



City of Santa Barbara California

II. D.

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: January 15, 2014
AGENDA DATE: January 22, 2014
PROJECT ADDRESS: 33 W Victoria Street (MST2013-00071)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Renee Brooke, AICP, Senior Planner *RLB*
Peter Lawson, Associate Planner *P*

I. PROJECT DESCRIPTION

The project consists of a one-lot subdivision of an existing 14,990 square foot building to create two commercial condominiums. The existing building includes the Victoria Street Theater, which is operated by The Ensemble Theatre Company, and offices currently occupied by CALM (Child Abuse Listening Mediation). The general boundaries of the two condominiums would place the theater on one parcel and offices for CALM on the other lot. A deck that serves as a courtyard would be located on the CALM lot. There are no physical improvements proposed because the building was extensively remodeled within the past two years. Additionally, public improvements that provided required accessible access to the building were completed under a separate permit.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

- A. A Tentative Subdivision Map for a one-lot subdivision to create two (2) commercial condominium units (SBMC Chapter 27.07);

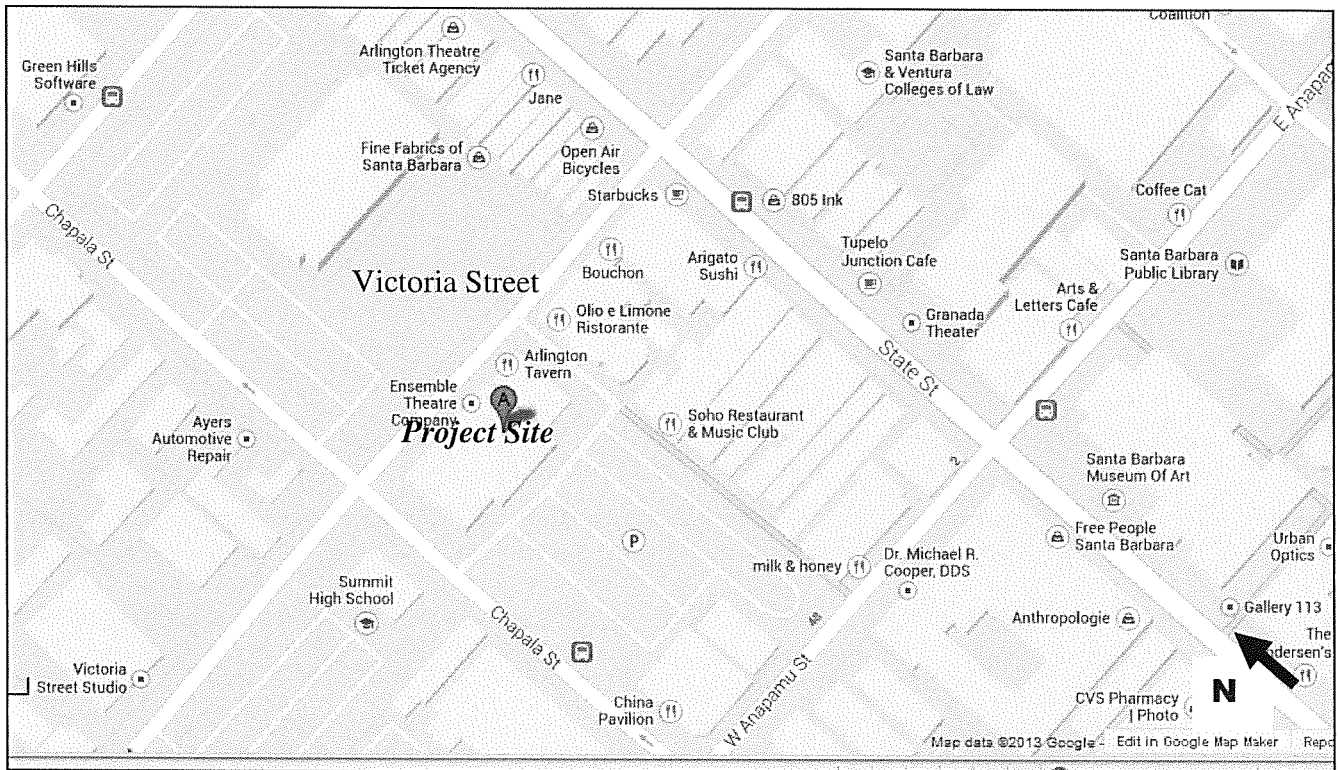
APPLICATION DEEMED COMPLETE: December 12, 2013

DATE ACTION REQUIRED PER MAP ACT: January 30, 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. There are no external improvements to the existing building, thus, no changes to the current setting. Therefore, Staff recommends that the Staff Hearing Officer approve the project, making the findings outlined in Section VIII of this report, and subject to the conditions of approval in Exhibit A.

SITE MAP



IV. BACKGROUND

The theater portion of the building was extensively renovated to meet current building code and seismic requirements under a separate Master Application (MST2010-00327) in the past year. Additionally, improvements to the area in front of the building in the public right-of-way were constructed under a Major Encroachment permit, which was adopted by City Council on June 4, 2013 (Ordinance No. 5621). Improvements included widening the sidewalk and providing Americans with Disabilities Act (ADA) access to the building. All of the on-site and off-site improvements were reviewed and approved by Historic Landmarks Commission. All construction associated with these projects is now completed.

V. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Trish Allen, AICP, Suzanne Elledge Planning & Permitting Services		
Property Owner:	CALM (Child Abuse Listening Mediation)		
Site Information			
Parcel Number:	039-181-001	Lot Area:	14,990 s.f.
General Plan:	Commercial/High Residential	Zoning:	Commercial (C-2)
Existing Use:	Commercial (Theater + Offices)	Topography:	0 – 2%
Adjacent Land Uses			
North – Mixed-Use Residential/Commercial		East - Commercial	
South – City Parking Lot		West - Commercial	

B. PROJECT STATISTICS

	Existing	Proposed
Commercial Bldg.	37,040 s.f. (gross)	Unit A - 25,855 s.f. (gross)
		Unit B - 11,185 s.f. (gross)

VI. POLICY AND ZONING CONSISTENCY ANALYSIS

A. ZONING ORDINANCE CONSISTENCY

1. ZONING ORDINANCE

The project site is currently consistent with the Zoning Ordinance and the proposed project would also be consistent with the ordinance. The existing theater and office use would not change with the project, there are no setback requirements for the commercial development, and the project is located within a 100% parking zone of benefit. All of the recent renovations received design review approval and were issued building permits.

2. SUBDIVISION ORDINANCE

The proposed subdivision would be consistent with the Subdivision Ordinance (SBMC Chapter 27.07). Physical improvements that occurred under the recent renovations created a fire resistant wall between the future condominiums, consistent with applicable codes. Each unit would be serviced with separate water and gas meters and a common area maintenance agreement will be recorded as required in the conditions of approval.

B. GENERAL PLAN CONSISTENCY

The project has been reviewed for consistency with policies of the Land Use Element and Historic Resources Element. Unless stated otherwise below, the project is deemed consistent with the General Plan.

1. LAND USE ELEMENT

The General Plan Land Use Designation for the lot is Commercial – High Residential with a base density of 12 – 28 units/acre. In addition, the project site is within the Average Unit-Size Density (AUD) Incentive Program Priority Housing Overlay that allows 28 - 36 units/acre based upon specific criteria. The site's existing and continued use as a commercial building, consisting of a theater and offices, 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).

The project site is also within the City's Cultural Arts District, which is informally recognized as the area bounded by Carrillo Street, Micheltorena, Anacapa and Chapala Streets, as well as surrounding areas. The Victoria Street Theater is identified in the Land Use Element as an important component of this district.

2. HISTORIC RESOURCES ELEMENT

The project site is located within El Pueblo Viejo Historic Landmark District. On October 11, 1979, the subject building was designated a Structure of Merit (Former First Baptist Church [1910 and 1926]). The proposed subdivision would not affect the historic designation of the building. The project would facilitate greater control by The Ensemble Theater Company to use the building for a long term, which is consistent with the Historic Resources Element to preserve historic buildings.

Under a previous permit, the theater portion of the project was extensively remodeled between 2012 and 2013, which was reviewed and approved by the Historic Landmarks Commission (HLC). Any future exterior renovations (e.g. painting, window or door replacement) would be subject to HLC review, consistent with the Municipal Code.

VII. ENVIRONMENTAL REVIEW

Staff has determined that the project is categorically exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) 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 the 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%.

VIII. 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, with no physical changes proposed. 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 no physical changes are proposed and the use of the building will not involve any hazardous material. 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. Site Plan
- C. Applicant's letter, dated October 9, 2013

STAFF HEARING OFFICER CONDITIONS OF APPROVAL

33 W VICTORIA STREET
CONDOMINIUM CONVERSION PERMIT
JANUARY 22, 2014

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. Pay Land Development Team Recovery Fee.
2. Obtain a "Physical Standards" Building Permit (BLD) to perform all physical improvements necessary to bring the existing development up to condominium standards or submit a revision to the existing Victoria Street Theater building permit (BLD2012-00260).
3. Obtain a Public Works Permit (PBW) for all required public improvements and complete construction.
4. The "Physical Standards" Building Permit and Public Works Permit listed above shall be signed off ("finaled") by the Building Division and/or Public Works Department, as appropriate.
5. Apply for a "Condominium Conversion" Building Permit (BLD) pursuant to SBMC §28.88.029 and, concurrently, apply for a Public Works Permit (PBW) for Parcel Map review and approval.
6. Obtain City Council approval of the Parcel Map and Agreement(s) and record said documents concurrently with the Private CC&Rs.
7. Provide evidence of recordation of the Map and Agreements to Building and Safety to receive "Occupancy" status on the Condominium Conversion Building Permit, which is required before the newly subdivided lots or condominiums can be legally sold.

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 concurrent with the Parcel Map following completion of any physical improvements required to bring the structure up to Condominium Standards, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on January 22, 2014 is limited to a subdivision of a 14,990 square foot building into two condominiums 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. **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.
4. **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, shall provide for the following:
 - a. **Common Area Maintenance.** An express method (e.g. a memorandum of understanding (MOU) agreement or a recorded covenant agreement) 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. The Common Area Maintenance shall include an agreement between the theater and the condominium owners that details how each will maintain the shared fire rated floor (i.e. bathroom floor) and wall assemblies.
 - b. **Exterior Building Maintenance.** The entire building is designated a Structure of Merit (Former First Baptist Church Designated: October 11, 1979 {1910 and 1926}). A covenant shall be provided that describes how the future owners will work together to maintain the overall structural and historic integrity of the building. The covenant shall ensure that the multiple owners clearly understand their responsibilities with respect to compliance

with Chapter 22.22 of the Municipal Code (Historic Structures) for any proposed exterior alterations to the building.

- c. **Solid Waste Offsite Agreement (Trash and Recycling).** Because there is no trash and recycling site on this property, an agreement allowing the shared use of the trash enclosure at 21 W Victoria Street shall be provided. The grantor and grantee must sign an Offsite Trash Agreement that is a legally binding easement for use of a trash enclosure. The following information shall be stated in the Offsite Agreement:

- (1) **Trash Holding Area.** 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. In order to provide adequate recycling, it must contain one trash dumpster and one recycling dumpster with no multiple trash and recycling carts. 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 Offsite Trash Agreement stating that the green waste will be hauled off site.

- d. **Public Improvement Districts.** A covenant that includes a waiver to protest formation of public improvement districts.
 - e. **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. **Requirements Prior to “Physical Standards” Building Permit or Revision (BLD2012-00260) Issuance.** The Owner shall submit the following, or evidence of completion of the following for review and approval, or shall incorporate said requirements/notes into the construction plans, as appropriate, prior to the issuance of any Building permit for the project.

- 1. Community Development Department:

- a. **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.

D. **Prior to Final Inspection of the Physical Standards Building Permit, or Revision (BLD2012-00260).** Prior to signing off or “finaling” the Physical Standards Building Permit, 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 §22.60.290. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

E. **Public Works Submittal Prior to 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. Public Works Department:

a. **Submittal for Recordation of Parcel Map and Agreements.** The Owner shall submit application for approval and recordation of the Parcel Map and Agreements to the Public Works Department.

b. **Chapala Street Public Improvements.** The Owner shall submit C-1 public improvement or 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 City standards, the following: 30 linear feet of sidewalk, 30 linear feet of cracked and/or uplifted curb and gutter, modified diagonal access ramp, crack seal to the centerline of the street along entire subject property frontage and slurry seal a minimum of 20 feet beyond the limits of all trenching (including new fire-line connection), connection to and/or relocation of private water and sewer utilities, preserve and/or reset survey monuments, protect and relocate existing contractor stamps to parkway, supply and install directional/regulatory traffic control signs per the CA MUTCD during construction, provide adequate positive drainage from site. Any work in the public right-of-way requires a Public Works Permit.

- c. **Encroachment Permits.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements (including any required appurtenances) within their rights of way or easements shall be obtained by the Owner.
 2. **Building Permit Required for Conversion.** Provide evidence that a Physical Standards Building Permit has been issued or a revision to the Victoria Street Theater permit was approved and all work completed for the future conversion of the units to condominiums.
 3. **Complete Public Improvements.** Public improvements, as shown in the C-1 public improvement plans, shall be completed.
 4. **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.
 5. **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.
 6. **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/Final Map.
- F. **Prior to Certificate of Occupancy for the Condominium Conversion Building Permit.** The following conditions shall be completed after the Physical Standards Building Permit and Public Works Permit have been signed off, and prior to granting Occupancy of the Condominium Conversion Building Permit:
1. **Parcel Map Recordation.** Provide evidence of recordation of the Map and Agreements to the Public Works and Community Development Departments.
 2. **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.
- 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 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.

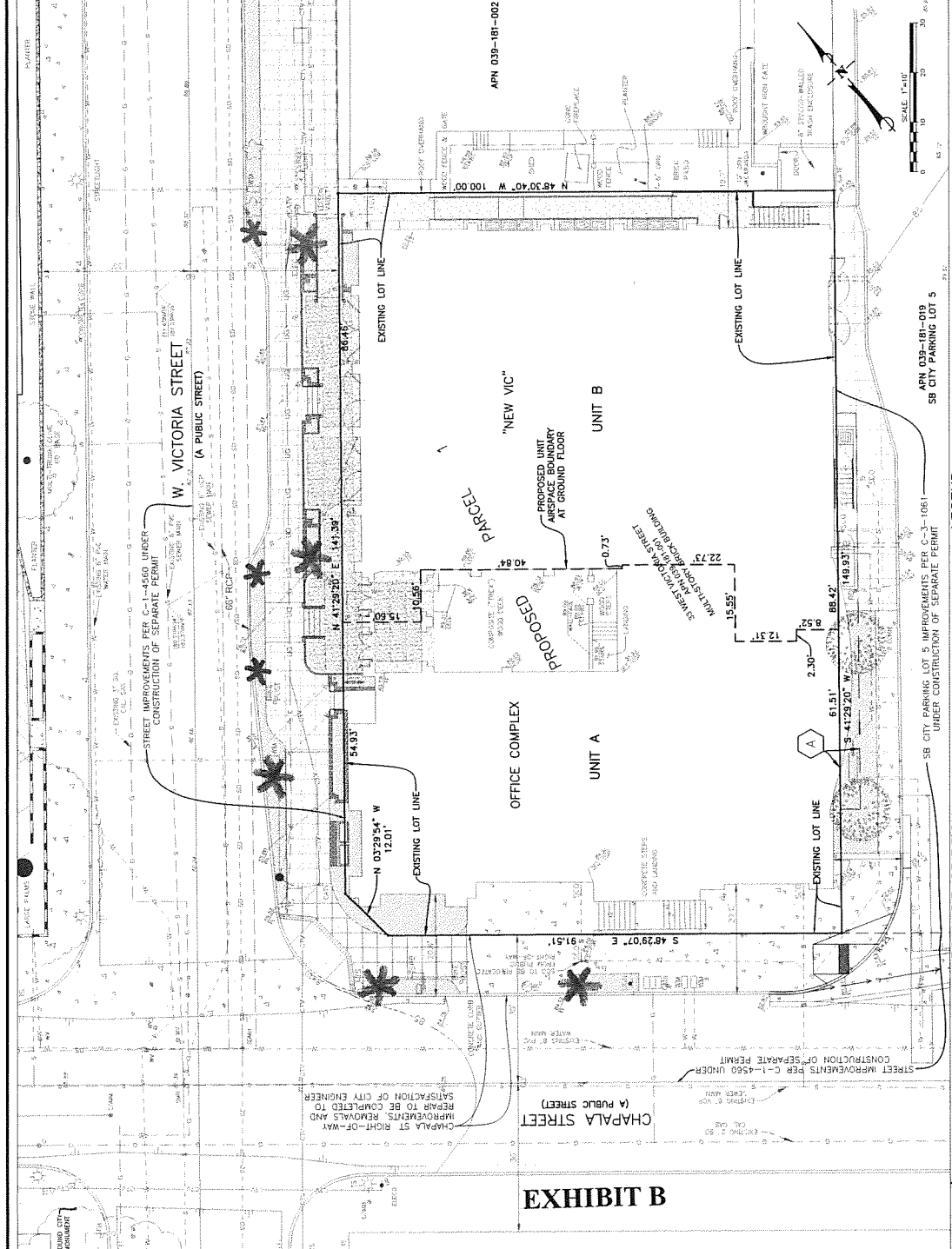
3. **Land Development Team Recovery Fee Required.** The land development team recovery fee (30% of all planning fees, as calculated by staff) shall be paid upon submittal for the "Physical Standards" building permit or prior to recordation of the Map, whichever comes first.

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.

II. **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.



APPLICATION REQUEST

APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR A ONE (1) PARCEL SUBDIVISION TOTALING 14,991 SQUARE FEET PURSUANT TO SBMC 27.07.01-110 AND SECTION 66499.20 1/2 OF THE STATE SUBDIVISION MAP ACT, FOR CONDOMINIUM PURPOSES.

UTILITIES

WATER - CITY OF SANTA BARBARA
 SEWER - CITY OF SANTA BARBARA
 TELEVISION - COX CABLE
 ELECTRIC - EDISON COMPANY
 TELEPHONE - VERIZON
 GAS - SO CALORBARIA GAS CO

PROJECT SITE DATA

14,991 SQ. FT. = 0.34 ACRES
 039-181-019 STREET
 C-2 - COMMERCIAL
 25% OVERLAP
 OFFICE / PERFORMANCE ARTS THEATER
 ZONE "X" WHITE (NOT IN A FLOOD PLAIN)
 FIRM MAP DESIGNATION:
 -INTERIOR, NO SETBACKS REQUIRED

BASIS OF BEARINGS

BEARINGS SHOWN IN THIS MAP ARE BASED ON THE CENTERLINE OF VICTORIA STREET, WHICH IS A WESTERLY COURSE. BEARINGS ESTABLISHED TO BE THE WESTERLY CORNER OF CHAPALA AND VICTORIA STREETS. THE COORDINATE DATUM IS ON AN ASSUMED HORIZONTAL BASE.

BENCHMARK

BEARINGS SHOWN HEREON ARE COMPRESSED IN U.S. SURVEY FEET AND ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAD83) ESTABLISHED BY DIFFERENTIAL LEVELING TO SANTA BARBARA CONTROL NETWORK STATION 0020. AS SHOWN ON THE MAP FILED IN THE OFFICE OF THE COUNTY CLERK. THIS SURVEY WAS CONDUCTED BY HARRIS SURVEYING, INC. THE INTERSECTION OF CASTILLO AND FIGUEROA STREETS, HAVING AN ELEVATION OF 59.82 U.S. SURVEY FEET, IS A MONUMENT CORNER OF CHAPALA AND VICTORIA STREETS, MARKED BY A MONUMENT LOCATED AT THE WESTERLY CORNER OF CHAPALA AND VICTORIA STREETS, MARKED BY A LEAD, TACK AND TAG STAMPED "S 4123' AND HAVING AN ELEVATION OF 85.79 U.S. SURVEY FEET.

OWNER'S CERTIFICATE

I, THE UNDERSIGNED, CLERK OF THE COUNTY OF SANTA BARBARA, CALIFORNIA, HEREBY CERTIFY THAT THE PARTIES TO THIS SUBDIVISION MAP, THE LOCAL GOVERNMENT, HAVING BEEN ADVISED BY ME OF THE CONTENTS OF THIS MAP AND CERTIFY THAT WE ARE THE LEGAL OWNERS OR AUTHORIZED AGENT OF THE LEGAL OWNERS OF SAID PROPERTY AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE.

EXISTING EASEMENTS

AN 8'0" x 4' APURTENANT EASEMENT FOR EXISTING BUILDING AND ASSOCIATED FEATURES AS REFERRED BY THE FIRST BAPTIST CHURCH OF SANTA BARBARA PER DOCUMENT IDENTIFIED BY INSTRUMENT NO. 18, 1967 AS INSTRUMENT NO. 30115 IN BOOK 2208, PAGE 919, OF OFFICIAL RECORDS.

TENTATIVE SUBDIVISION MAP

BEING A SUBDIVISION OF A PORTION OF BLOCK 108
 IN THE CITY OF SANTA BARBARA, STATE OF CALIFORNIA

APN 039-181-019
 FOR CONDOMINIUM PURPOSES

PH 11-820711 - PMK-2-03 NOVEMBER 2011 SHEET 1 OF 2

LEGAL DESCRIPTION

A PORTION OF BLOCK 108, COMMUNITY OF SANTA BARBARA, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL MAP THEREOF DESCRIBED AS FOLLOWS:

BEARINGS AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY LINE OF VICTORIA STREET WITH THE NORTHEASTERLY LINE OF CHAPALA STREET, RUNNING THEREIN IN A NORTHEASTLY DIRECTION ALONG AND SOUTHERLY LINE OF VICTORIA STREET, BEARING THEREIN AT RIGHT ANGLES, RIGHT ANGLES SOUTHERLY 53.23 FEET, THEREIN AT RIGHT ANGLES SOUTHERLY 100 FEET TO THE SAID LINE OF CHAPALA STREET, 153.33 FEET TO THE SOUTHEASTERLY LINE OF VICTORIA STREET AND THE POINT OF BEGINNING.

EXCEPT THEREFROM THAT PORTION OF LAND CONVEYED TO THE CITY OF SANTA BARBARA, A MUNICIPAL CORPORATION BY DEED RECORDED OCTOBER 18, 1967, AS INSTRUMENT NO. 30115 IN BOOK 2208, PAGE 919 OF OFFICIAL RECORDS, THE USED TO FINANCIAL INSTITUTIONS AND EXCISE IS REMOVED RECORDED JUNE 14, 1973 AS INSTRUMENT NO. 77-25477 OF OFFICIAL RECORDS.

SURVEYOR'S STATEMENT

THIS MAP AND THE SURVEY IT REPRESENTS, WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

DATE: _____

PROFESSIONAL LAWYER

MARK LLOYD
 PLUS 5470

LEGEND

- WATER
- SEWER
- TELEVISION
- ELECTRIC
- TELEPHONE
- GAS
- TRAFFIC SIGNAL
- STREET IMPROVEMENTS PER C-1-4560 UNDER CONSTRUCTION OF SEPARATE PERMIT
- STREET IMPROVEMENTS PER C-3-1081 UNDER CONSTRUCTION OF SEPARATE PERMIT
- CHAPALA STREET (A PUBLIC STREET)
- W VICTORIA STREET (A PUBLIC STREET)
- EXISTING LOT LINE
- EXISTING LOT LINE
- PROPOSED UNIT AIRSPACE BOUNDARY AT GROUND FLOOR
- OFFICE COMPLEX
- UNIT A
- UNIT B
- "NEW VIC"
- APN 039-181-019-002
- APN 039-181-019
- SB CITY PARKING LOT 5

PROFESSIONAL LAWYER

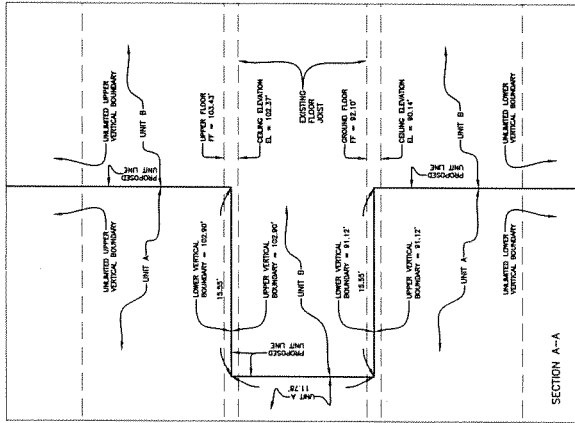
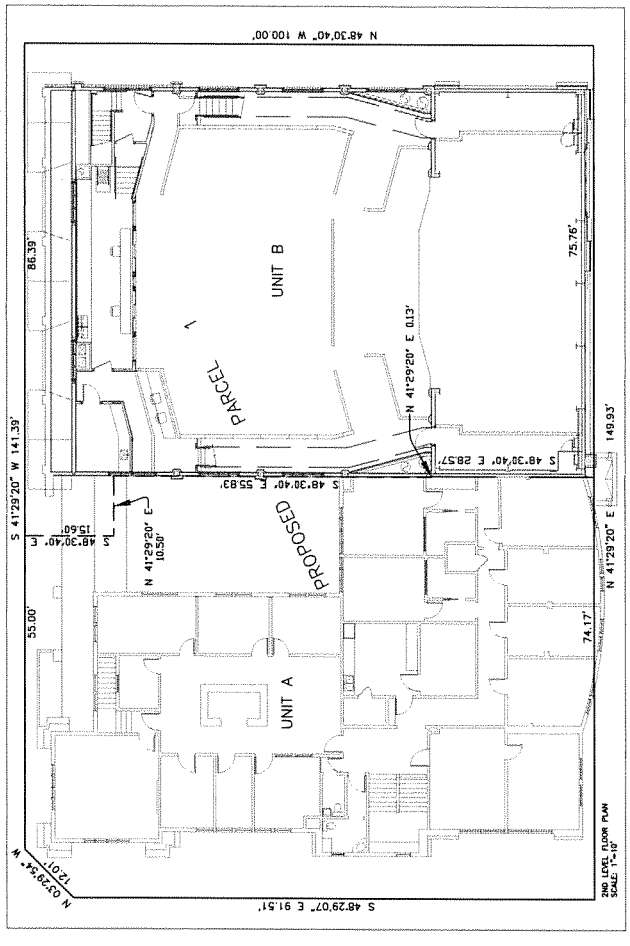
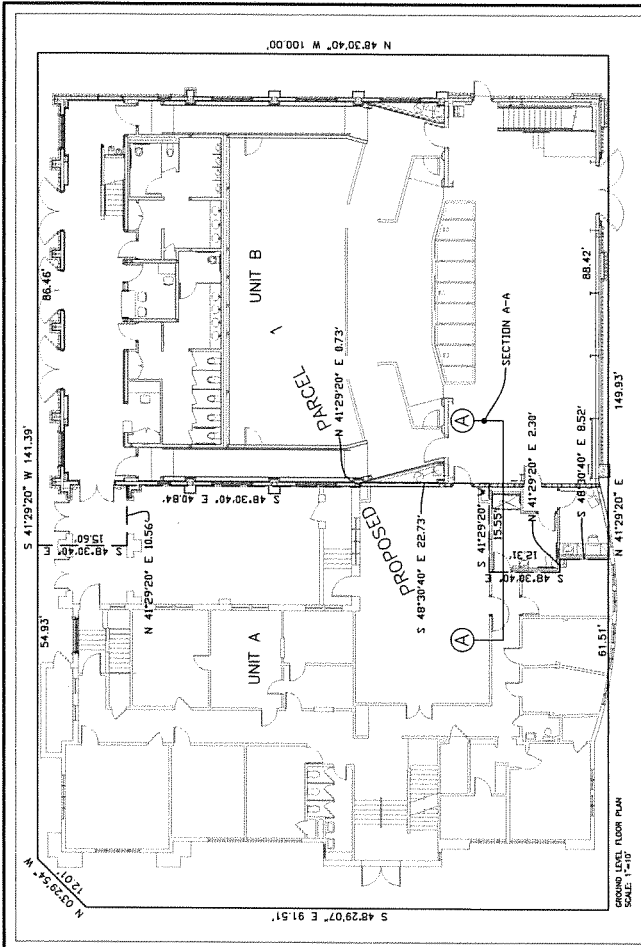
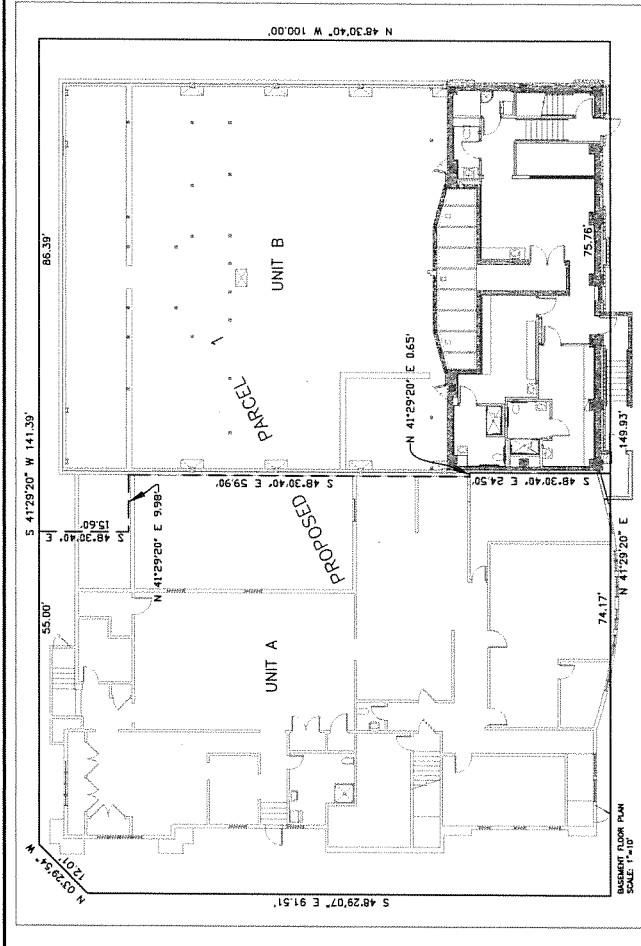
MARK LLOYD
 PLUS 5470

PROFESSIONAL ENGINEER

PHILIP J. HARRIS
 LICENSE NO. 6-32-2618

LEGEND

- WATER
- SEWER
- TELEVISION
- ELECTRIC
- TELEPHONE
- GAS
- TRAFFIC SIGNAL
- STREET IMPROVEMENTS PER C-1-4560 UNDER CONSTRUCTION OF SEPARATE PERMIT
- STREET IMPROVEMENTS PER C-3-1081 UNDER CONSTRUCTION OF SEPARATE PERMIT
- CHAPALA STREET (A PUBLIC STREET)
- W VICTORIA STREET (A PUBLIC STREET)
- EXISTING LOT LINE
- EXISTING LOT LINE
- PROPOSED UNIT AIRSPACE BOUNDARY AT GROUND FLOOR
- OFFICE COMPLEX
- UNIT A
- UNIT B
- "NEW VIC"
- APN 039-181-019-002
- APN 039-181-019
- SB CITY PARKING LOT 5



TENTATIVE SUBDIVISION MAP
BEING A SUBDIVISION OF A PORTION OF BLOCK 108

IN THE CITY OF SANTA BARBARA, STATE OF CALIFORNIA
 APN 039-381-001
 FOR CONDOMINIUM PURPOSES
 PPH-3 - SHEET 2.dwg
 NOVEMBER 2013
 SHEET 2 OF 2



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

9 October 2013

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

Subject: **33 W. Victoria St. (APN: 037-232-002) – Tentative Parcel Map
Development Application Review Team (DART 2) – Applicant Letter**

Dear Staff Hearing Officer:

On behalf of the owner, Child Abuse Listening Mediation, Inc. (CALM), we are submitting an application for a Tentative Parcel Map for a single lot subdivision for condominium purposes for the subject property.

Project Description:

The subject property is a 14,991 square foot (0.34 acre) lot zoned C-2 Commercial. The lot is currently developed with an approximate 11,000 square foot theater and a two story office complex. The theater is currently undergoing a renovation and seismic upgrade and includes improved circulation, reconstruction of the stage and an increase in the roof height to accommodate a new fly loft (permit reference BLD2012-00260).

The project proposes a single parcel subdivision for condominium purposes to result in two commercial condominiums which will separate the theater function from the existing office structure. The project does not include any exterior or interior alterations and is compliance with the applicable zoning standards and General Plan policies.

With the proposed subdivision, the theater will be leased to the Ensemble Theatre Company and the office complex will remain as an office use.

Summary:

The project as proposed complies with the zoning regulations of the C-2 Commercial Zone and applicable General Plan policies. Further the proposed project is consistent with the findings required for TPM approval as outlined below:

1. The proposed map is consistent with applicable General and specific plans.

2. The design or improvement of the proposed development is consistent with applicable general and specific plans.
3. The site is physically suitable for the type of development.
4. The site is physically suitable for the proposed density of development.
5. The design of the development or the proposed improvements is not likely to cause substantial environmental damage or to substantially and avoidably injure fish or wildlife or their habitat.
6. The design of the development or the type of improvement is not likely to cause serious public health problems.
7. The design of the development or the type of improvement will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed development.

Thank you for your consideration of the proposed project. Should you have questions regarding the information in this letter, please feel free to contact me directly.

Sincerely,
SUZANNE ELLEDGE
PLANNING & PERMITTING SERVICES



Trish Allen, AICP
Senior Planner