



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: December 14, 2006
AGENDA DATE: December 20, 2006
PROJECT ADDRESS: 416 Anacapa Street (MST2005-00543)

TO: Staff Hearing Officer

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

I. PROJECT DESCRIPTION

The project consists of demolishing a 1,500 square foot commercial building and replacing it with a three-story building comprised of 968 square feet of commercial space on the first floor, and a total of three condominium units on the second and third floors. A 2,960 square foot commercial building is to remain at the rear of the 9,000 square foot lot, which would also contain 365 cubic feet of private storage space for each residential unit. The proposed condominiums include a 1,023 square foot one-bedroom unit (Unit A), a 1,077 square foot two-bedroom unit (Unit B) on the second floor, and a 1,680 square foot two-bedroom unit (Unit C) on the third floor. Four covered parking spaces and five uncovered parking spaces are proposed for a total of nine spaces.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. Modification to allow less than the required 10% open space area (SBMC §28.21.080); and
2. Tentative Subdivision Map for a one-lot subdivision for a mixed-use condominium project, with three (3) residential condominiums and 3,949 square feet of commercial space that may be subdivided into as many as six (6) condominium commercial units (SBMC §27.07.030 and §27.13).

III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances if the open space modification is approved, and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood and the open space modification can be supported because residential living areas are on the upper floors and provide substantial private open space. 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.



Vicinity Map – 416 Anacapa Street

APPLICATION DEEMED COMPLETE: November 10, 2006
DATE ACTION REQUIRED: January 29, 2006

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Hal Bruington	Property Owner: B&W Investments
Parcel Number: 031-271-020	Lot Area: 9,000 sq. ft.
General Plan: Industrial	Zoning: C-M, Commercial Manufacturing
Existing Use: Commercial	Topography: level

Adjacent Land Uses:	
North – Residential and Commercial	East – Commercial
South – Commercial	West – Commercial

B. PROJECT STATISTICS

Proposed	# Bedrooms	Size (net sq. ft.)
Commercial Space (Front Building)	N/A	968
Commercial Space (Rear Building)	N/A	2,960
Unit A	1	1,023
Unit B	2	1,077
Unit C	2	1,680

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Building Height	4 stories not to exceed 60'	27' max	41' max
Parking	9 spaces (3 residential, 6 commercial)	9 uncovered spaces	4 covered, 5 uncovered spaces
Lot Area Required for Each Unit (Variable Density)	1 bdrm = 1,840 sq. ft. 2 bdrms = 2,320 sq. ft. 6,480 total required	N/A	9,000 sq. ft.
10% Open Space	900 sq. ft.	N/A	509 sq. ft.
Private Outdoor Living Space	1 bdrm = 72 sq. ft. 2 bdrms = 84 sq. ft.	N/A	Unit A = 279 sq. ft. Unit B = 208 sq. ft. Unit C = 333 sq. ft.
Lot Coverage			
-Building	N/A	3,329 sq. ft. 37%	3,371 sq. ft. 8%
-Paving/Driveway	N/A	4,992 sq. ft. 55%	5,120 sq. ft. 7%
-Landscaping	N/A	680 sq. ft. 8%	509 sq. ft. 5%

The proposed project would meet the requirements of the C-M Zone, with the exception of the 10% open space requirement for the residential portion of the development, which requires a modification and is discussed in the following section.

VI. ISSUES

A. DESIGN REVIEW

A similar version of the proposed project, with rental units instead of condominium units proposed, was approved by the Architectural Board of Review (ABR) on March

14, 2005. The applicant chose to revise the project to include condominium units and therefore, staff requested that the project return to the ABR in order to make the findings associated with condominium units. As a result of staff's comments during the Pre-Application and Development Application Review processes, additional exterior changes were made to the proposed project. The revised project was reviewed by the ABR on two separate occasions (meeting minutes are attached as Exhibit D). On October 2, 2006, the ABR stated the following: 1) The aesthetic improvements to the pedestrian entry experience are successful; 2) Provide additional decorative lighting to highlight the pedestrian entryway along the covered driveway approach to the elevator lobby; 3) The Board appreciates the increased landscape, and the added landscaping on the upper level balconies; 4) The Board finds the enhanced paving at driveway entrance and pedestrian sidewalks to be an improvement; and 5) The Board understands the recesses at the sound walls will be painted with a darker tone or differentiated material to read as a deeper recess.

No changes have been made to the project since this ABR review. A condition of approval has been included so that the ABR's additional requests are met.

B. OPEN SPACE MODIFICATION

Mixed-use projects require that 10% of the lot area be dedicated as open space, as described in SBMC §28.21.080. A modification to allow less than the required 10% open space area was previously approved by the Modification Hearing Officer when the project was originally proposed as mixed-use with three rental units, instead of condominiums. The project includes slightly less open space area from what was originally approved because a planter that was previously proposed had to be removed in order to provide adequate space for vehicles to back out of parking spaces. The project would provide approximately 509 square feet instead of the required 900 square feet on the ground floor. The preliminary landscape plan includes additional landscaping in common areas on the second story and along the walkway that connects the two buildings on-site. Because the residential units would be located on the second and third stories of the building, the outdoor living spaces would also be provided on the second and third stories, which include significantly more than what is required for each unit. If the private outdoor living spaces were located on the ground floor, these areas could also be counted toward the 10% open space requirement. Although the project does not provide 10% of the lot area on the ground floor, staff believes that the private outdoor living spaces, as well as the common walkway areas provided on the upper floors meet the purpose and intent of the Zoning Ordinance, and given the downtown location of the mixed-use project, that the modification is necessary to secure an appropriate improvement on the lot.

C. COMPLIANCE WITH THE GENERAL PLAN

Land Use Element: The project site has a General Plan land use designation of Industrial and is located in the Lower State Street Neighborhood of the City. The property's zoning is C-M or Commercial Manufacturing. The C-M zone allows

residential use, consistent with the Multi-Family (R-3 and R-4) zoning. The General Plan recognizes that different land uses are intermingled in areas designated as Industrial and some areas are more solidly industrial while areas zoned C-M are intended for a mix of uses, including residential use. The Lower State Street neighborhood is described as an area of mixed commercial and industrial uses, with a small population scattered in retirement homes and semi-residential hotels. The Land Use Element anticipates the area will include future hotel and related commercial uses. The proposed project is consistent with the uses surrounding the project site which include residential and commercial uses and are developed with single and multi-level buildings.

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. The project would be consistent with the Housing Element as it will contribute three additional residential units to the City's existing housing stock. Further, the development would provide for homeowner opportunities in a neighborhood with adjacent proximity to a commercial center.

The proposed residential units would not be restricted to low- or moderate-income households. The City provisions for inclusionary housing only apply to projects that involve ten or more units.

D. ENVIRONMENTAL REVIEW

Archaeological Resources: The project site is located in the following Archaeological Sensitive Resource areas as identified by the City's Master Environmental Assessment: Hispanic-American Transition Period, 1850-1870, American Period, 1870-1900, and Early 20th Century, 1900-1920. A Phase I Archaeological Resources Report was prepared and accepted by the Historic Landmarks Commission on July 11, 2003. The report concluded that intact prehistoric remains could exist below the disturbed soils on-site, and therefore, indicated that a supplemental Phase I Archaeological Survey should be conducted after the existing pavement within the proposed development footprint is removed, followed by archaeological monitoring during construction. A condition of approval has been included to require that these measures be achieved prior to release of a building permit for the new structure.

Noise Analysis: The City's Master Environmental Assessment indicates that the project site is located in an area exposed to noise levels of 60 to 65 dBA L_{dn} (average A-weighted sound level over a 24-hour day). A noise study was prepared by Dudek & Associates on October 10, 2005 (attached as Exhibit E). The study estimated that noise levels at the required private outdoor living spaces for Units A and C, which are second and third story decks facing Anacapa Street, would be exposed to noise levels of 62 dBA. A second deck, which provides additional outdoor space for Unit A would face north and would be exposed to a noise level of 53 dBA. The required outdoor living

space for Unit B, which faces north, would be exposed to noise levels of 52 dBA. At the time the study was conducted the project included two additional outdoor decks proposed for units B and C, which are no longer proposed. The study indicates that in order to reduce levels to 60 dBA or less, the deck for Unit A requires a six foot high sound wall around the perimeter of the space, and the deck for Unit C requires a minimum five-foot high sound wall around the perimeter of the space. Walls have been incorporated into the project and their design has been accepted by the ABR. A condition has been included to require the noise consultant's review and certification of the final design prior to building permit submittal.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303, New Construction of Small Structures, and Section 15315, Minor Land Divisions.

E. OTHER PROJECTS IN THE VICINITY

The City has received an application for a new mixed use project located directly south of the proposed project at 412 Anacapa Street. The proposal includes seven residential condominiums totaling 6,306 square feet and 6,375 square feet of commercial space on a 13,500 square foot lot. That project consists of three three-story buildings for five residential units and two three-story buildings for two commercial spaces and two residential units. Five one-car garages and 12 uncovered parking spaces will be provided (refer to the proposal shown on elevations). The proposal has been conceptually reviewed by the ABR on three separate occasions and is currently being reviewed by staff for an application completeness determination.

VII. FINDINGS

The Staff Hearing Officer finds the following:

A. OPEN SPACE MODIFICATION (SBMC §28.21.080)

The Staff Hearing Officer must find that the requested open space 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. The mixed-use project is located downtown and would include approximately 5% of open space on the ground floor. With the addition of the more than adequate private outdoor living spaces, as well as, landscaping and common walkway areas provided on the upper floors, the proposed project meets the purpose and intent of the Zoning Ordinance and the open space modification is necessary to secure an appropriate improvement on the lot.

B. THE TENTATIVE MAP (SBMC §27.07.100)

The Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development, the project is consistent with the variable density provisions of the

Municipal Code and the General Plan, and the proposed use is consistent with the vision for this neighborhood of the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems.

C. THE NEW CONDOMINIUM DEVELOPMENT (SBMC §27.13.080)

1. There is compliance with all provisions of the City's Condominium Ordinance.
The project complies with physical standards for new condominiums related to density, laundry facilities, separate utility metering, adequate unit size and storage space, parking, and the required private outdoor living space.
2. The proposed development is consistent with the General Plan of the City of Santa Barbara.
The project can be found consistent with policies of the City's General Plan including the Housing Element and Land Use Element. The project will provide infill mixed-use 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 mixed-use 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 design review board, which found the architecture and site design appropriate.

Exhibits:

- A. Conditions of Approval
- B. Applicant's letter
- C. ABR Minutes
- D. Noise Study
- E. Site photos (2 pages)