



City of Santa Barbara
California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 036-00

335 W. CARRILLO STREET/922 CASTILLO STREET

AUGUST 17, 2000

RECEIVED

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HOUSING AUTHORITY
CITY OF SANTA BARBARA

SUBJECT:

APPLICATION OF DETLEV PEIKERT, A.I.A., AGENT FOR THE HOUSING AUTHORITY OF THE CITY OF SANTA BARBARA, 335 W. CARRILLO STREET/922 CASTILLO STREET, APN 039-302-028, -023, -026; C-2 COMMERCIAL AND R-3 LIMITED MULTIPLE FAMILY RESIDENTIAL ZONES. GENERAL PLAN DESIGNATION: GENERAL COMMERCE AND RESIDENTIAL 12 DWELLING UNITS PER ACRE (MST98-00883)

Project Description: The project involves the demolition of an existing 778 square foot commercial structure and the construction of 42 affordable housing units in a 45,363 square foot, partial three-story building over three existing lots in the downtown area. Two of the existing lots (totaling 18,750 square feet) are vacant, while the third lot (15,000 square feet) contains the commercial building to be removed. All three lots are proposed to be merged. The proposed units, laundry facilities, and a community room would be housed in a predominantly two-story building with four units and six lofts on the third floor. Forty-two (42) parking spaces are proposed in a first-floor structure with residential units above.

The discretionary applications required for this project are:

1. A Modification of the minimum lot area standards to allow a 121 percent bonus density for 42 residential units on a lot totaling 33,750 square feet instead of the 19 residential units allowed by zoning (SBMC §28.21.080.7);
2. A Modification from the parking requirements to provide forty-two (42) parking spaces on-site instead of the required sixty-nine (69) parking spaces (SBMC §28.90.100.G);
3. A Modification of the interior yard setback to allow three second and third floor balconies to encroach four feet into the required ten-foot interior yard setback instead of the allowed two-foot encroachment (SBMC §28.21.060 and 28.87.062); and,
4. A Modification of the front yard setback along Carrillo and Castillo Streets to allow a proposed arcade, with usable outdoor patio space above, to be located in the required ten-foot setback (SBMC §28.21.060).

The Environmental Analyst has determined that the project qualifies for a statutory exemption from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15280 (Lower-Income Housing Projects) and is also categorically exempt pursuant to CEQA Section 15332 for In-Fill Development. (SFR)

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, six persons appeared to speak in favor of the application, and four persons appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 11, 2000
2. Site Plan
3. Letters in support were received from:
Michael Towbes, The Fowbes Group, Inc. dated July 25, 2000
Robert, L. Horton, President of Santa Barbara Downtown Organization dated August 7, 2000
Steven Amerikaner, President of the Coastal Housing Partnership, dated August 10, 2000
Catherine Gaughen, Santa Barbara Regional Chamber of Commerce, dated August 14, 2000
Catherine McCammon, President of Citizens Planning Association, dated August 14, 2000
4. Letter in opposition was received from Clint Belkonen dated August 14, 2000.

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

I. Approved the subject application making the following findings and determinations:

A. Findings for the Modification related to Lot Area (SBMC §28.21.080.7)

The modification of the lot area requirement to allow development of 42 new affordable residential units on 33,750 square feet of lot area instead of the required 72,960 square feet is consistent with the purposes and intent of the Zoning Ordinance and is necessary to construct the affordable housing project. The proposed development is consistent with the intent of the R-3 Zone to provide multiple family dwellings, sustain a suitable environment for family life, and provide affordable housing.

B. Findings for the Modification related to the Interior Yard Setback (SBMC §28.21.060)

The modification of the interior yard setback to allow three second story decks to encroach into the required 10-foot interior yard setback is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. These decks provide individual outdoor living space for the rear three units in the building over the parking garage.

C. Findings for the Modification related to the Front Yard Setback (SBMC §28.21.060)

The modification of the front yard setback along Carrillo and Castillo Streets to allow a proposed arcade, with usable outdoor patio space above, to be located in the required 10-foot setback is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The arcade does not provide additional square footage on the site and provides for additional outdoor space on the second level.

D. Findings for the Modification related to Parking (SBMC §28.90.100(G)(3))

The modification to provide 42 parking spaces instead of the required 69 parking spaces will not be inconsistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking space or loading space in the immediate area because: (1) The project is an affordable City Housing Authority project which will have restricted vehicle ownership through lease agreements with tenants; (2) the project is located in the downtown area and is within walking and cycling distance of many services and places of employment; (3) a bus stop and the transit center within walking distance from the project site; and, (4) there is adequate public parking, both on-street and in the Carrillo Commuter Lot, to serve the guests of the tenants.

II. Said approval is subject to the following conditions:

- A. Prior to the issuance of any building permit for the project on the Real Property, the following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be recorded by the Owner in a written instrument which shall be reviewed as to form and content by the City Attorney, Community Development Director and/or Public Works Director:
1. The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner which will preclude any hazard of life, health or damage to the Real Property or any adjoining property.
 2. The Owner shall assign to the City of Santa Barbara the exclusive right to extract water from under the Real Property. Said assignment and any related agreements are subject to the review and approval of the City Attorney
 3. Owner shall comply with the Landscape Plan as approved by the Architectural Board of Review (ABR) and Historic Landmarks Commission (HLC). Such plan shall not be modified unless prior written approval is obtained from the ABR and HLC. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
 4. The development of the Real Property approved by the Planning Commission on August 17, 2000 is limited to forty-two (42) dwelling units, [eighteen (18) studio units and twenty-four (24) one-bedroom units], forty-two (42) parking spaces, and the improvements shown on the Site Plan signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
 5. Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Lighting shall be directed toward the ground.
 6. All tenants shall be restricted to have no more than one vehicle per unit and such a restriction shall be included in the lease/rental agreements used for each unit.

A copy of the provisions in the lease/rental agreement needed to comply with this condition shall be provided to the Community Development Director and Transportation Planning Manager for their approval.

7. Owner shall obtain from Housing and Redevelopment Staff an affordability document requiring that thirty three (33) units be affordable to households of moderate income and nine (9) units be affordable to households of low income, in accordance with paragraph (2) of subdivision (h) of Section 65589.5 of the Government Code. Said document shall be executed by the applicant and recorded prior to the issuance of the building permit for the project.
 8. To the extent allowed by law, Owner shall require that any prospective tenant who is gainfully employed, be employed by a "downtown employer" as described herein as a condition of occupancy. In addition, Owner shall ensure that any qualified tenant who is gainfully employed shall continue to be employed by a "downtown employer" as a condition of continued occupancy in the Project or Owner shall relocate such tenant to another housing project operated by the City Housing Authority. A method for implementing and enforcing this restriction shall be agreed to by the Owner and the City and shall be incorporated into the recorded agreement. [For the purpose of this condition, "downtown employer" shall be defined as the location to which the tenant regularly reports for work and one that is located within the boundaries of the City of Santa Barbara's Central business district whose boundaries are defined as Micheltorena St. as to the north, Olive St. as to the east, and U.S. 101 as to the south and west.]
 9. Provide the specific off-site parking agreement to the City Attorney for review and approval. The applicant shall make provisions to provide a minimum of nine (9) off-site parking spaces at the City of Santa Barbara Commuter Parking Lot at the intersection of Carrillo and Castillo Streets for guest parking. Signage at the commuter lot shall be changed to allow for guests to park at night and on weekends. Add signage at the development to inform guests that parking is available at the commuter lot.
- B. The Owner shall submit the following or evidence of completion of the following to the Public Works Department prior to the issuance of a Building permit or Public Works permit.
1. Prior to the issuance of any Public Works permit or Building permit for the project, the Owner shall submit an executed Agreement for Land Development Improvements and securities for construction of improvements.
 2. The real property known as APNs 39-300-23, -26, and -28 shall be merged into one (1) legal parcel, following the procedure in the Municipal Code.
 3. If determined necessary by the Public Works Department, the owner shall submit executed documentation for the dedication of subject property to the City to accommodate the wheelchair ramp. The dedication document shall be

- reviewed as to form and content by the City Attorney and Public Works Department and shall be recorded in the office of the County Recorder.
4. The Owner shall submit building plans for construction of improvements on Castillo Street. As determined by the Public Works Department, the improvements shall include City standard: roadway reconstruction of all failed asphalt concrete pavement, Type II slurry seal along entire subject property frontage to centerline of street, twelve foot radius at southeast corner of Carrillo and Castillo Streets, wheelchair ramp at southeast corner of Carrillo and Castillo Streets, traffic control signs, curb painting, lane striping, sidewalk to match the remaining block, one Type B street light mid-block, two 24 inch box size Jacaranda trees (final placement to be coordinated with City Arborist), parkway landscaping, underground utilities, water system, sewer system, drainage system including; curb drain outlets and slot/trench drain, storm drain stenciling, pollution prevention interceptor device, and adequate positive drainage. Preserve and/or reset contractor stamp and/or survey monuments. The building plans shall be prepared by a registered civil engineer or licensed architect and reviewed by the City Engineer.
 5. The Owner shall submit building plans for construction of improvements on Carrillo Street. As determined by the Public Works Department, the improvements shall include City standard: crack seal along entire subject property frontage to centerline of street, driveway apron modified to meet Title 24 requirements at sidewalk, saw cut and replace all uplifted or cracked concrete sidewalk, concrete curb and gutter, one Queen Palm (*arecastrum romanzoffianum*), underground utilities, water system, sewer system, drainage system including; curb drain outlets, slot/trench drain, storm drain stenciling, pollution prevention interceptor device, and adequate positive drainage. Preserve and/or reset contractor stamp and/or survey monuments. The building plans shall be prepared by a registered civil engineer or licensed architect and reviewed by the City Engineer.
 6. The Owner shall provide Public Improvement Plans (C-1-drawings) reflecting the curb return radius reduction to 12-feet at the corner of Carrillo and Castillo Streets on subject property.
 7. The Owner shall provide hydrology calculations to the Public Works Land Development Engineer that detail the existing and proposed drainage flows through the site, and for sizing of all curb drain outlets. Include an analysis of the 25-year storm event and the 100-year overland escape route and inundation areas. All drainage conveyance systems shall be designed to convey the 25-year storm event.
 8. Coordinate all utility work with the local utility companies and utility owners. Submit to the Public Works Land Development Engineer a completed Underground Utility Personnel Contact Sheet.

9. The owner shall install surface drainage pollutant interceptors on the real property, to intercept surface pollutants from the parking lot and vehicle access areas prior to discharge into the public storm drain system.
 10. In the event that tenant parking spaces become unused due to lack of vehicle ownership, the number of unused spaces shall be made available for guest parking and communicated with appropriate signage.
 11. A source reduction/recycling plan shall be developed for the proposed project and submitted for review and approval by the City's Environmental Analyst and the County's Solid Waste Division prior to building permit issuance.
 12. The Owner shall work with the Transportation Planning and Alternative Transportation Division of the Public Works Department on the initiation of a Residential Parking Permit Program for the 800 to 900 blocks of Castillo Street. If said Program is established, residents of this development shall not be able to obtain a parking permit.
 13. The red curb adjacent to the driveway on Castillo Street is to be removed as a result of this project.
- C. The site plan, landscape plan, and elevations are subject to review and approval by the Historic Landmarks Commission (HLC) and the Architectural Board of Review (ABR). The Planning Commission supports HLC's work with the architecture to reduce the size, bulk, and scale. The Planning Commission requests that the HLC pay particular attention to the proposed landscaping and design of the rear decks above the parking garage to insure that the use of the decks would not affect the privacy of the adjoining property.
- D. The following requirements shall be incorporated into, or submitted with the construction plans submitted to the Building & Safety Division with applications for building permits. All of these construction requirements must be completed prior to the issuance of a Certificate of Occupancy:
1. During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
 2. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

3. Trucks transporting fill material to and from the site shall be covered from the point of origin.
4. The haul route(s) for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Transportation Engineer.
5. After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by:
 - a. Seeding and watering until grass cover is grown;
 - b. Spreading soil binders;
 - c. Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind;
 - d. Other methods approved in advance by the Air Pollution Control District.
6. All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Removal of eucalyptus trees shall occur outside raptor nesting period (March through August) unless a prior biologist report confirms that no nesting activity is occurring on the site. Prior to issuance of the building permit for tree removal proposed to occur between March 1 and August 31, a biologist report shall be submitted for review and approval by the Environmental Analyst.
8. In accordance with the Phase I Archaeological Report dated September, 1999 , prepared for 335 W. Carrillo and 922 Castillo Streets and the Phase I Archaeological Report dated February 6, 1995, prepared for 922 Castillo Street:
 - a. Following demolition of the existing building on the 335 W. Carrillo Street site, a City-qualified archaeologist shall inspect the ground surfaces after pavement removal and prior to the issuance of building permits for construction. If cultural remains are identified, an Extended Phase 1 program shall occur to identify the extent of the remains. Permits for construction that would cause ground disturbance shall not be issued before the Extended Phase 1 Report is reviewed and accepted by the Historic Landmarks Commission. Recommendations from the Extended Phase 1 shall be incorporated into the project.
 - b. If no remains are identified after pavement removal, monitoring of construction excavations by a City-qualified archaeologist shall occur within the northwestern 75% of the County Assessor's Parcel No. 039-302-028 (335 W. Carrillo Street) to record any historic remains that may be encountered. A report of the monitoring activity shall be submitted to

the City's Environmental Analyst for review and acceptance prior to final inspection for building occupancy.

- c. In the event that potentially significant prehistoric cultural remains are encountered during excavation, a native American representative shall be contacted to monitor the evaluation of potential significance of the finds pursuant to the City of Santa Barbara Cultural Resources Master Environmental Assessment (MEA) criteria.
 - d. A signed copy of the contract with the qualified Archaeological monitor establishing a schedule for monitoring must be submitted prior to release of a building permit for this project. The contract shall be subject to review and approval of the City's Environmental Analyst. A final report on the results of the archaeological monitoring shall be submitted to the City's Environmental Analyst within 180 days of completion of the monitoring and prior to the issuance of the Certificate of Occupancy (Final Inspection), whichever is earlier. The information submitted will be evaluated and a decision will be made if additional analysis is required.
9. Engineering geology studies shall be submitted to the Building and Safety Division prior to issuance of building permits to confirm the project's engineering and design.
 10. The project shall incorporate construction recommendations from the Acoustical Analysis (dated July 14, 1999) and addendum (dated August 31, 1999) prepared by George E. Leighton, to provide for less than 60 dB(A) L_{dn} for exterior residential areas and less than 45 dB(A) L_{dn} for interior levels.
 11. Noise generating construction activity shall be prohibited Saturdays, Sundays, and holidays and between the hours of 5 p.m. to 8 a.m. Holidays are defined as those days, which are observed by the City of Santa Barbara as official holidays by City employees.
 12. All construction equipment, including trucks, should be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
 13. The proposed project shall provide space and/or bins for storage of recyclable material with the project site. This information shall be shown on the building plans and installed as a part of the proposed project's improvements.
 14. The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods.
 15. Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic on adjacent streets and roadways.

16. Construction parking shall be provided as follows:
 - a. During construction, parking spaces for construction workers shall be provided on-site or off-site at no charge in a location subject to the approval of the Transportation and Parking Manager.
 - b. On-site or off-site storage shall be provided for construction materials and equipment. Storage of construction materials within the public right-of-way is prohibited.
17. At no time shall the bike lane on Castillo Street be obstructed by construction activities or equipment without prior notice to, and approval by, the City Traffic Engineer.
18. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
19. During clearing, grading, earth moving or excavation:
 - a. Water trucks or sprinkler systems shall be used in sufficient quantities to prevent dust raised from leaving the site.
 - b. The entire area of disturbed soil shall be sufficiently wet down to create a crust, after each day's activities cease.
 - c. The haul route(s) for all construction-related trucks, three tons or more entering or exiting the site, shall be approved by the City Traffic Engineer.
20. Applicant shall recycle and/or reuse all construction/demolition waste and materials in order to minimize construction generated waste conveyed to the landfill.
21. An oil/water separator shall be installed to treat parking lot runoff from the project site. Other Best Management Practices (BMPs) shall also be employed to minimize pollutants from entering the City's storm drains.
22. The applicant shall explore with the City the possibility of installing basketball hoops in the City of Santa Barbara's Carrillo Street commuter parking lot. If found to be feasible, the applicant shall install the hoops prior to issuance of the Certificate of Occupancy for the project.
223. All Planning Commission Conditions of Approval shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is 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.

- E. Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
1. Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots are to be pruned under the direction of the City Arborist.
 2. Public improvements as shown on the building plans.
 3. A noise specialist retained by the owner at the owner's expense shall make an on-site investigation and certify noise levels with a noise meter to assure that interior and exterior living area noise levels are within acceptable levels as specified in the Noise Element. In the event that the noise is not mitigated to acceptable levels, additional mitigation measures shall be recommended by the noise specialist and implemented subject to review and approval of the Community Development Department, Historic Landmarks Commission and Architectural Board of Review.
 4. Obtain from the Community Development Director, written approval of the resident selection/eligibility process; and (b) the process by which continued tenant eligibility is monitored.
 5. A plan for accessible collection of recyclable materials on a regular basis shall be established by the owner.
- F. The applicant shall provide the Planning Commission an annual update on tenant vehicle ownership for the next five years following issuance of the Certificate of Occupancy.
- G. The applicant is encouraged to work with the City to provide incentives for tenants to not own cars.

NOTICE OF APPROVAL TIME LIMITS:

The Planning Commission's action approving the Modifications shall terminate one (1) year from the date of the approval, per SBMC 28.87.360, unless:

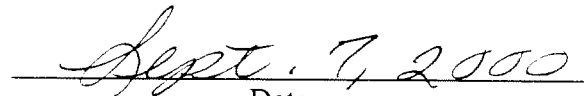
1. A building permit for the use authorized by the approval is sought within twelve months of the approval. An extension may be granted by the Planning Commission if the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy; or
2. The approval has not been discontinued, abandoned or unused for a period of six months following the earlier of (a) an Issuance of a Certificate of Occupancy for the use, or (b) one (1) year from granting the approval.

This motion was passed and adopted on the 17th day of August, 2000 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 2 (Barnwell and Ehlen)

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


Anita L. Leski, Planning Commission Secretary


Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

