



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: November 1, 2006
AGENDA DATE: November 8, 2006
PROJECT ADDRESS: 824 E. Canon Perdido (MST2005-00504)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Jan Hubbell, AICP, Senior Planner
Irma Unzueta, Project Planner

I. PROJECT DESCRIPTION

The project involves the demolition of a 400 square foot garage and the construction of four new residential condominiums on a lot of approximately 8,053 square feet in the C-2 zone. The project contains one 1,297 square foot two-bedroom unit, and three 842 square foot one-bedroom units. Parking would be provided within four attached two and one-car garages. Modifications are required to allow the entry porch of Unit A to encroach into the required front yard setback and the roof deck of Unit D to encroach into the required rear yard setback (Exhibits B and C). The project is processing concurrently with the development of the adjacent property to the south (822 E. Canon Perdido Street) with shared easements for the access drive and utilities. The adjacent property is under a separate application for the development of four residential condominiums.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. Tentative Subdivision Map for a one-lot subdivision with four (4) residential condominiums (SBMC §27.07.030 and §27.13);
2. Modification to allow the entry porch for Unit A to encroach into the required front yard setback (SBMC §28.21.060);
3. Modification to allow the roof deck for Unit D to encroach into the required ten-foot second story rear yard setback (SBMC §28.21.060); and
4. Canon Perdido Street Setback Variance Approval by City Council (SBMC §28.83.007).

III. RECOMMENDATION

Upon approval of the requested modifications, 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 Staff Hearing

Officer approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



824 E. Canon Perdido Street Vicinity Map

APPLICATION DEEMED COMPLETE: October 6, 2006
DATE ACTION REQUIRED PER MAP ACT: December 25, 2006

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Christine Pierron	Property Owner: Canon Perdido Cottages, LLC
Parcel Number: 031-042-007	Lot Area: 8,053 sq. ft.
General Plan: Residential, 12 units/acre	Zoning: C-2, Commercial
Existing Use: 400 sq. ft. two-car carports	Topography: 10%
Adjacent Land Uses: North - Commercial South - Commercial East - Commercial West - Commercial	

B. PROJECT STATISTICS

	Living Area	Garage
Existing (net sq. ft.)	N/A	360 sq. ft. two car carport for adjacent residential use
Proposed (net sq. ft.)		
Unit A – 2 bedrooms	1,180 sq. ft.	429 sq. ft.
Unit B – 1 bedroom	783 sq. ft.	242 sq. ft.
Unit C – 1 bedroom	783 sq. ft.	242 sq. ft.
Unit D – 1 bedroom	783 sq. ft.	242 sq. ft.
Total	3,529 sq. ft.	1,155 sq. ft.

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks -Front -Interior -Rear	10' 6' 6' (1 st story) & 10' (2 nd story)	>10' <6' >6'	6' (Unit A porch) 6' 6' (1 st story) 6' (2 nd story roof deck for Unit D)
Building Height	60' & four stories	N/A	29' & two stories
Parking	1 bedroom = 1.5 spaces 2 bedrooms = 2.0 spaces 7 parking spaces required	7 spaces for adjacent residential use	5 covered 2 uncovered
Lot Area Required for Each Unit (Variable Density)	1 bedroom = 1,840 sq. ft. 2 bedroom = 2,320 sq. ft.	N/A	2,013 sq. ft./unit
10% Open Space	805 sq. ft.	N/A	834 sq. ft.

Private Outdoor Living Space	140 sq. ft. – 1 st floor OR 72 sq. ft. – 2 nd floor	N/A	140 sq. ft. – 1 st floor >120 sq. ft. – 2 nd floor
Lot Coverage			
-Building	N/A	N/A	3,600 sq. ft. 44.5%
-Paving/Driveway	N/A		2,253 sq. ft. 28.0%
-Landscaping	N/A		2,200 sq. ft. 27.5%

The proposed project would meet the requirements of the C-2 Zone, with the exception of the front entry porch for Unit A, which is proposed to encroach approximately four feet into the required ten-foot front yard setback and the roof deck for Unit D, which is proposed to encroach four feet into the required ten-foot second story rear yard setback.

VI. ISSUES

A. DESIGN REVIEW

This project was reviewed by the ABR on three separate occasions (Exhibit D). On August 8, 2005, the ABR reviewed the project and found the site planning and architecture well conceived and consistent with the Haley-Milpas Design Guidelines. The Board found the design and architecture to be refreshing, whimsical and fun, yet simple in nature. Appreciation for the project’s proposed solar panels was expressed by the ABR. The Board suggested that the upper roof be simplified and deck space be added to the lower flat roofed areas. Additionally, the ABR deferred to the Planning Commission on the appropriateness of the modifications, but felt that they are necessary for the usefulness and enhancement of the project. Further, the Board encouraged design collaboration with the adjacent project to create a Paseo feel and pedestrian connection and suggested that a common driveway entry element be developed by incorporating mailboxes and other features.

On January 3, 2006, the ABR reviewed the proposed project for the second time and continued to find the design and architecture acceptable. The Board expressed support for the front porch modification indicating that it is minor in nature and compatible with the neighborhood. The ABR found the central driveway Paseo successful and liked the random patterns of the mixed paving and entry post elements. In addition, the Board felt that the proposed landscape palette was acceptable and commended the reuse of the existing plant specimens.

In response to the joint Planning Commission and Staff Hearing Officer meeting of May 11, 2006, the applicant returned to the ABR for additional review. The ABR reiterated many of the comments made at the January 3, 2006 review and continues to find the architecture refreshing and whimsical. The Board continues to support the modifications and feels it is unfortunate that the roof deck of the proposed front unit will be lost due to City’s exterior noise level standard. The ABR encouraged the applicant to extend the enhanced paved sidewalk along the east side of the driveway to connect to the street and across to the west side of the driveway adjacent to the public sidewalk and driveway entrance. The ABR felt that the height as proposed was acceptable, which has been reduced by 18” to address Planning Commission comments.

B. JOINT PLANNING COMMISSION AND STAFF HEARING OFFICER REVIEW

On May 11, 2006, the projects proposed for 822 and 824 E. Canon Perdido Street were reviewed at a Joint Planning Commission/Staff Hearing Officer meeting (Exhibit E). The two proposed projects each involve the construction of four residential condominiums on two separate parcels, for a total of eight new condominiums. Both projects are subject to review and approval by the Staff Hearing Officer (SHO) since they involve one-lot subdivisions and less than five new units on each parcel. The properties adjoin each other and a shared driveway and access easement are proposed. Although they are two separate projects, they are being processed concurrently.

At the joint conceptual Planning Commission/Staff Hearing Officer review, the Commission found the scale and design of the project acceptable; however, the Commission requested that the plate heights be reduced. The Planning Commission also expressed support for the front and interior yard setback modifications, including the Canon Perdido Street setback variance. The use of solar panels and reuse of the existing vegetation was appreciated and encouraged. The Planning Commission also supported keeping the front unit roof deck and felt that the City's exterior noise exposure standard might be too conservative.

In response to Planning Commission comments and direction, the overall height of the front unit has been reduced by 18" and the ABR has found it acceptable. Additionally, the proposed side yard concrete swales have been reduced in width from 17" to 13" and the material of the swale design will be upgraded to reduce their impact. Also, much of the existing succulent and cactus garden, as well as a Persimmon tree and King Palm will be reused.

C. COMPLIANCE WITH THE GENERAL PLAN

The project site is located in the Milpas neighborhood, which is bounded on the north by Canon Perdido Street; on the south by Highway 101; and on the east and west by the rear of the commercial establishments on each side of Milpas Street. Milpas Street is developed by a solid strip of commercial, which is consistent with present zoning. According to the General Plan, some residential use exists in the area and will persist, above and behind the shops. Commercial development is concentrated along both sides of Milpas Street with residential development behind commercial buildings. The project setting is a mix of residential uses and commercial uses and the proposed project would comply with the established neighborhood and land uses

Land Use Element: The project site has a General Plan designation of Residential 12 dwelling units per acre and is zoned C-2, Commercial. The proposed project is subject to the density requirements of the R-3/R-4 Multiple Family Residential Zone and would result in a density of 21.6 units. 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. Therefore, City housing policies support build out of infill housing units in the City's urban areas. The City's Housing Element encourages construction of a wide range of housing types to meet the needs of various household types.

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 all relatively modest 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.

Neighborhood Compatibility: The surrounding neighborhood is comprised of a mix of retail, restaurant, commercial, educational and residential uses, with a variety of heights, scale and design. As previously mentioned the ABR and Planning Commission found this project to be appropriate for this site and neighborhood.

D. MODIFICATIONS

The project is requesting a front and rear yard modification. The front yard modification is necessary to allow the entry porch for Unit A to encroach four feet into the required ten-foot front yard setback. The applicant has indicated that the front porch element would serve to make a more street friendly entry and maintain a consistent relationship to the front property line with the surrounding building footprint. The ABR and the Planning Commission have found this modification appropriate and supportable as it is minor in nature and compatible with the neighborhood. Staff agrees with the ABR and the Planning Commission and is in support of the requested front yard modification. It provides a transition between the commercial building to the east and the more residential neighborhood to the west.

The rear yard modification would allow the roof deck for Unit D to encroach four feet into the required second story ten-foot rear yard setback. The ABR has expressed support for this modification stating that it would be useful and enhance the project. They also felt that the rear yard modification is appropriate since the project abuts an undeveloped parcel. The Planning Commission also expressed support for this encroachment. Staff is supportive of this modification and agrees it is minor in nature and enhances the usefulness of the project.

The Santa Barbara Municipal Code (§28.83.007) establishes a 10-foot setback line for Canon Perdido Street, northwesterly between Quarantina and Milpas Streets. Because the property is subject to this setback line, a variance will be required to allow the entry porch element of the front unit and the driveway entry kiosk to encroach. Both of these encroachments would require a Canon Perdido Street variance from City Council and are supported by Staff.

E. ENVIRONMENTAL REVIEW

Noise Study: An acoustical analysis was prepared for the project by Dohn & Associates, which determined that the project site is primarily impacted by noise from traffic on Canon Perdido Street and residually by noise from traffic on Milpas Street. The anticipated exterior noise levels identified for the building envelope of Unit A is 65dBA. The other units would meet the City's exterior noise level standard of 60dBA. The report further indicates that the most likely spaces for outdoor living would be the rear yards of each unit, which would all meet the 60 dBA exterior exposure standard. Initially, the project was proposing a roof deck located above the garage of Unit A; however it has been removed as part of this project. Therefore, noise impacts associated with the outdoor living areas will not occur.

Archaeological Resources: The project site is located within the American Period 1870-1900, and Early 20th Century Period 1900-1920, Cultural Resource Sensitivity Zones, as identified in the City's Master Environmental Assessment (MEA). A Phase I Archaeological Resources Report was prepared and accepted by the Historic Landmarks Commission (HLC) on June 14, 2006. The report concluded that it is considered unlikely that development of the parcel will result in impacts to a prehistoric or historic site, and that impacts of the project are evaluated as less than significant. Standard conditions of approval have been incorporated for the purpose of avoiding impacts to archaeological resources, in the unlikely event that grading reveals the presence of cultural artifacts or sites.

Conclusion: Staff and the Environmental Analyst have determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Sections 15303, New Construction of Small Structures, and 15315, Minor Land Divisions.

VII. FINDINGS

The Staff Hearing Officer finds the following:

A. 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 substantial environmental damage, and associated improvements will not cause serious public health problems.

B. 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 requirement.
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, Conservation 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 public streets, 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 Architectural Board of Review, which found the architecture and site design appropriate.

C. FRONT YARD SETBACK MODIFICATION (SBMC §28.21.060)

The Staff Hearing Officer must find that the requested front yard setback modification is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on the lot, prevent unreasonable hardship, or promote uniformity of improvement. The front yard modification is necessary to allow the entry porch for Unit A to encroach four feet into the required ten-foot front yard setback. This encroachment would serve to make a more street friendly entry and maintain a consistent relationship to the front property line with the surrounding building footprint. Also the Architectural Board of Review and Planning Commission found this modification appropriate and supportable as it is minor in nature and compatible with the neighborhood.

D. INTERIOR YARD SETBACK MODIFICATION (SBMC §28.21.060)

The Staff Hearing Officer must find that the requested front yard setback modification is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on the lot, prevent unreasonable hardship, or promote uniformity of improvement. The rear yard modification would allow the roof deck for Unit D to encroach four feet into the required second story ten-foot rear yard setback. The Architectural Board of Review and Planning Commission found the encroachment to be supportable due to its usefulness and enhancement to the project. They felt that the modification is appropriate in that the project abuts an undeveloped parcel.

Exhibits:

- A. Conditions of Approval
- B. Site Plan

Planning Commission Staff Report
824 E. Canon Perdido Street (MST2005-00504)
November 1, 2006
Page 9

- C. Applicant's letter, dated September 7, 2006
- D. ABR Minutes
- E. Planning Commission Minutes