a multi-unit residential building.

PROJECT STATISTICS:
ADJ. (1-1) (Legal Permits)
23,200 SF
ORIGINAL P.V.H.
4 - 4,375 SF
7% (Imperv.)
10 (Imperv.)
M/J
V/B
M4 - Building
2 - Existing
Yes - Existing

EXISTING FLOOR AREAS:
EXISTING FLOOR AREA: 11,991 SF
EXISTING OPEN COVERED FLOOR AREA: 8,311 SF
TOTAL EXISTING FLOOR AREA: 20,302 SF
TOTAL COVERED EXISTING DEVELOPED AREA: 20,302 SF (Floor area + Covered area)

PROPOSED NEW FLOOR AREAS:
NEW DEVELOPED FLOOR AREA: 16,209 SF
NEW DETACHED OFFICE AREA: 232 SF
TOTAL PROPOSED NEW FLOOR AREA: 16,441 SF

TOTAL DEVELOPED FLOOR AREAS:
EXISTING COVERED AREA + PROPOSED NEW AREA: 36,743 SF
(Includes remaining existing covered area not listed)

PARKING:
REQUIRED ON-SITE SPACES: 27 (BVA, 2.0:1)
EXISTING ON-SITE SPACES: 44
PROPOSED ON-SITE SPACES: 13,800 SF
PROPOSED OFF-SITE SPACES: 11,400 SF
PROPOSED OFF-SITE SPACES: 0

LANDSCAPING:
REPROPOSED EXISTING AREA: 1,001 SF
PROPOSED LANDSCAPED AREA: 1,001 SF

LOT COVERAGE:
Building: 11,991 SF = 42%
Paved: 23,200 SF = 78%
Total: 35,191 SF = 78%
1,001 SF = 2%
1,001 SF = 2%

GRADING:
No grading proposed

RECYCLING / TRASH BIN SPACE ALLOCATIONS:
City required weekly waste generation: 4.7 cu. yd
11.7 yd dumpster + recycling PROVIDED
(3) 80-gallon trash

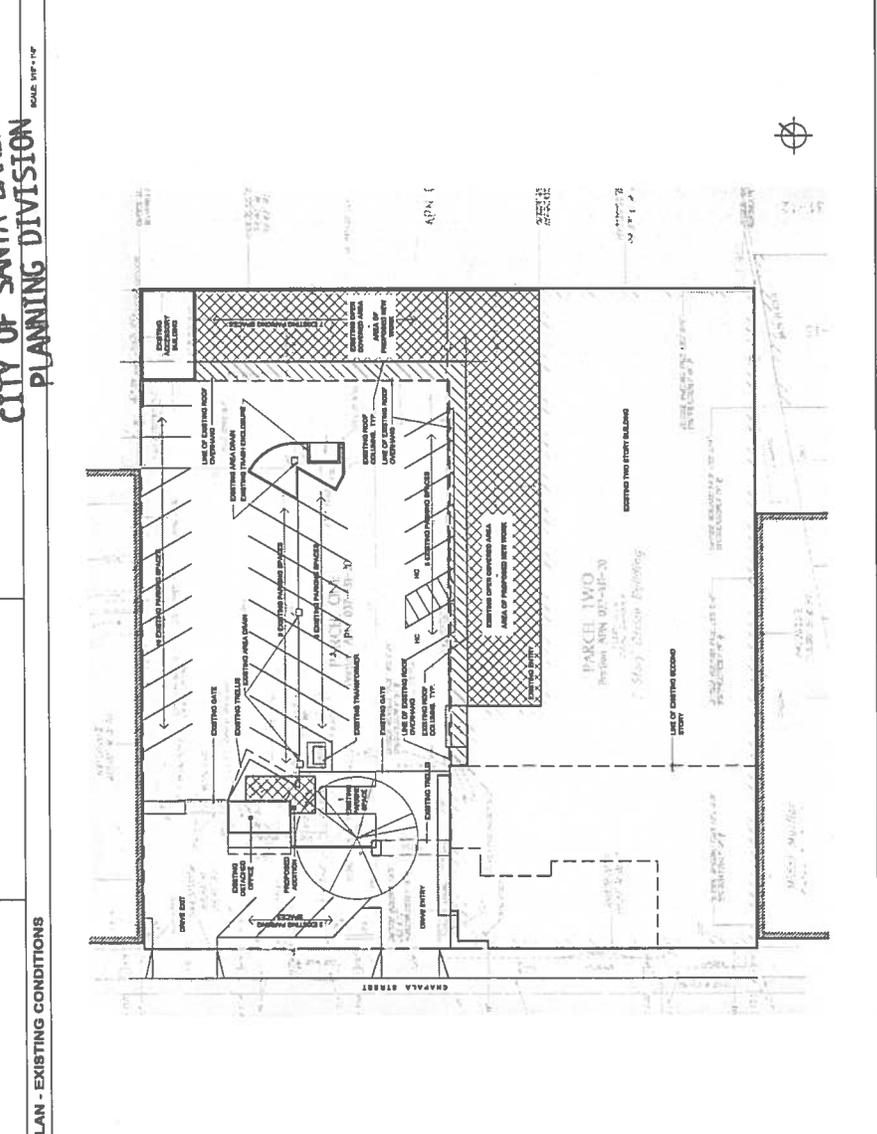
NOTES:
Modifications to the building, the schedule and other systems to be permitted separately. All try and error to be submitted to the applicant for review prior to permit submission.

APPLICABLE CODES:
CA Building Code, 2013 Edition; CA Planning Code, 2013 Edition; CA Electrical Code, 2013 Edition; CA Fire Code, 2013 Edition; CA Energy Code, 2013 Edition; and all Administrative codes adopted by Santa Barbara City Ordinance 838.

SHEET INDEX

A1 PROJECT INFORMATION, EXISTING SITE PLAN
A2 FOUNDATION PLAN
A3 EXISTING ELEVATION / SECTION
A4 EXISTING ELEVATION / SECTION
A5 PRESERVATION ELEVATION
A6 FINISHING PLAN

VICINITY MAP



PROJECT INFORMATION

OWNER: PRIMERIA INVESTORS, LTD.
201 E. FONDACA STREET
SANTA BARBARA, CA 93101

ARCHITECT FOR OWNER: JOHN BEAUCHAMP - ARCHITECT
114 EAST DE LA OLIVERA STREET
SANTA BARBARA, CA 93101

ARCHITECT FOR TENANT: BRUNN + DONALDSON ARCHITECTS, INC.
1000 CHAMPAIGN AVENUE
SANTA BARBARA, CA 93101

LANDSCAPE ARCHITECT: LISA L. OGDEN LANDSCAPE ARCHITECT
1000 CHAMPAIGN AVENUE
SANTA BARBARA, CA 93101

PERMIT PROCESSING: SUZANNE ELLIEN
1000 CHAMPAIGN AVENUE
SANTA BARBARA, CA 93101

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S U Z A N N E E L L E D G E
P L A N N I N G & P E R M I T T I N G S E R V I C E S , I N C .

PRINCIPAL PLANNERS
SUZANNE ELLEDGE • LAUREL F. PEREZ
6 March 2014

Planning Commission
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

RECEIVED
MAR 07 2014

CITY OF SANTA BARBARA
PLANNING DIVISION

**RE: 608-614 Chapala Street– Sonos Headquarters
Applicant/Project Description Letter (MST2013-00397)**

Dear Commissioners,

On behalf of Figueroa Investors Limited, we are pleased to submit this Applicant/Project Description letter as part of the project Development Application Review Team (DART) submittal materials.

I. Background and Mission

Figueroa Investors, a local Investment Group, owns the subject property located at 608-614 Chapala Street in the City of Santa Barbara. The property owner has signed a long term lease with Sonos, who will utilize the property as their office world headquarters.

The mission of Sonos is to remain in the heart of downtown Santa Barbara by creating an "Urban Campus" for its growing operations. The Chapala campus is one of four buildings Sonos will occupy in the downtown area. Sonos serves an important role in the community as evidenced by the over 270 local employees it retains, and its desire to transform each of the locations into vibrant spaces that reflect Sonos' culture while expanding their dedication to the city and the community. Sonos will occupy four buildings in over 100,000 square feet of renovated space throughout the downtown area by the end of this year and evidencing its commitment to be part of the Santa Barbara community for the foreseeable future.

II. Project Description

The applicant is requesting approval to construct new commercial square footage from both the Minor and Small Additions allocation categories of the City's Nonresidential Growth Management Ordinance. The objective is to in-fill underneath a portion of an existing, covered, roof area which is attached to the existing 20,400 square foot commercial building. The in-fill addition area totals 5,215 square feet. A minor 187 square foot addition is also proposed to an existing 179 square foot detached office building. The total square footage allocation request is 5,402 net square feet. There is no change of use is proposed for the site (per building code) the use will

change from retail to office and no grading is required. Project specific information is outlined below:

Project Description changes since PRT

Since the initial PRT application submitted in September of 2013, a few components of the proposed project have changed; these elements include verification of parcel validity and minor changes in the project statistics related to square footage and parking and landscape/hardscape site coverage.

In response to the PRT letter provided by City staff October 22, 2013, the property owner performed a title search to address a parcel validity question. It has been determined that the single parcel comprises two legal lots. The City Public Works/Land Development Department has confirmed that the documentation provided supports lot validity and an allocation for 3,000 net square feet (per lot) can be applied for through the Growth Management Ordinance. This DART application requests a total of 5,402 net square footage allocation.

The proposed total square footage of the addition (infill area) has increased since the initial PRT submittal. The PRT application requested an addition of 5,121 net square feet, our current proposal requests an addition of 5,215 net square feet. The minor 187 square foot addition to the existing office building remains the same.

The total number of parking spaces has been reduced from 36 on-site spaces to 33 on-site, uncovered spaces, which consist of 32 standard spaces, and 2 accessible spaces. In addition, 5 bicycle spaces are provided as part of the project.

With the reduction of 3 parking spaces, there resulted an increase in landscape coverage and a decrease in paving/hardscape lot coverage. The required on-site parking is 27 spaces due to the sites location in the 50% zone of benefit. The current proposal exceeds this zoning requirement. Copies of relevant information related to these changes have been provided in our DART application materials.

Existing Site and Building Conditions

The existing buildings are located at 608-614 Chapala Street. The property is divided into two legal lots and is zoned C-M (Commercial Manufacturing) and is within El Pueblo Viejo/Historic Landmarks Commission. The project is located within the City Central Business District. The buildings consist of a primary street-front building with an attached, open covered roof area in the back of the property and a small detached office building in the front. The site was originally developed for a car dealership in the 1940's. The structures were originally built for car sales, offices, display and service uses. The previous historical uses of the building have been primarily retail/showroom and technology offices. A previous City Property Profile lists the building as Unreinforced

Masonry (URM). The original main building drawings do show reinforced concrete. The proposed addition would be designed and constructed to standards as dictated by the CBC. The main building and covered roof areas are fully sprinklered and the proposed addition will be sprinklered as well.

III. Discretionary Approval for Consideration

The proposed addition/expansion of the building requires City Planning Commission approval of a Development Plan, see description below.

- Development Plan Approval to allocate 5,402 net square feet from the Minor and Small Additions categories of the Nonresidential Growth Management Ordinance category per SBMC §28.85.

IV. Environmental Considerations and Historic Landmarks Commission

The following section provides a summary of the technical studies included in the DART submittal package for evaluation of the existing site conditions relative to potential environmental impacts as a result of the proposed project.

A. Phase I Archaeological Resources Report

An Archaeological Resources Report (February 2014 by Dudek) was prepared for the proposed project as required per the California Environmental Quality Act (CEQA) in order to analyze the project's potential impacts to archaeological resources. The report also fulfills the requirements as established by the City of Santa Barbara's Master Environmental Assessment (MEA) for archaeological resource studies. The Archaeological Resources Report concluded that the proposed project would have less than a significant impact on the unlikely potential to encounter unknown, intact prehistoric archaeological resources. No other measures, including construction monitoring are considered necessary. The Phase I report has been provided as part of our DART submittal package and was submitted to the City for review on February 27, 2014.

B. Historic Landmarks Commission – Concept Review

Summary of HLC hearings: The proposed project has been reviewed by the Historic Landmarks Commission on three occasions. The first conceptual review was held on December 4, 2013. Positive comments including the compatibility analysis criteria were stated at that time based on the property owner's design, however, due to tenant design changes, the project returned to HLC on February 12th, 2014 and again on February 26th, 2014 for additional review. Additional positive comments were stated and clearance given to proceed with the DART application package and positive feedback was provided by HLC regarding the proposed adaptive reuse with this

project.. Presuming the project is approved at the Planning Commission level, the project will be submitted for project design and final approvals.

C. Storm Water Management Plan

It has been determined that the proposed project meets an exception from the Tier 3 SWMP requirements under Appendix J of the BMP Guidance Manual, which reduces the compliance level to a Tier 2. The existing drainage system will remain the same with the proposed project. Although the existing building area increases with the additions, the lot coverage statistics for landscaping and hardscape are improved with the project. Existing hardscape will be enclosed within the proposed building footprint; however, the project will reduce existing paved areas thereby increasing landscape areas by over 900 square feet.

V. General Plan and Zoning Consistency

The designated Land Use Zone of the project site is C-M, Commercial Manufacturing Zone. The General Plan Land Use Designation is General Urban, Commercial Medium Residential, and Commercial High Residential. The property is located in the City's Central Business District and in the 50% Parking Zone of Benefit. The C-M zone strives to provide a desirable living environment by preserving and protecting surrounding residential land uses in terms of light, air and existing visual amenities. The proposed project, tenant and the associated uses are consistent with the intent of this zone district.

According to the City of Santa Barbara Land Use Element, the Commercial Medium Density and High Density, Land Use Designation provides for a wide variety of uses including manufacturing, office, retail and residential which are along or near major transit corridors and offer public services to the community. The proposed project will facilitate Sonos ability to continue to provide employment and economic stimulus to the community and is consistent with the General Plan.

The proposed project and long term tenant will help to strengthen the local and regional economy by creating new permanent employment opportunities and enhancing the City's revenue base and could be considered an Economic Development Project, if that were necessary. The project will help to support a local business in the Santa Barbara community by providing the needed space for Sonos to, maintain, relocate, redeveloped and expanded.

VI. Project Justification and Findings

Project Description
608-614 Chapala
7 March, 2014
Page 5 of 5

The proposed project is consistent with the zoning ordinance and will serve as an example of sound community planning. As evidenced by Project Compatibility Analysis criteria stated by the HLC, the proposed development will be aesthetically pleasing and be compatible with the size, bulk and scale with the neighborhood. Additionally, the project will be subject to additional review and approval by the HLC.

On behalf of the applicant and project team, we thank you for your consideration of proposed project.

Sincerely,
SUZANNE ELLEDGE
PLANNING & PERMITTING SERVICES, INC.



Heidi Jones, AICP
Associate Planner

Historic Landmarks Commission

Minutes

December 4, 2013

First Conceptual Review:

Present: John Beauchamp, Architect, elevenModern; Kip Bradley, Representing Ownership; and Kelly Brodison, Assistant Planner

Kellam de Forest, local resident, commented on the proposed use of the property and whether it can be made to fit into the El Pueblo Viejo Guidelines.

Motion: Continued indefinitely to the Planning Commission with positive comments:

1. Design Review:
 - a. The Commission appreciates the adaptive reuse of the building.
 - b. Identify the existing tree on the plans.
 - c. Add trees to the parking lot.
 - d. Explore restoring the corner of the front building at the northwest corner.
 - e. Screen the mechanical roof equipment.
 - f. Enhance the addition to the small building.
 - g. Look at improvements to the building holistically.
 - h. Improvements must benefit the site long-term, since changes to the building remain, while the current tenant will not be permanent.
 - i. Use quality windows.
 - j. The awning should not span over the pilasters.
 - k. Consider changing the slope of the awning, eliminating the awning and its configuration.
2. The Commission has reviewed the proposed project and Compatibility Analysis Criteria have been generally met for this project (per SBMC 22.22.145.B. and 22.68.045.B.) as follows:
 - a. The proposed development project's design complies with all City Regulations and the integrity of the existing building is consistent with El Pueblo Viejo Landmark District Guidelines.
 - b. The proposed design is compatible with the distinctive architectural character of Santa Barbara and of the particular Neighborhood surrounding the project.
 - c. The size, mass, bulk, height, and scale of the proposed development are appropriate for its neighborhood as the heights are not proposed to be increased.

- d. The design of the proposed development is appropriately sensitive to adjacent City Landmark/designated historic resources, historic sites or natural features and mitigation measures are adequate to reduce adverse impacts.
- e. Review for public views of ocean and mountains are not applicable.
- f. Review for appropriate amount of open space and landscaping are not applicable during conceptual review of the project.

3. Carry forward the HLC comments to the Planning Commission.

Action: Shallenberger/Drury, 7/0/0. (Boucher/La Voie absent.) Motion carried.

February 12, 2014

Second Concept Review:

Present: Kip Bradley, Representing Ownership; John Beauchamp, Architect, elevenModern; Robin Donaldson, Representing Tenant; and Kelly Brodison, Assistant Planner

Commissioner Mahan stated that he reviewed the minutes and video of previous reviews for the project.

Motion:Continued two weeks with comments that the adaptive reuse of the building is supportable, but the architecture needs to be brought closer to El Pueblo Viejo Guidelines.

Action: La Voie/Orías, 8/0/0. (Drury absent.) Motion carried.

The Commission made the following comments:

1. The applicant has not responded adequately to previous Commission comments.
2. This building has not found its "soul" yet. The proposed doors, awning, existing front windows, and existing parking lot windows do not fit El Pueblo Viejo Guidelines.
3. There was concern with the "breaking away" from the Hispanic architecture requirements. Traditional solutions should be used for the glass, openness, and proportions to be more appropriate to El Pueblo Viejo Landmark District.
4. The proportions of the windows should be studied.
5. Although the awning at the street and building corner has been permitted and there for a long time, it was not on the building originally, and is an opportunity for improvement.
6. The landscaping in the parking lot needs to be upgraded to City standards.

7. The project can proceed to Planning Commission, but should return to the HLC for in-progress review. [Staff note: An in-progress review would be applicable only if the project had received Project Design Approval.]

February 26, 2014

Continued Concept Review:

Present: Kip Bradley, Representing Ownership; John Beauchamp, Architect, elevenModern; Robin Donaldson, Representing Tenant; and Kelly Brodison, Assistant Planner

Commissioner Drury stated that he reviewed the minutes and video of the previous review for the project.

Kellam de Forest, local resident, commented on the unsuccessful attempt to "Hispanicize" the structure and requested that the Chapala Street side viewed by the public conform better to El Pueblo Viejo Guidelines. He questioned the type of signage proposed and when it will be addressed.

Staff clarified that because the project is listed on the Potential Historic Resources List for its mid-century modern style, it is permitted to approve projects that retain, restore and compliment the historic style rather than conform to El Pueblo Viejo guidelines.

Motion:Continued indefinitely to the Planning Commission with comments:

1. The applicant has responded successfully to previous Commission comments.
2. The owner keeping the building as one-story is appreciated.
3. The design as proposed is acceptable.
4. The awnings are appropriate to the façade.
5. The windows at the front yard area are acceptable as proposed.

Action: La Voie/Mahan, 8/0/0. (Winick absent.) Motion carried.

General Plan

Land Use Element

Land Use Policies

LG8. Manufacturing Uses. Preserve and encourage the long-term integrity of light manufacturing uses.

LG8.2 Limit Residential. Better define residential uses in the C-M Zone to both encourage priority housing and to protect existing manufacturing and industrial uses.

LG12. Community Character. Strengthen and enhance design and development review standards and process to enhance community character, promote affordable housing, and further community sustainability principles.

LG12.2 Building Size, Bulk and Scale. Ensure that proposed buildings are compatible in scale with the surrounding built environment.

- a. Community Character Preservation. Include in design guidelines that as part of any major new in-fill development or remodel, consider the context of the proposed structure in relation to surrounding uses and parcels along the entire block; ensure that the proposed development will not eliminate or preclude preservation of the key visual assets of the particular block or corridor, including landmark structures, structures of merit, potentially historic structures, key scenic view points that provide unique or important views to the surrounding hills, and specimen trees and other important visual resources. Require building design modifications as needed to preserve essential elements of the community character along that block or corridor.

Economy and Fiscal Health Element

Local Economic Policies

Promote Economy and Fiscal Health goals and policy direction working with non-profits and businesses.

EF11. Technology. Encourage the use of and investment in technology that supports local enterprises and attracts new businesses to the City.

Historic Resources Element

Protection of Buildings, Structures, Sites and Features Policies

HR1. Protect Historic and Archaeological Resources. Protect the heritage of the City by preserving, protecting and enhancing historic resources and archaeological resources. Apply available governmental resources, devices and approaches, such as the measures enumerated in the Land Use Element of this Plan, to facilitate their preservation and protection.

Possible Implementation Actions to be Considered

HR1.4 Interpret regulations flexibly. In order to ensure that a historic resource will be perpetuated, even if its historical use becomes obsolete or is discontinued, avoid

the application or strict interpretation of regulatory codes and ordinances which might erode or alter its traditional or historical character. In accord with the spirit and the intent of the California State Historical Building Code, interpret and apply such codes so that flexible yet equally safe alternatives can be substituted that promote the future vitality of the historic resource.

- HR2. Ensure respectful and compatible development. Seek to ensure that all development within the City respects rather than detracts from individual historic and archaeological resources as well as the neighborhood and the overall historical character of the city. Assure compatibility of development, respect for the historical context of historical resources, and consideration of sustainable design alternatives where compatible.
- HR3. **Discourage Demolition.** Develop effective measures to discourage and curtail the demolition of historic resources.
- HR4. **Pursue Adaptive Reuse.** Encourage the adaptation of historic buildings or structures for uses other than the original intended use when the original use is no longer viable.

Circulation Element

Physical Improvements and Amenities

- 5-5 The City shall create and foster a pedestrian friendly environment through physical and cultural improvements and amenities.