



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 083-16
414 & 420 E. CARRILLO STREET
MODIFICATION
DECEMBER 7, 2016

APPLICATION OF MELISA CINARLI TURNER, AGENT FOR 420 EAST CARRILLO PROPERTIES LLC, 414 & 420 EAST CARRILLO STREET, APN 029-302-023 & 029-302-019, C-2 ZONE, GENERAL PLAN DESIGNATION: MEDIUM HIGH DENSITY RESIDENTIAL (MST2016-00174)

Proposal for a new mixed-use project using the Average Unit-Size Density Incentive Program. The proposal includes a voluntary lot merger of 414 and 420 E. Carrillo Street, the demolition of a 4,903 square foot building at 414 E. Carrillo Street, and the construction of a new four story mixed-use building including 21 residential rental apartments and an 850 square foot addition of commercial floor area. An existing 11,700 square foot commercial building will be maintained. The residential unit mix will include six studio units, six, 1-bedroom units, and nine, 2-bedroom units, with an average size of 768 square feet. The proposed density on the combined parcels totaling 34,981 square feet will be 27 dwelling units per acre, which is the maximum allowed on a parcel with a General Plan land use designation of Commercial/Medium High Residential 15-27 dwelling units per acre. There will be a total of 57 parking spaces including 37 spaces in a ground floor parking garage and 20 uncovered spaces in a surface lot. Approximately 3,145 square feet of landscaping is proposed.

The discretionary application required for this project is Parking Modification to provide less than the required number of parking spaces (SBMC §28.92.110.1).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15183.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor and three spoke in opposition of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, November 30, 2016.
2. Site Plans
3. Correspondence received in opposition or with concerns to the project:
 - a. David Correia, Santa Barbara, CA

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the subject application making the following findings and determinations:
 - A. The project qualifies for an exemption from further environmental review under the California Environmental Quality Act Guidelines Section 15183, "Projects Consistent with a Community Plan or Zoning," based on the CEQA certificate of determination on file for this project.
 - B. The Parking Modification to reduce the parking is consistent with the purposes and intent of the Zoning Ordinance subject to the conditions below. The Modification of parking is not expected to cause an increase in demand for parking space in the immediate area, because the parking demand would be met on site with parking shared between uses.
- II. Said approval is subject to the following Conditions of Approval:
 - A. At least three parking spaces for the convenience market shall be located either in the 13 space parking garage adjacent to the convenience market, in the first several "tuck under" parking spaces near Carrillo Street, or in the 20 space surface parking lot in front of the existing office building. The location of said parking spaces for the convenience market shall be approved by the Transportation Division.
 - B. Use of the dedicated 21 residential parking spaces for the project must be restricted to residential use at all times.
 - C. Due to potential parking impacts, uses other than office and 850 square feet of convenience market are not permitted on the site without City review and approval. Prior to initiating a change of use, or an intensification of commercial use, the Owner shall submit a letter to the Community Development Director detailing the proposal, and the Director shall determine the appropriate review procedure and notify the Owner.
 - D. The Real Property known as APN 029-302-023 and APN 029-302-019 shall be merged into one (1) lot, following the procedure in Santa Barbara Municipal Code Chapter 27.30.
 - E. **Archaeological Monitoring Contract.** Submit a contract with an archaeologist from the most current City Qualified Archaeologists List for monitoring during all ground-disturbing activities associated with the project, including, but not limited to, grading, excavation, trenching vegetation or paving removal and ground clearance in the areas identified in the Phase I Archaeological Resources Report prepared for this site by Dudek, dated September 2016. The contract shall be subject to the review and approval of the Environmental Analyst.

The archaeologist's monitoring contract shall include the provisions identified in Condition F "Requirement for Archaeological Resources" below.

F. Final Archaeological Monitoring Report. 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. Requirement for Archaeological Resources. The following information shall be printed on the grading plans:

If archaeological resources are encountered or suspected, work shall be halted or redirected 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, 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 Planning Division 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 Planning Division grants authorization.

H. 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.

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- I. **Annual Resident Survey.** The owner shall conduct an annual resident survey commencing six months after final Certificate of Occupancy. For example, if an AUD project was approved in November 2015, the first survey report will be due December 31, 2016. The survey report must include findings for each unit and must be submitted to the Planning Division by December 31st of each year for the first eight years of the project. The annual survey report for each unit shall include:
 - a. Net floor area.
 - b. Number of bedrooms.
 - c. Monthly rent (or condominium purchase price) and utilities.
 - d. Periods of vacancy.
 - e. Household size.
 - f. Current employment location of each adult resident by zip code.
 - g. Prior employment location of each adult resident by zip code.
 - h. Prior residence zip code for each adult.
 - i. Number of cars, trucks and bikes owned by each resident. Please list types of alternative transportation used (if any).

This motion was passed and adopted on the 7th day of December, 2016 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Krystal M. Vaughn 12/13/16
Krystal M. Vaughn, Commission Secretary Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for **Architectural Board of Review (ABR)** approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.