



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: March 16, 2011
AGENDA DATE: March 23, 2011
PROJECT ADDRESS: 111 State Street & Kimberly Avenue (MST2011-00036)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Senior Planner
 Betsy Teeter, Planning Technician II *BT*

I. PROJECT DESCRIPTION

The 16,485 square foot project site has frontage on State Street and Kimberly Avenue. Current development on site consists of a 6,705 square foot one story commercial building and 38 parking spaces. The proposed project involves building shell/core and exterior alterations including the replacement of doors, windows, and construction of a new roof. A new entry trellis, trellis refurbishment and the demolition and replacement of two trash enclosures in new locations are also proposed. The discretionary applications required for this project are Modifications to allow alterations within the required 10'-0" and 20'-0" front setbacks on Kimberly Avenue and State Street (SBMC §28.22.060). No new floor area is proposed.

Date Application Accepted: January 26, 2011 Date Action Required: April 26, 2011

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project as submitted.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: AB Design Studio	Property Owner: 116 Kimberly Avenue, LLC
Parcel Numbers: 033-075-003, 004, 008, 009 & 010	Lot Area: 25,000 sf
General Plan: Hotel & Related Commerce	Zoning: HRC-2/SD-3
Existing Use: Commercial	Topography: Flat
Adjacent Land Uses:	
North – Commercial	East - Commercial
South – Commercial	West – Residential

B. PROPOSED LOT AREA COVERAGE

	Amount	Percentage
Building	7,050 sf	28%
Paving/Driveway	14,417 s.f.	58%
Landscaping	3,533 s.f.	14%
Total Lot Area	25,000 s.f.	100%

IV. DISCUSSION

The proposed project involves alterations and upgrades to a parcel that is currently developed with a commercial building that formerly housed a 131 seat restaurant and 38 parking spaces. No new use or floor area is being proposed at this time. The proposed façade alterations include replacement of existing windows and doors, a new entry trellis and a trellis refurbishment, some of which will encroach into the required ten- and twenty-foot front setbacks on State Street and Kimberly Avenue. The applicant is also proposing to remove two trash enclosures located within the front setback on Kimberly Avenue and replacing them in new locations also located within the front setback on Kimberly Avenue.

This project was reviewed by the Historic Landmarks Commission (HLC) on February 17, 2011. The HLC gave the project positive comments (see Exhibit C) and the matter was continued indefinitely to the Staff Hearing Officer with comments.

The site plan attached in Exhibit A does not reflect the redesign proposed by the HLC. Due to the fact that the proposed alterations do not affect the requested Modifications, Staff believes the Modifications can still be supported without reviewing the alternate design.

The proposed project was reviewed by the City's Environmental Analyst and it was determined that the building is located in an archeological resources sensitivity zone. The proposed ground disturbance would typically require the preparation of a Phase I Archeological Report. In this case, an existing Phase I Archeological Report for an adjacent property is on file at the City which showed no significant findings for minor excavations of less than 18 inches. It was determined that an Archeological Monitoring Contract would be sufficient mitigation for the potential archeological impacts. The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Sections 15301 & 15305.

V. RECOMMENDATION/FINDING

The Staff Hearing Officer finds that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed façade and trellis alterations will improve the aesthetics of the property without impacts to neighboring properties, and the new trash enclosures will provide a confined area for trash storage in a reasonable location given that the property has two front setbacks.

Said action is subject to the following conditions, to be reproduced on the plans:

STAFF HEARING OFFICER STAFF REPORT
111 STATE STREET/116 KIMBERLY AVENUE (MST2011-00036)
MARCH 16, 2011

1. Archaeological Monitoring Contract. Submit to the Planning Division a contract with an archaeologist from the most current City Qualified Archaeologists List for monitoring during all initial ground disturbing activities associated with the project, including, but not limited to, grading, excavation, trenching vegetation or paving removal and ground clearance. The contract shall be subject to the review and approval of the Environmental Analyst.
2. The archaeologist's monitoring contract shall include the following provisions: If cultural resources are encountered or suspected, work shall be halted or redirected by the archaeologist immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent and significance of any discoveries and 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, preparation of further site studies and/or mitigation.
3. If the discovery consists of possible human remains, the Owner shall contact the Santa Barbara County Coroner immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. The Owner shall retain 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 Planning Division grants authorization.
4. If the discovery consists of possible prehistoric or Native American artifacts or materials, the Owner shall retain 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 Planning Division grants authorization.

Exhibits:

- A. Site Plan (provided under separate cover)
- B. Applicant's letter dated February 23, 2011
- C. HLC Minutes

Contact/Case Planner: Betsy Teeter, Planning Technician II
(bteeter@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470, ext 4563



LETTER

February 23, 2011

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

Subject: 111 State St. / 116 Kimberly Ave
Modification Request for Parcels
033-075-003, -004, -008, -009, -010

Via: Hand Delivered

1. We are seeking approval of modifications for the above referenced property. The project is made up of several parcels individually owned. An existing structure of approximately 7,100SF is situated on the South Westerly parcel (033-075-008) and is the site of the old BeBop Restaurant. The remaining parcels comprise appendages to the building (patio and trellis), trash enclosure, and parking areas that serve the existing building. All parcels are tied together with recorded Covenants allowing for the parking to be used for the restaurant building. We are proposing minor alterations and clean up to the existing building in order to get it ready for new tenants. Because the HRC-2 Zone has setbacks and our existing building encroaches, we need several mods to complete our work.
2. We are requesting two (2) modifications for this project. They are listed and described below:
Mod #1 - Along Kimberly Ave, we are proposing window and door alterations to the existing building which currently encroaches into the current setbacks. This also includes removing an existing trash enclosure and adding two new enclosures along the Kimberly Ave side of the project.
Mod #2 - Along State Street, we have an existing entry trellis structure. It now encroaches into the required setback. We are proposing some minor alterations to this trellis including new lighting, cleaning it up, removing the old red arched canopy and installing a more traditional trellis.
3. We feel that each of these mods provide for a reasonable improvement to this site and are fairly technical in nature and pose no aesthetic impacts. A separate statement for each modification is provided below:
Mod #1 - We are proposing to remove a large commercial roll-up door and replace with a storefront window system. The existing windows along the street will be restored and the general elevations will be cleaned up. The existing trash enclosure will be relocated which will improve the functionality of the building and patio. A new trash enclosure will be added which will promote a better use for future tenants. These are very minor revisions to the fenestration of the building and there is a trash enclosure on the adjacent property next door. Kimberly is a small quiet street so the locations of the new trash enclosures will be away from State Street and serviced from Kimberly Ave.
Mod #2 - The existing entry trellis is located right up to the sidewalk and is pretty bad shape due to

years of neglect. The existing design is not characteristic of the EPV district and guidelines. Removing the red canvas arched canopy will be an aesthetic improvement and adding wood trellis members will be consistent with the EPV and more appropriate for the area.

4. HLC reviewed this project on February 16, 2011 and were extremely supportive of the project and the proposed modifications stating "any improvement is welcomed" in regards to the building and trellis. They were happy to see this dilapidated building that has sat empty for over ten years, be revitalized and reused. We are happy as well.

These modifications are necessary to help restore this building and revitalize the area and provide much needed repair work of an existing commercial building and site. The benefit is to help kick start the new use for this property and clean up a building that has been neglected for some time.

Sincerely,



Clay Aurell, AIA, LEED AP
Principal Architect

CA:pf

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

5. **111 STATE ST & 116 KIMBERLY AVE** HRC-2/SD-3 Zone
 (3:44) Assessor's Parcel Number: 033-075-008

Application Number: MST2011-00036

Owner: 116 Kimberly Avenue, LLC

Architect: AB Design Studio

(Proposal for alterations to an existing 6,705 square foot one-story commercial building including door, window, and roof replacement, trellis refurbishment, new entry trellis, new trash enclosures, and approximately 265 lineal feet of temporary construction fencing. The 38-space parking lot is to remain unaltered and no new floor area is proposed. Staff Hearing Officer approval is requested for zoning modifications to allow improvements to encroach into the front yard setbacks on State Street and Kimberly Avenue. Approval of this project will address violations outlined in ENF2010-00385. The project area comprises five parcels located at 116 Kimberly Avenue and 111 State Street: APN 033-075-003, -004, -008, -009, and -010.)

(Project requires Environmental Assessment, Staff Hearing Officer approval, and Coastal Review.)

Present: Clay Aurell and Anthon Ellis, Architects
 Chris Gilliland, Landscape Architect
 Katie Hay, Owner Representative

Public comment opened at 4:02 p.m.

Mark Romasanta, local resident, spoke in support of the project.

Kellam de Forest, local resident, commented on the parking lot, La Entrada project, glass brick, and possibility of canopy trees.

Public comment closed at 4:05 p.m.

Motion: **Continued indefinitely to the Staff Hearing Officer with the following comments:**

1. The three modifications requests are supportable as they improve the property and create no condition worse than currently exists.
2. The Commission commends the owner and applicants for the proposed improvements.
3. Restudy the doors and amount of lights so that they are more in keeping with El Pueblo Viejo Landmark District.
4. Remove the uprights on the columns as they no longer function.
5. Provide as much landscaping in the patio as possible between the patio and the parking.
6. Provide a canopy tree in view of the State Street Hotel at the adjacent property line.
7. Take caution as to the low wall proposed to be removed with respect to future use of the space and car lights that could be disturbing to those inside the building after sundown.

Action: La Voie/Sharpe, 8/0/0. (Shallanberger absent.) Motion carried.