



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** November 9, 2011  
**AGENDA DATE:** November 16, 2011, 2011  
**PROJECT ADDRESS:** 127 W. Canon Perdido Street (MST2011-00294)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *DK*  
 Allison De Busk, Project Planner *AD*

### I. PROJECT DESCRIPTION

The project consists of a one-lot subdivision to create three commercial condominium units in an existing 12,070 square foot commercial building on an 18,025 square foot lot. The only physical development proposed is the construction of three trash enclosures, one for each commercial condominium.

### II. REQUIRED APPLICATIONS

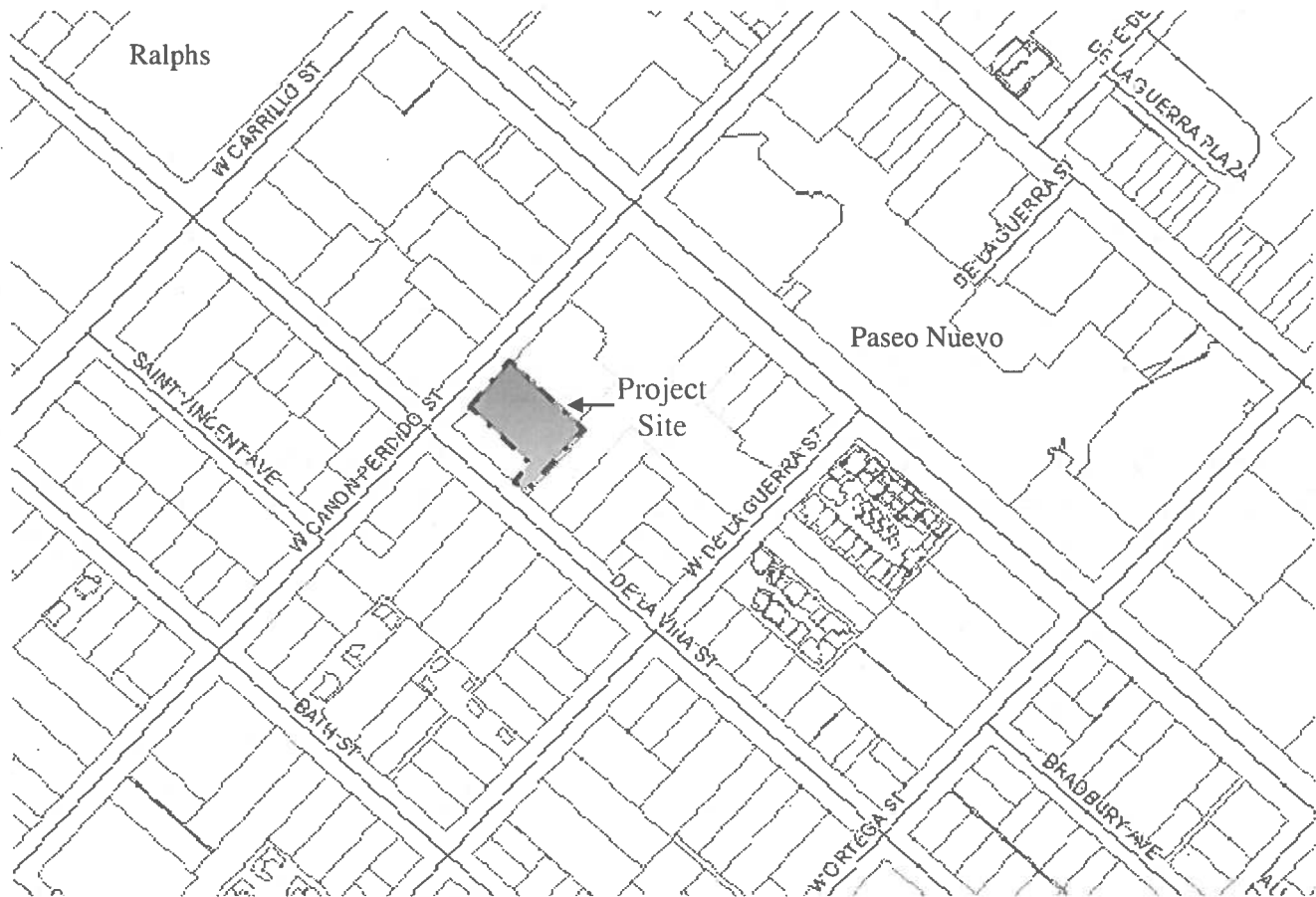
The discretionary application required for this project is a:

1. Tentative Subdivision Map for a one-lot subdivision to create three (3) commercial condominium units (SBMC 27.07).

### III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. 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.

**APPLICATION DEEMED COMPLETE:** October 13, 2011  
**DATE ACTION REQUIRED PER MAP ACT:** December 22, 2011



Vicinity Map – 127 W. Canon Perdido St.

**IV. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

|  |   |                 |                    |
|--|---|-----------------|--------------------|
| Applicant:   | Jarrett Gorin, AICP<br>Vanguard Planning, LLC | Property Owner: | 127 WCP, LLC       |
| Parcel Number:   | 037-042-002                                   | Lot Area:       | 18,025 square feet |
| General Plan:  | General Commerce                              | Zoning:         | C-2                |
| Existing Use:  | commercial                                    | Topography:     | flat               |
| Adjacent Land Uses:<br>North – Canon Perdido St. and commercial<br>East - Commercial<br>South – Commercial<br>West – De la Vina Street and commercial/office |   |                 |                    |

**B. PROJECT STATISTICS**

|        | <b>Existing/Proposed</b> |
|--------|--------------------------|
| Unit A | 4,676 square feet        |
| Unit B | 3,405 square feet        |
| Unit C | 3,539 square feet        |

**V. ZONING ORDINANCE CONSISTENCY**

| <b>Standard</b>   | <b>Requirement/ Allowance</b>                    | <b>Existing/Proposed</b>  |
|---|--|---|
| Setbacks<br>-Front<br>-Interior<br>-Rear                      | none<br>none<br>none                             | 0 feet<br>0 feet<br>34 feet to utility enclosure<br>45 feet to building |
| Building Height   | 60 feet / 4 stories                              | < 30 feet   |
| Parking   | 1 per 500 sq. ft. less 15% credit<br>= 21 spaces | No legal parking  |
| Lot Coverage<br>-Building<br>-Paving/Driveway<br>-Landscaping | N/A<br>N/A<br>N/A                                | 12,070 sq. ft. 67%<br>5,955 sq. ft. 33%<br>0 sq. ft. 0%                 |

The proposed project would meet the requirements of the C-2 Zone. The parcel is legal, non-conforming as to parking. Due to the dimensions and configuration of the rear portion of the lot (the area that is undeveloped), there is not adequate room to provide any code compliant parking.

**VI. ISSUES**

**A. DESIGN REVIEW**

The project will require design review approval for the new trash enclosures. It is likely that these will qualify for administrative approval because they are small and located at the back of the building.

**B. COMPLIANCE WITH THE GENERAL PLAN**

The General Plan Land Use Designation for the lot is General Commerce and Residential, twelve dwelling units per acre. The existing and proposed use as a commercial building is consistent with its General Plan Land Use Designation.

The project site is located in the Downtown neighborhood, which is bordered by Sola Street on the north, Santa Barbara Street on the east, Ortega Street on the south and De la Vina Street on the west. The Downtown is more intensively used than other parts of the City, and its primary function is for commercial and office use, although there are also existing residences in the

area, and it is anticipated that higher density residential use will occur in the future. This neighborhood is almost entirely zoned C-2 (Commercial Zone).

**C. ENVIRONMENTAL REVIEW**

Staff has determined that the project is categorically exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15315 (Minor Land Divisions). Section 15315 allows for the division of property into four or fewer parcels if certain conditions are met. The project meets these conditions because: it is located within an urbanized area; it conforms with General Plan and zoning; all services and access to the proposed parcels are available to City standards; the parcel was not involved in a division of a larger parcel within the previous two years; and the parcel slope is less than 20%.

**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 because it would create separate ownership of an existing commercial building in an area designated for commercial use. The site is physically suitable for the type and density of development because said development already exists, and the only change is the addition of trash enclosures for the existing commercial units, and the proposed use is consistent with the vision for this neighborhood of the General Plan because it retains an existing building that has been part of the neighborhood fabric for more than fifty years. The design of the project will not cause substantial environmental damage because it proposes only minor improvements on a fully paved lot in the urban core, and associated improvements will not cause serious public health problems because the site is not located in any designated hazard areas and is not identified as a hazardous waste site pursuant to Section 65962.5 of the Government Code.

**Exhibits:**

- A. Conditions of Approval
- B. Tentative Map
- C. Applicant's letter, dated November 3, 2011

## STAFF HEARING OFFICER CONDITIONS OF APPROVAL

127 W. CANON PERDIDO STREET  
TENTATIVE SUBDIVISION MAP  
NOVEMBER 16, 2011

I. In consideration of the project approval granted by the Staff Hearing Officer 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.
3. Make application and obtain a Public Works Permit (PBW) for all required public improvements and **complete** said improvements.
4. Make application and obtain Building Permit (BLD) for the construction of all private improvements required to ensure the lot is ready for subdivision, and complete said improvements.
5. Make application and obtain City Council approval of the Parcel Map and Agreement(s) and record said documents.

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

B. **Recorded Conditions Agreement.** The Owner shall execute an *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*, which shall be 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 Staff Hearing Officer on November 30, 2011 is limited to up to 12,070 square feet of commercial development that may be subdivided into as many as three commercial condominium units and the improvements shown on the Tentative Subdivision Map signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
2. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
3. **Required Private Covenants, Conditions and Restrictions (CC&Rs).** The Owners shall record in the official records of Santa Barbara County either private covenants, conditions and restrictions, a reciprocal easement agreement, or a similar agreement which, among other things, provides for the following:

- a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium units.
  - b. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
  - c. **Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.
  - d. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
- C. **Public Works Submittal For Parcel Map Approval.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval prior to processing the approval of the Parcel Map:
1. **Parcel Map.** The Owner shall submit to the Public Works Department for approval, a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance.
  2. **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.
  3. **Required Private Covenants.** The Owner shall submit a copy of the draft private covenants, reciprocal easement agreement, or similar private agreements required for the project concurrently with the Parcel Map.
  4. **Private Driveway Maintenance Agreement.** The Owner shall submit a copy of the draft *Agreement for Maintenance* of the proposed private driveway. Said Agreement is subject to the review and approval of the Public Works Director and City Attorney.
  5. **W. Canon Perdido Street Public Improvements.** The Owner shall submit building plans for construction of improvements along the property frontage on W. Canon Perdido Street. As determined by the Public Works Department, the

improvements shall include the following to City standards: *saw-cut and replace (E) damaged sidewalk from joint to joint to avoid patchwork-like concrete, and replace or grind recently installed concrete panels with graffiti as directed by the Public Works Inspector, protect (E) Monitoring wells near curb, and slurry seal a minimum of 20 feet beyond the limits of the recent trenching for this project.* Any work in the public right-of-way requires a Public Works Permit.

6. **De la Vina Street Public Improvements.** The Owner shall submit building plans for construction of improvements along the property frontage on De la Vina Street. As determined by the Public Works Department, the improvements shall include the following: *replace (E) driveway approach to current City standards.* Any work in the public right-of-way requires a Public Works Permit.
- D. **Design Review.** The project, including public improvements, is subject to the review and approval of the Architectural Board of Review (ABR). The ABR shall not grant project design approval until the following Staff Hearing Officer land use conditions have been satisfied.
1. **Screened Backflow Device.** Backflow devices are required for all commercial buildings, and shall be provided in a location screened from public view or included in the exterior wall of the building, as approved by the ABR.
  2. **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.
- E. **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. Please note that these conditions are in addition to standard submittal requirements.
- a. **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 D "Design Review," and all elements/specifications shall be implemented on-site.
  - b. **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. |

F. **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. **Sandstone Curb Recycling.** Any existing sandstone curb in the public right-of-way that is removed and not reused shall be carefully salvaged and delivered to the City Corporation Annex Yard on Yanonali Street.
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.

**G. Prior to Map Recordation.** Prior to recordation of the Map, 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 §22.60.090. 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 building plans, including utility service undergrounding shall be completed.
3. **Evidence of Private CC&Rs Recordation.** Evidence shall be provided to the Community Development Department, Planning Division that the private CC&Rs required in Section B "Recorded Conditions Agreement" have been recorded.
4. **Evidence of Private Driveway Maintenance Agreement Recordation.** Evidence shall be provided to the Community Development Department, Planning Division that the private driveway *Agreement for Shared Maintenance* required in Section C.4 "Requirements Prior to Permit Issuance" has been recorded.

**H. General Conditions.**

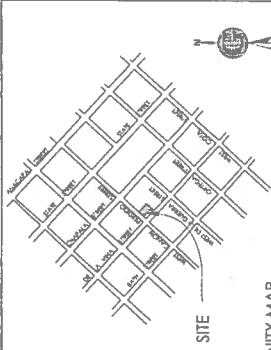
1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments 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 / Staff Hearing Officer.
  - 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. **Land Development Team Recovery Fee Required.** The land development team recovery fee (30% of all planning fees, as calculated by staff) shall be paid at time of building permit application or prior to recordation of the Map, whichever comes first.
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 TENTATIVE SUBDIVISION MAP (INCLUDING NEW CONDOMINIUMS AND CONDOMINIUM CONVERSIONS) TIME LIMITS:**

The Staff Hearing Officer action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110.



**VICINITY MAP**

**PARCEL INFORMATION**

ADDRESS: 177 WEST CANYON PERDIDO STREET, SANTA BARBARA, CA 93101  
 APN: 03-04-002  
 LOT AREA: 18,893 SQUARE FEET (0.43 ACRES)  
 BLOCK: 177 WEST CANYON PERDIDO STREET, BLOCK 177  
 SUBDIVISION: C 177 WEST CANYON PERDIDO STREET, SUBDIVISION 177  
 ZONING: C 177 WEST CANYON PERDIDO STREET, ZONING 177  
 PLANNING: NO PLANNING REQUIREMENTS FOR CONSTRUCTION, UNLESS THE BUILDING EXCEEDS THE HEIGHT, AREA, OR FOOTPRINT LIMITS SPECIFIED IN THE ZONING ORDINANCES.  
 FLOODING: FLOOD ZONE: X-1 (SPECIAL FLOOD HAZARD AREAS) - 100 YEAR FLOOD PLAIN  
 EASEMENTS: NONE

**SURVEYOR'S NOTES:**

THE SURVEY WAS CONDUCTED ON JUNE 21, 2011 AT THE CORNER OF CANON PERDIDO STREET AND DE LA VINA STREET. THE SURVEY WAS CONDUCTED BY THE SURVEYOR AND HIS ASSISTANTS. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING.

**OWNER AND AGENT INFO:**

**OWNER:**  
 Santa Barbara Dance Studio  
 177 West Canyon Perdido Street  
 Santa Barbara, CA 93101  
 (805) 964-1234

**AGENT:**  
 Romalici  
 1000 West State Street  
 Santa Barbara, CA 93101  
 (805) 964-1234

**EASEMENTS NOTES:**

NO EASEMENTS WERE FOUND ON THIS PARCEL. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING.

**SCOPE OF WORK:**

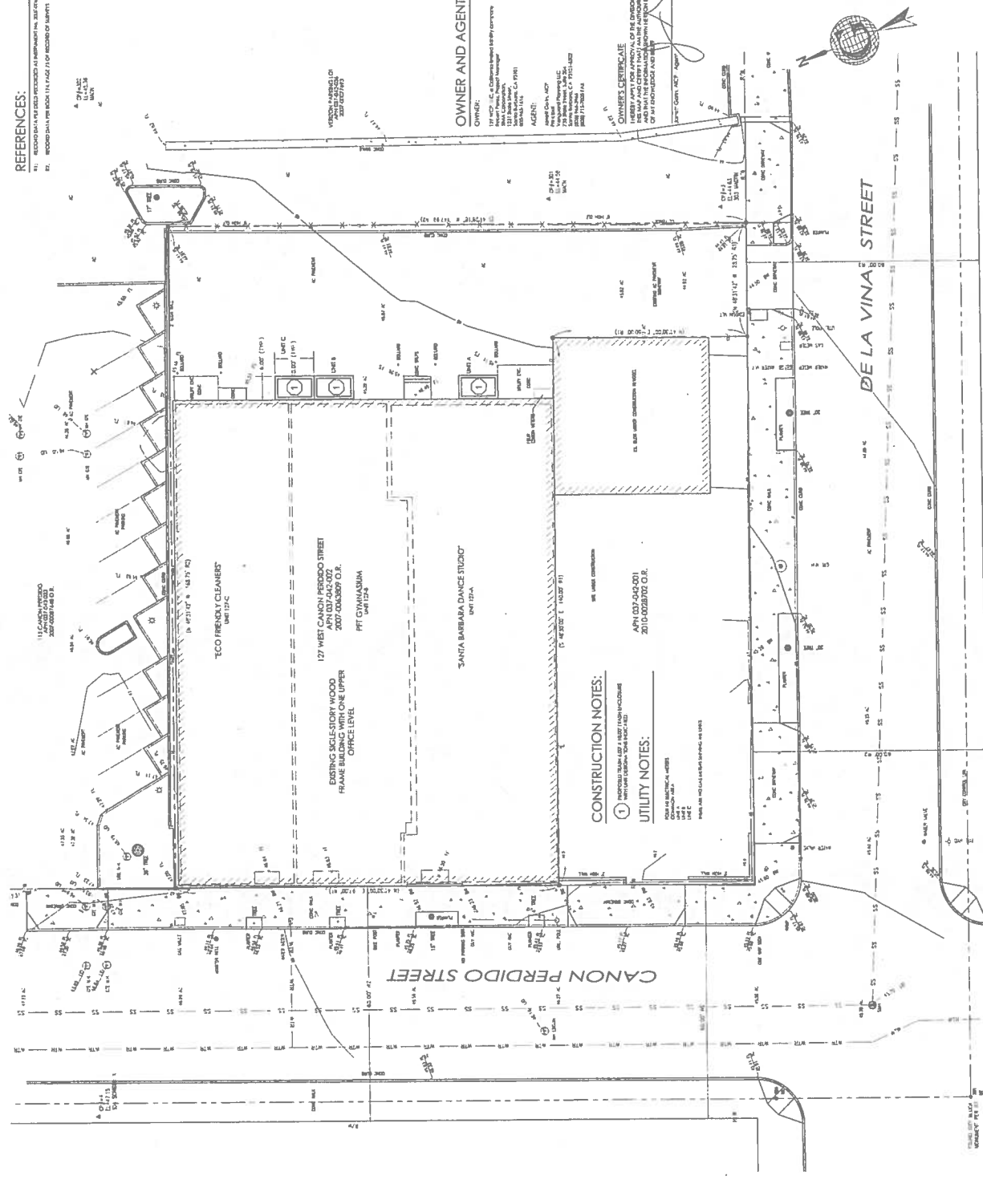
THE SURVEY WAS CONDUCTED TO DETERMINE THE EXISTING AND PROPOSED BOUNDARIES OF THE PARCEL AND TO LOCATE THE CORNERS AND POINTS OF INTEREST. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING.

**LEGEND**

|    |                     |    |                     |
|----|---------------------|----|---------------------|
| 1  | EXISTING CONCRETE   | 1  | EXISTING CONCRETE   |
| 2  | EXISTING ASPHALT    | 2  | EXISTING ASPHALT    |
| 3  | EXISTING GRAVEL     | 3  | EXISTING GRAVEL     |
| 4  | EXISTING DIRT       | 4  | EXISTING DIRT       |
| 5  | EXISTING SAND       | 5  | EXISTING SAND       |
| 6  | EXISTING ROCK       | 6  | EXISTING ROCK       |
| 7  | EXISTING VEGETATION | 7  | EXISTING VEGETATION |
| 8  | EXISTING FENCE      | 8  | EXISTING FENCE      |
| 9  | EXISTING UTILITY    | 9  | EXISTING UTILITY    |
| 10 | EXISTING EASEMENT   | 10 | EXISTING EASEMENT   |
| 11 | EXISTING EASEMENT   | 11 | EXISTING EASEMENT   |
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**REFERENCES:**

- 1. RECORD MAP 177 WEST CANYON PERDIDO STREET, SANTA BARBARA, CA 93101
- 2. RECORD MAP 177 WEST CANYON PERDIDO STREET, SANTA BARBARA, CA 93101



**CONSTRUCTION NOTES:**

1. EXISTING BUILDING TO REMAIN AS SHOWN ON THIS PLAN. THE EXISTING BUILDING IS TO BE REFINISHED AND REPAIRED. THE EXISTING BUILDING IS TO BE REFINISHED AND REPAIRED. THE EXISTING BUILDING IS TO BE REFINISHED AND REPAIRED.

**UTILITY NOTES:**

1. EXISTING UTILITY LINES ARE SHOWN ON THIS PLAN. THE EXISTING UTILITY LINES ARE TO BE MAINTAINED AND REPAIRED. THE EXISTING UTILITY LINES ARE TO BE MAINTAINED AND REPAIRED. THE EXISTING UTILITY LINES ARE TO BE MAINTAINED AND REPAIRED.

**romalici**  
 Surveying & Consulting  
 1000 West State Street  
 Santa Barbara, CA 93101  
 (805) 964-1234

**TENTATIVE MAP**  
 177 WEST CANYON PERDIDO STREET  
 SANTA BARBARA, CA 93101  
 PORTION OF CITY BLOCK 177 WEST CANYON PERDIDO STREET  
 JUNE 21, 2011

**romalici**  
 Surveying & Consulting  
 1000 West State Street  
 Santa Barbara, CA 93101  
 (805) 964-1234

**SCALE: 1" = 10'**

**DATE: JUNE 21, 2011**

**PROJECT: 177 WEST CANYON PERDIDO STREET, SANTA BARBARA, CA 93101**

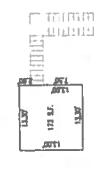
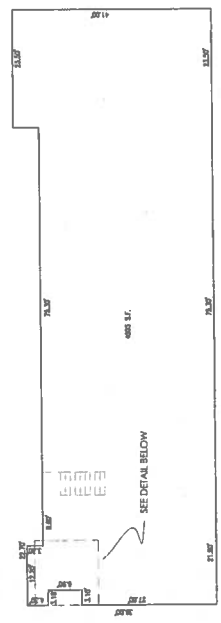
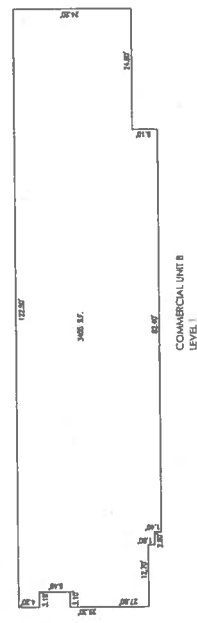
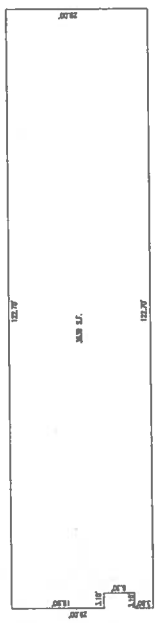
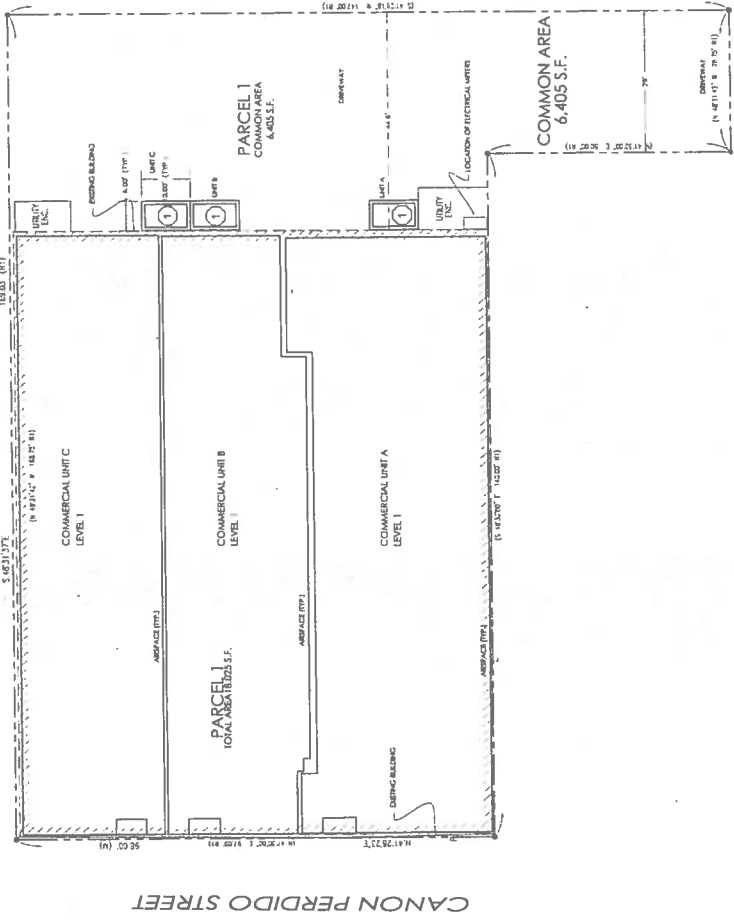
**CLIENT: SANTA BARBARA DANCE STUDIO**

**PREPARED BY: ROMALICI**

**CHECKED BY: ROMALICI**

**DATE: JUNE 21, 2011**

**PAGE: 1 OF 1**



**CONSTRUCTION NOTES:**

- 1. REFER TO ALL OTHER SHEETS FOR DETAILS.

**BUILDING INFORMATION**

| UNIT   | AREA       |
|--------|------------|
| UNIT A | 2,511 S.F. |
| UNIT B | 1,731 S.F. |
| UNIT C | 2,163 S.F. |
| UNIT D | 8,000 S.F. |
| UNIT E | 3,339 S.F. |

**SITE STANDARDS:** 1. USE OF BARRIERS SHALL BE IN ACCORDANCE WITH THE CITY OF SAN FRANCISCO'S BARRIERS REGULATIONS. 2. ALL ACCESSIBLE ROUTES SHALL BE IN ACCORDANCE WITH THE CITY OF SAN FRANCISCO'S BARRIERS REGULATIONS. 3. ALL ACCESSIBLE ROUTES SHALL BE IN ACCORDANCE WITH THE CITY OF SAN FRANCISCO'S BARRIERS REGULATIONS. 4. ALL ACCESSIBLE ROUTES SHALL BE IN ACCORDANCE WITH THE CITY OF SAN FRANCISCO'S BARRIERS REGULATIONS. 5. ALL ACCESSIBLE ROUTES SHALL BE IN ACCORDANCE WITH THE CITY OF SAN FRANCISCO'S BARRIERS REGULATIONS.

**UTILITY NOTES:**

- 1. REFER TO ALL OTHER SHEETS FOR DETAILS.

**PARCEL INFORMATION**

OWNER: 171427 LLC, a California Limited Liability Company  
 2514 South Main Street  
 San Francisco, CA 94103  
 415.774.1111

ARCHITECT: JAMES RAYMOND ARCHITECTS  
 177 HED CANYON DRIVE, SUITE 100, SAN FRANCISCO, CA 94116  
 415.774.1111

DATE: 06/21/2011

PROJECT: 171427 LLC, a California Limited Liability Company  
 2514 South Main Street  
 San Francisco, CA 94103  
 415.774.1111

**SCOPE OF WORK:**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF SAN FRANCISCO'S BARRIERS REGULATIONS. 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF SAN FRANCISCO'S BARRIERS REGULATIONS. 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF SAN FRANCISCO'S BARRIERS REGULATIONS. 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF SAN FRANCISCO'S BARRIERS REGULATIONS. 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF SAN FRANCISCO'S BARRIERS REGULATIONS.



James Raymond  
 Professional Engineer  
 State of California  
 License No. 45414



**TENTATIVE MAP**  
 127 WEST CANON PERPIDO STREET  
 SANTA BARBARA, CA  
 PORTION OF CITY BLOCK 378 APR 037-542-002  
 SHEET 1 OF 2

# Vanguard Planning LLC

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November 3, 2011

Page 1 of 2

Ms. Susan Reardon, Staff Hearing Officer  
City of Santa Barbara  
630 Garden Street  
Santa Barbara, CA 93101

Delivered via E-mail and 1<sup>st</sup> Class Mail

**RE: 127 West Canon Perdido Commercial Subdivision (MST 2011-00294)**

Dear Ms. Reardon:

Vanguard Planning LLC is pleased to submit this letter on behalf of 127 WCP, LLC, the applicant for the above referenced project. This proposal was submitted on July 15, 2010.

## **1.0 Project Description**

The proposed project would subdivide a fully developed commercial property located at 127 West Canon Perdido Street (the "Subject Property"). The Subject Property is zoned C-2, and has a "striped" General Plan Designation of "General Commerce" and "Offices". The property comprises 18,025 s.f. (gross and net), and is currently developed with an 11,566 s.f. commercial building and paved driveway area.

The existing commercial building would be divided into three (3) commercial condominium units corresponding to the existing three (3) commercial spaces within the structure. Unit A would include 4,449 s.f. of existing floor area on the ground floor, and 173 s.f. of existing floor area on the second floor. Unit B would include 3,405 s.f. of existing floor area on the ground floor. Unit C would include 3,539 s.f. of existing floor area on the ground floor. The structural portions of the existing building, and an existing paved access driveway that occupies the Southeastern portion of the Subject Property, would be incorporated within the common area for the subdivision.

The subdivision will be subject to a set of recorded Conditions, Covenants, & Restrictions which will establish permanent mechanisms governing: 1) use and maintenance of the common area; 2) sharing of utility costs between the units; and 3) maintenance of insurance coverage for the common area/improvements.

The proposed commercial condominium units correspond exactly to the manner in which the existing structure is currently divided. No structural development (including interior alterations) would be required to implement the proposed subdivision. The only physical development associated with the project is construction of three (3) new trash/recycling enclosures located adjacent to the existing structure within the common driveway area. These would be six (6) foot by ten (10) foot areas enclosed by six (6) foot tall wooden fencing.

All three (3) of the proposed commercial condominium spaces (i.e. the existing commercial spaces) are occupied by retail uses permitted in the C-2 zone district. Each of the commercial spaces is subject to an existing lease. The proposed subdivision would not alter the terms of any lease agreements with the current tenants.

No requirement for "owner occupation" is proposed. Each of the units created by the project could continue to serve as an existing commercial rental space, or could be occupied by a business that belongs to the owner of the unit.

## 2.0 Benefits of The Project

The proposed subdivision will allow for the sale or transfer of individual commercial spaces within an existing building. This would make each of the spaces accessible for potential purchase by the existing tenant, another small business, or an individual seeking to acquire commercial rental property in the downtown area. It is more feasible for a small business owner to qualify to purchase a 3,405 s.f. commercial condominium than it is to purchase an entire commercial property developed with an 11,566 s.f. commercial building.

With the exception of three (3) proposed trash/recycling enclosures, the project does not involve any physical development, and the current use of the Subject Property will remain unchanged. The new trash enclosures would bring the Subject Property into conformance with current City requirements for outdoor trash storage areas. Each of the proposed commercial spaces currently exist onsite, and the spaces are occupied by three (3) different tenants. The subdivision would allow for the three existing commercial spaces to be occupied by three (3) different owners or tenants. The project has no potential to alter anything other than the party holding title to the existing spaces. With the exception of new trash enclosures, all conditions present following approval of the proposed subdivision would be identical to the existing conditions on the site.

## 3.0 Conclusion

The proposed subdivision will allow for increased flexibility of ownership of the Subject Property, and accomplishes this without the need for any significant physical modifications or additions to the existing structure.

**The proposed commercial subdivision:**

- **Does not have the potential to generate any adverse impacts to the Subject Property or its surroundings,**
- **Is consistent with all applicable SBMC requirements,**
- **Is consistent with all applicable General Plan policies,**

The proposal does not include any feature or component that has the potential to trigger any finding for denial identified in Santa Barbara Municipal Code Section 27.07.100.

We look forward to presenting this proposal to you on November 16, 2011. We were required to submit this "Applicant Letter" prior to reviewing the Staff Report for this project. Therefore, we may submit supplemental correspondence prior to the hearing if required.

Sincerely,

VANGUARD PLANNING LLC

Jarrett Gorin, AICP  
Principal

cc: Allison De Busk (via E-mail only)  
Adam Geeb (via E-mail only)  
Alison Ernst (via E-mail only)