



CITY OF SANTA BARBARA  
PLANNING DIVISION

3 West Carrillo Street, Suite 205 Santa Barbara, CA 93101  
ph: 805.962.4611 fax: 805.962.4161

P.N. 05-029.01

November 26, 2007

Marisela G. Salinas, Associate Planner  
City of Santa Barbara  
Planning Division  
630 Garden Street  
Santa Barbara, CA 93101

**Subject: Appeal of Planning Commission Denial of MST2006-00736  
Application for General Plan Amendment and Zone Change Initiation  
1400 Rogers Court; PC Hearing of July 12, 2007**

Dear Ms. Salinas:

On behalf of the applicant for subject appeal to the City Council, we provide herewith five (5) copies of a revised proposed Site Plan depicting a property development proposal to be submitted upon approval of a General plan Amendment and Rezone by the City Council. The revised Site Plan intends to respond to Planning Commission comments, staff recommendations and comments from the public addressing a reduction in proposed market rate unit density. Details of the revised proposal are as follows:

#### **Purpose of Request**

The purpose of the appeal is to request the City Council to initiate a Change of Zone and General Plan and General Plan Amendment. The application Change of Zone component involves a Rezone of the project site from E-1 single family residential to R-2 multi-family residential. The General Plan Amendment component involves amending the General Plan density for the project site from a "split density" of 3 units and 5 units per acre to a property uniform 5 units per acre. The Change of Zone and General Plan Amendment approval is necessary in order for our proposed development of the property to occur. Application requests to follow the initiation process will include a Tentative Map for a one (1) lot subdivision to create nine (9) airspace condominium units; approval of a Public Works street improvement design waiver; approval of a modification of public street frontage, and obtaining Neighborhood Preservation Ordinance consistency findings.

#### **Project Site Background**

The subject property was originally part of the Rogers Tract subdivision recorded in Book 20, Page 44 of Maps and Surveys. The property consisted of Rogers Tract Lots 72, 73, 74, 75, 76, and 77, and was individually conveyed to Keith Spittler during early 1970's. On June 7, 1979, the City Planning Commission determined that the lots created by the Rogers Tract subdivision were created in violation of the Subdivision Map Act, and subsequent to

that determination, a Notice of Violation for Lot 77 was recorded December 5, 1979 as Instrument No. 79-57165 of Official Records of Santa Barbara County. During this timeframe, Spittler had begun processing for a Building Permit for a single family residence on Lot 77. As a condition of issuing the Building Permit, the City required that Spittler merge the six (6) Rogers Tract lots into a single parcel. The Building Permit was issued and construction of the single family residence, utility services and access driveway were completed in the early 1980's. However, the merger was not completed and recorded until 2005 (as Instrument No. 2005-65606 of Official Records). The recordation of the Voluntary Merger operates to extinguish the six (6) Rogers Tract lots, remove the Notice of Violation from Lot 77, and render the merged lots as a single legal parcel.

### **Project Setting**

The project site is a single lot of 44,600 square feet in size located in the Alta Mesa area of Santa Barbara, accessed from Santa Fe Place. The property landform consists of a gently sloping terrace with a range of topography from 5% to 20% gradient, with an average 16% gradient. The gently sloping terrace landforms continues off-site to the east and south. The property is currently improved with a single story 1,200 square foot single family residence, an attached 400 square foot 2-car garage, several accessory sheds, paved driveway access and utility services. Avocado and macadamia trees cover the remaining project site area.

The property has a current General Plan designation of residential, 3 and 5 units per acre. Currently the entirety of the property is zoned E-1 which became effective on July 24, 1975. The project site takes access from Santa Fe Place, an improved public street, and a private road easement of record. Surrounding land uses include vacant property on the north and northwest, multi-family residential development under construction on the west, the SHIFCO Housing Authority multi-family residential development to the south, and single family residential development on the east. The project site is currently served by utilities and infrastructure for water, sewer, electrical, gas, telephone and CATV.

### **Project Description**

The subject application requests initiation of (i) a Change of Zone for the project site from E-1 Single Family Residential to R-2 Duplex Residential and (ii) a General Plan Amendment to amend the density for the project site from a split density of 3 units and 5 units per acre to a uniform 5 units per acre. Upon initiation by the City Planning commission, the applicant would submit applications for a one (1) lot Tentative Map subdivision to create nine (9) airspace condominium units of which four (4) units would be offered as affordable housing per City and State "Bonus Density" requirements (targeted to sale prices of 130 percent of median income), and five (5) market-rate units. The project would also require a Modification of the public street frontage requirement and Public Works Street Frontage Waiver because the project site does not abut an existing public street (Santa Fe Place).

The project proposes unit sizes of approximately 1100 square feet (3 bedroom) for the four (4) affordable rate units, and 2200 square feet (3 bedroom) for the five (5) market rate units.

All units are proposed with attached two-car garages of 400 square feet. Project density pursuant to the R-2 Zone District requirements, when factoring the 16% average slope for the project site, would result in eight (8) units (3,500 SF per unit x 1.5 slope density = 5250 SF per unit; 44,600 SF project area / 5250 SF per unit = 8.5 units). Proposing a project of five (5) market units in the R-2 density would render a project density below the ten (10) unit threshold for required inclusionary affordable housing of 15% of project density. In order to provide a significant public benefit, the applicant is proposing to increase the density through Bonus Density from five (5) units to nine (9) units, and provide 50% of the increased project density (4 units) as affordable units.

The units will be accessed by a private driveway network designed to meet Public Works and Fire Dept. standards for width, gradient and materials. Utility infrastructure is provided by the extension of private mains for water and sewer, along with under grounding of main extensions for electrical, telephone, gas and CATV facilities. Roof, yard and surface drainage will be collected through drainage swales, inlets and pipes, and discharged into Santa Fe Place. All collection inlets will employ BMP storm water filtration treatment techniques prior to discharge to the public systems.

Grading estimates have been calculated and listed on the Tentative Map for the project and include approximately 3,200 cubic yards of cut, 2,800 cubic yards of fill with no export except for clearing and grubbing spoils.

### **Environmental Considerations**

Pursuant to the California Public Resources Code, CEQA review of project impacts will be required. The following is a cursory narrative of project site environmental considerations that may arise in development of the property with 9 condominium units:

Aesthetics/Visuals Resources – The project site is a gently sloping landform located at the base of Alta Mesa hillsides, and as such cannot be viewed from public viewpoints, except for the immediately adjacent Santa Fe Place public Street right-of-way. This lack of exposure to public view areas results from a combination of the relatively low elevation of the project site and blockage of the project site by surrounding structures and vegetation. Potential visual impacts from the project are expected to be less than significant.

Biological Resources – The project site contains an existing single family structure, accessory structures and a paved access driveway. Avocado and Macadamia trees cover the remaining portions of the property. No rare or endangered species or sensitive habitat areas are known to be on the property. No significant biological impacts are anticipated.

Cultural Resources – According to the City's Master environmental Assessment, the project site is not located in any archaeological sensitivity zones. No identified historic structures or recorded cultural or religious sites are present on or near the site. No impacts to cultural resources are expected to occur.

Geology and Soils – A Preliminary Soils and Geology Investigation is being completed. Based on the results of field investigations and laboratory analysis the report will conclude that the site is suitable for residential construction. No large-scale geologic landslides, earthen failures, or other geo-hazards were observed on the property. Additionally, no ground water was observed within the first 40 feet below ground surface, therefore geo-hazards associated with seismic events are not expected to occur on the site.

Transportation/Circulation – Trip generation for the 9 unit condominium project would result in nine (9) A.M. and nine (9) P.M. peak trip(s) and approximately ninety (90) new average daily trips. When distributed and dispersed to the surrounding street network, less than significant traffic impacts are anticipated.

Water Quality - Existing drainage facilities are located on site and would serve as a conductor of drainage from any future development. BMPs consisting of storm water filtration will assure that water quality for drainage discharge meets or exceeds required levels.

Public Services – Adequate public services for water, sewer, electricity, telephone and CATV currently exist in the project site vicinity and can be extended to the site. Impacts from increased use for services should not result in significant impacts.

### **Summary**

The applicant request for initiation of a Change of Zone and General Plan Amendment in order to apply for an "in-fill" project which is consistent and compatible with the surrounding land uses, that has proposed design suitable for the site and that mitigates environmental impacts to a less than significant level, and provides a significant public benefit through construction of affordable housing at the moderate income level. Upon initiation by the Planning Commission, the applicant would prepare a DRT application package with required reports, studies and concept architectural design for floor plans and elevations. Thank you for your consideration.

If you have any questions or wish to discuss this project further, please do not hesitate to contact me.

Very truly yours,  
L & P CONSULTANTS



Mark Lloyd  
Agent for Santa Fe Court, LLC

cc: Santa Fe Court, LLC w/enc.  
Keith Spittler w/enc.

