



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: January 17, 2009
AGENDA DATE: December 20, 2007
PROJECT ADDRESS: 319 N Milpas Street (MST2006-00076)

TO: Planning Commission
FROM: Planning Division, (805) 564-5470
Jan Hubbell, AICP, Senior Planner
Peter Lawson, Associate Planner

A handwritten signature in black ink, appearing to be "JMH", written over the name "Jan Hubbell" in the "FROM:" section.

I. PROJECT DESCRIPTION

The project is for a single lot subdivision to convert an existing 5,323 square foot, two-story mixed use building into three condominiums. The ground floor commercial portion of the building, which is currently occupied by a medical office, would be one unit. On the second floor are two residential units and each would become a condominium unit. No construction is proposed with this project.

The project site is partially zoned commercial (C-2) and manufacturing (M-1). As part of the project, a rezone is proposed. The new zoning designation would be commercial (C-2), consistent with a residential and medical office usage.

Parking for the project would be provided by an existing 14-space parking lot, which is located partially on the subject lot and on the adjacent lot the south. A warehouse located on the adjacent lot (317 N Milpas) shares the use of the parking lot. Four of the parking spaces on the subject lot would be dedicated to the residential units. Access to the site is provided by a 12 foot wide driveway, located adjacent to the western property line.

II. REQUIRED APPLICATIONS

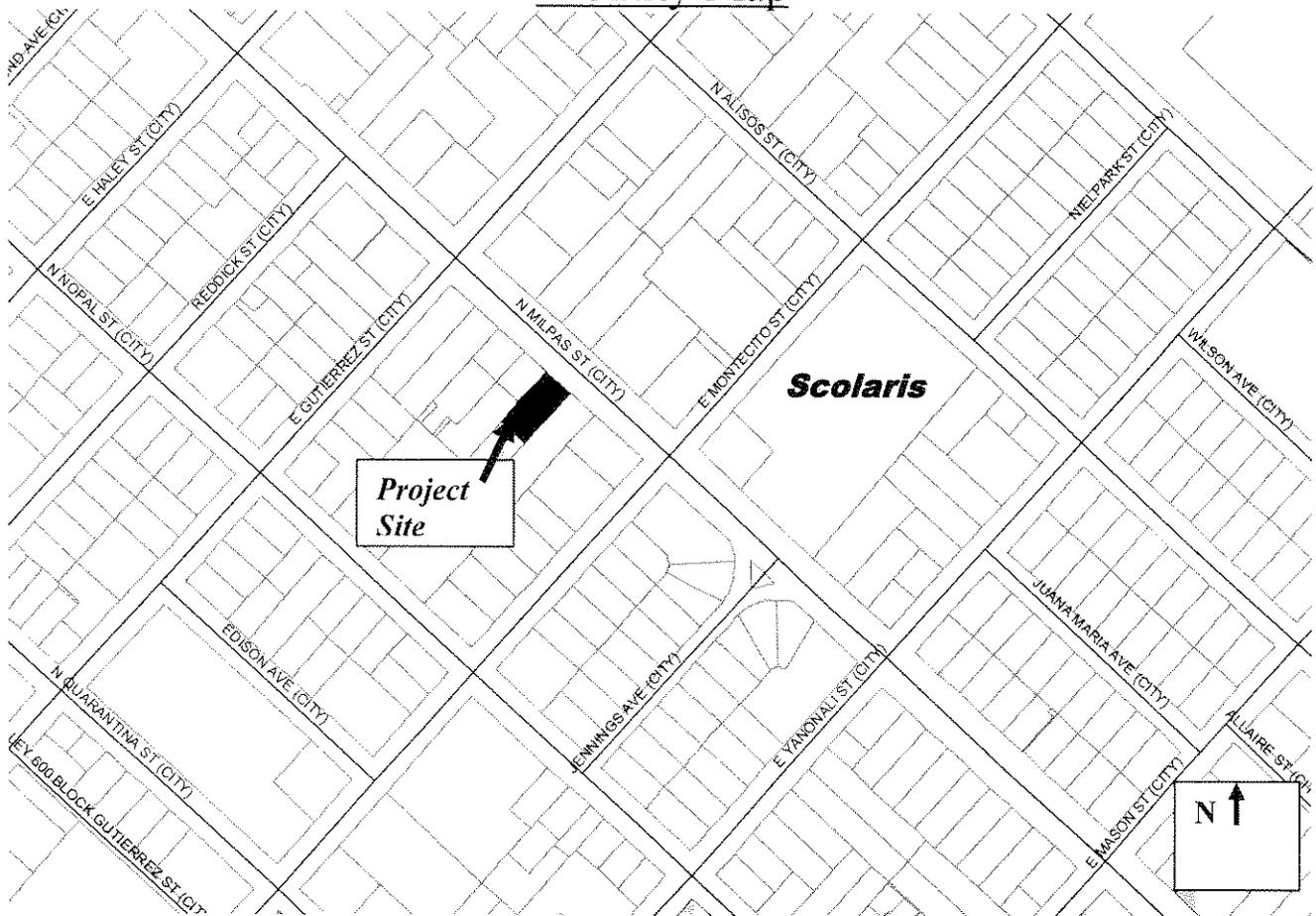
The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a one-lot subdivision to create two (2) residential condominium units and one (1) commercial unit (SBMC 27.07 and 27.13); and
2. A Condominium Conversion Permit to convert two (2) existing residential units to two (2) condominium units (SBMC 28.88).
3. Recommendation to the City Council to rezone the M-1 portion of the property to C-2 (SBMC 28.92)

III. RECOMMENDATION

With the approval of the zone change, the proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the existing building are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VIII of this report, and subject to the conditions of approval in Exhibit A.

Vicinity Map



APPLICATION DEEMED COMPLETE: October 11, 2007
DATE ACTION REQUIRED PER MAP ACT: N/A (Legislative Action)

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Brian Nelson	Property Owner:	Milpas Street Partners
Parcel Number:	031-363-035	Lot Area:	6,667 square feet
General Plan:	Industrial	Zoning:	C-2/M-1
Existing Use:	Office & Residential	Topography:	0.01%
Adjacent Land Uses:			
	North - Commercial		East - Commercial
	South - Commercial		West - Commercial

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	Unit A – 907 s.f. Unit B – 961 s.f.	No Change
Garage	N/A – Assigned uncovered spaces	No Change
Accessory Space	400 s.f. per unit	No Change

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance: C-2 & M-1	Existing	Proposed
	Unless noted, the requirements are the same		
Setbacks -Front	None	2 feet	No Change
Interior	None	17' – North 0' - South 40'- West	No Change
Building Height	4 Stories @ 60'	28'	No Change
Parking	Residential – 2 spaces/unit Commercial – 1 Space/250 s.f.	Residential: 4 spaces Commercial: 10 spaces	No Change
Lot Area Required for Each Unit (Variable Density)	- Studio unit - 1,600 s.f.; - 1 bedroom unit - 1,840 s. f.; - 2 bedroom unit - 2,320 s f; - 3 or more bedroom unit - 2,800 s f.	3,336.5 s.f./unit	No Change
10% Open Space	663.9 s.f.	1,175 s.f.	No Change
Private Outdoor Living Space	Second Floor Units and above: 2 bedroom unit-84 square feet	Unit A – 2 terraces: 204 s.f.& 64 s.f. Unit B – 2 terraces	No Change

Standard	Requirement/ Allowance: C-2 & M-1	Existing		Proposed
	Unless noted, the requirements are the same			
		84 s.f. & 72 s.f		
Lot Coverage				
-Building	N/A	2,682 s.f.	40.4%	No Change
Paving/Driveway	N/A	2,781.	41.9%	No Change
-Landscaping		1,175 s.f.	17.7%	No Change

The existing development is consistent with the requirements of both of the C-2 and M-1 Zone Districts, except for the fact that one of the units is partially in the M-1 zone, which does not allow residential development unless it is accessory to the primary commercial uses. The units were built in 1994. Further, the project would be consistent with the Condominium Conversion Ordinance. Each unit has adequate laundry, storage, private open space and parking, as well as the other requirements consistent with Section 28.88.040, Physical Standards for Condominium Conversions. Finally, a Modification was granted on July 7, 1993 to allow a one foot planter between the driveway and building instead of the required three feet.

VI. ISSUES

A. DESIGN REVIEW

This project was reviewed by the Architectural Board of Review (ABR) on two separate occasions (meeting minutes are attached as Exhibit D). Since the project did not involve any changes to the structure other than adding sound dampening glass on the balconies on the east and south sides, the ABR commented on the Landscaping and signage for the building and parking area. The project was then referred to the decision maker for consideration of the permits.

B. COMPLIANCE WITH THE GENERAL PLAN

The proposed project is located within the Milpas area, which is bounded on the north by Canon Perdido Street; on the south by Highway 101; and on the east and west by the rear of the commercial establishments on each side of Milpas Street. Milpas Street has developed into a solid strip of commercial activity along both sides of the street, which is consistent with present zoning. Some residential use exists in the area either on the second level of the commercial businesses or immediately behind the commercial businesses. Milpas Street is the main commercial center for the Eastside neighborhood, Eucalyptus, and/or parts of the Riviera.

The project site is currently split zoned two-thirds Commercial and one-third Manufacturing. The lot was created in its current configuration on September 12, 1961 and the zoning was the same as it is today. A single family residence was located on the lot fronting Milpas and a parking lot serving an adjacent business was located on the interior lot. The Commercial Zone District boundary on the west side of Milpas Street is generally parallel with the street and encompasses most of the lots that front Milpas. However, there are a number of lots that are split by this zone district boundary. As proposed, the Commercial Zone District boundary

would be shifted to the west to coincide with the lot line boundary. The site is developed with a mixed use medical office and residential building, consistent with the C-2 Zone District. There is no proposal to increase the development or change the use.

Both the Municipal Code and the policies under the Land Use Element support the realignment of the zone District. Section 28.10.010.13 of the Municipal Code states that for any new zone district or rezone, the new zone boundary shall follow the existing lot lines. Under policy 3.2 of the Land Use Element, the City recognizes the economic importance of small business in the community and to implement this policy a Haley/Milpas retail/commercial service area should be considered. Finally, under Policy 4.2, options for providing additional housing opportunities shall be explored, where appropriate, in nonresidential zones and allowing residential uses in the M-1 zone and in other non-residential zones where residential uses are currently not permitted. While there is now more interest in preserving M-1 zoned property, this parcel facing Milpas is not an ideal location for industrial uses.

C. ENVIRONMENTAL REVIEW

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301, Existing Facilities, for the division of existing residences into common interest ownership, and 15305, Minor Alterations in Land Use Limitations, for minor zoning Ordinance amendments that do not significantly change planned uses in an area.

VII. FINDINGS

The Planning Commission 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. The site is physically suitable for the proposed development, the project is consistent with the variable density provisions of the Municipal Code and the General Plan, and the proposed use is consistent with the vision for this neighborhood of the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems.

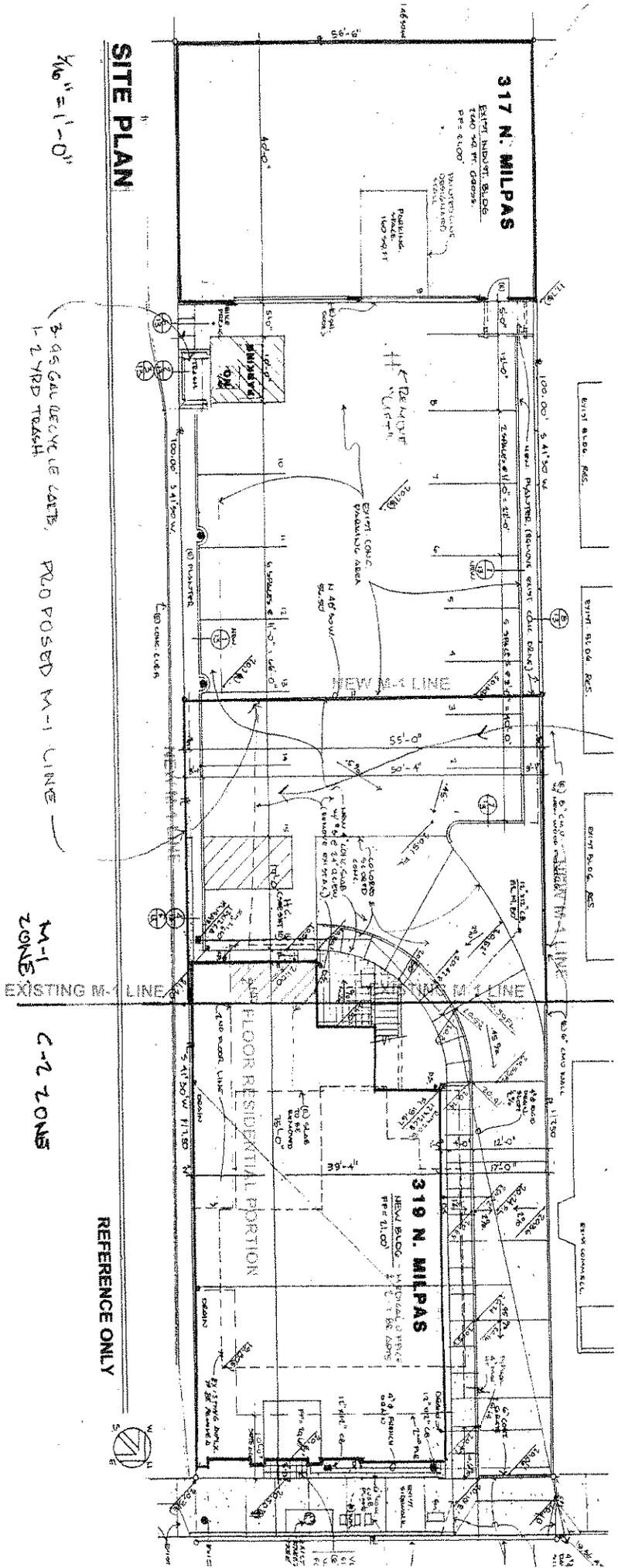
B. FOR THE CONDOMINIUM CONVERSION (SBMC §28.88.120)

1. The project is consistent with the provisions of the Condominium Conversion Ordinance and the project will not be detrimental to the health, safety, and general welfare of the community.
2. The proposed conversion is consistent with the General Plan of the City of Santa Barbara, as long as City Council approves the requested rezone.

3. The proposed conversion will conform to the Santa Barbara Municipal Code in effect at the time the application was deemed complete, except as otherwise provided in the Condominium Conversion Ordinance.
4. The overall design (including project amenities) and physical condition of the conversion will result in a project which is aesthetically attractive, safe, and of quality construction.
5. The applicant has not engaged in coercive retaliatory action regarding the tenants after the submittal of the first application for City review through the date of approval.
6. The owner has made a reasonable effort to assist those tenants wishing to purchase their units for purposes of minimizing the direct effect on the rental housing market created by relocating such tenants.
7. The requirements of Section 28.88.130 have been met because there are fewer than 50 units proposed for conversion this year.
8. The use of the site as condominium units will not be detrimental to the public peace, health, safety, comfort or general welfare, nor will it decrease property values in the neighborhood. Adequate consideration has been given to setbacks, visibility, amenities and parking such that there will be no impact on surrounding properties or the neighborhood in general.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated January 17, 2007
- D. ABR Minutes dated January 16, 2007



SITE PLAN

1/4" = 1'-0"

OWNERS:
 MILPAS STREET PARTNERS
 C/O DR. WILLIAM WELLS
 2926 KENMORE PLACE
 SANTA BARBARA, CA 93105
 CONTACT: BILL MELLER (805) 682-0299

ARCHITECT:
 R. BRIAN NELSON ARCHITECTURE
 P.O. BOX 80307
 GOLETA, CA 93118
 (805) 685-9060

TENTATIVE MAP:
 WATERS LAND SURVEYING, INC
 5553 HOLLISTER AVE, SUITE 7 & 8
 GOLETA, CA 93117
 CONTACT: JOE WATERS (805) 967-4416

STATISTICS:

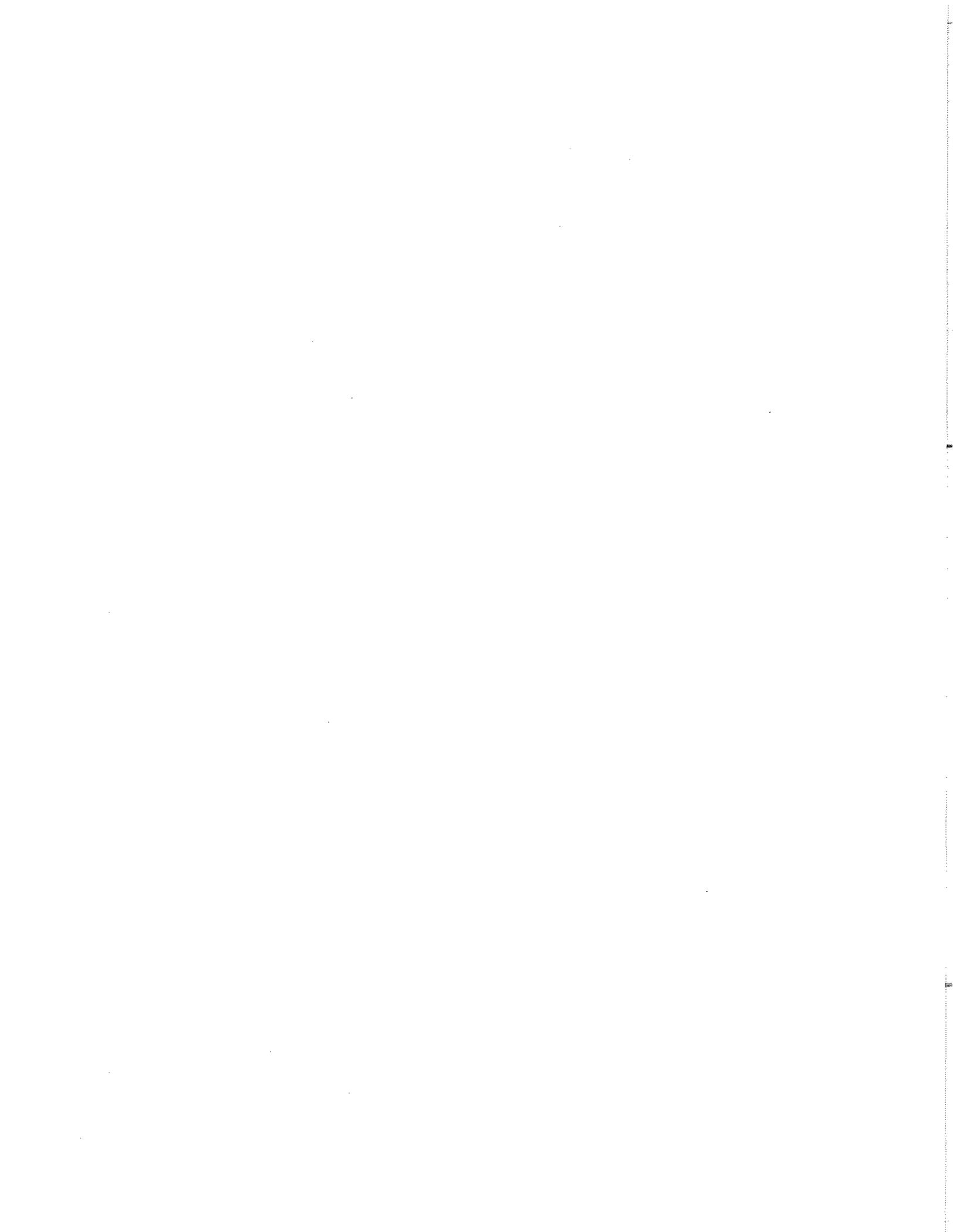
OPEN SPACE: 10% X 6638.74 SQ. FT. = 663.9 SQ. FT. REQRD.
 1,175.0 SQ. FT. PROVIDED 17.7%

BLDG. COVERAGE 2,682 SQ. FT. 40.4%

DRIVEWAYS/PARKING 2,781.17 SQ. FT. 41.9%
LOT SIZE 6,638.75 SQ. FT. 100%

NOTES:

1. THE ARCHITECTURAL SHEETS ARE FROM THE ORIGINAL BUILDING PERMITTED SET OF DRAWINGS AND ARE FOR REFERENCE ONLY.
2. THE SITE PLAN (SHT. #1) IS FOR REFERENCE



January 4, 2008

Planning Commission
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

Re: 319 North Milpas Street
APN 031-363-035
Zoning C-2, M-1

Dear Planning Commission,

There is an existing mixed use building consisting of 2,667 square feet of commercial space (the Medcenter), and two 2-bed room apartments on a 6,638.75 square foot lot. This building was completed in 1994 and has not been remodeled or altered since.

A portion of the lot is in the M-1 zone. We are requesting an adjustment to the M-1 zone boundary so this lot will be entirely within the C-2 zone (see accompanying request).

There is an adjacent lot that shares some of the parking, trash area, etc., that is entirely within the M-1 zone. Appropriate "reciprocal easements" will be recorded to facilitate ingress/egress, parking, access, utilities, trash, etc.

The parking requirement for a condominium conversion is 2 spaces per 2-bedroom unit, which supersedes the typical mixed-use parking requirement. In this case the required would be 4 spaces for the residential units. However, this building has been used, and will continue to be used, as the MedCenter since it was built 13 years ago. The MedCenter has 3 employees during peak hours of operation (therefore 3 max. spaces), the average patient load is 30 per day, or 2 ½ patients per hour (therefore 2 ½ spaces maximum assuming no public transportation was used), the industrial use has varied over the years (4 spaces assumed per parking ordinance), and the mixed-use 2 two bedroom residence demand of 4 is normally at 50%. Therefore, the "parking by demand" peak for this site is 11 ½ spaces. Over the last 13 years, there has not been a demand for more than the existing 16 provided spaces.

The building meets all other zoning requirements.

We are requesting a condominium conversion to include the two residential units and the commercial space (into 2 spaces). We meet, or exceed, all of the requirements for exiting and occupancy. The residential units are 907 square feet (unit "A") and 961 square feet (unit "B"), whereas only 600 square feet is required.

Each unit has smoke detectors, and the building has a mixed-use fire alarm system and fire extinguishers. There are Sound Transmission rated walls and floor systems separating each unit/occupancy. Each unit is individually metered for all utilities.

There is 400 cubic feet of private storage space for each of the residential units off of the private terrace adjacent to the bedrooms. Because this is a mixed-use project with "shared" parking, and because both residential units are on the second floor, it is impractical to have the required storage space adjacent to the parking area. This amenity is better served to be accessed from the units.

Each of the units has a laundry room. The outdoor lining space far exceeds the minimum requirements; Unit "A" has 2 terraces with 84 and 71 square feet totaling 155 sq. ft. and Unit "B" has 2 terraces with 208 and 72 sq. ft. totaling 380 sq. ft. The minimum requirements are 84 sq. ft. per 2 bedroom unit.

An Environmental Noise Study Report has been prepared. At the time the building was constructed, there was no requirement for a Noise Study. The conclusion of the current analysis suggests "that a 6 foot high sound wall is necessary on top of the existing perimeter wall on the front terrace and a 4 ½ high sound wall on top of the existing terrace (on the left/south side) to mitigate the exterior noise levels to the City 60 Ldn exterior noise level requirement for outdoor living space". They suggest "1/4" tempered glass..." would meet those requirements. We have designed decorative wrought iron and glass enclosures with retractable canvas awnings that meet those requirements. This has been reviewed by ABR with favorable comments.

The overall project was reviewed by the ABR and all of the comments were very positive. It was requested that hand painted signage be used to direct guests to the residential units. As we were leaving, one of the members commented (off the record), "Thank you for bringing up the standards in the neighborhood with your building". We have also submitted an updated Landscape Plan for your review.

We feel that this project has been, and will continue to be, an asset to the Milpas Street Corridor. As an approved condominium project with CC & R's, this project and site will be assured to be well maintained in the future.

Thank you for your time and consideration.

Sincerely,

R. Brian Nelson, Architect

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

7. 319 N MILPAS ST

C-2/M-1 Zone

(6:30) Assessor's Parcel Number: 031-363-035
Application Number: MST2006-00076
Owner: Milpas Street Partners
Architect: Brian Nelson

(Proposal for condominium conversion of an existing 5,004 square foot two-story, mixed-use building consisting of two two-bedroom apartment units on the second floor and 2,506 square feet of commercial medical office space on the first floor. The proposal includes enclosure of part of the existing patio to create two private storage areas for the residential condominiums. The condominium conversion requires Staff Hearing officer approval.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND STAFF HEARING OFFICER APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR CONDOMINIUMS.)

(7:37)

Present: Brian Nelson, Architect; Bill Meller, Owner.

Motion: Continued indefinitely to the Consent Calendar with the following comments:
1) The applicant is to add signage, preferably hand painted, way finding signs, from the sidewalk on Milpas Street to the rear entry. 2) Provide an indication of self assigned parking for the condo units, and required signage. 3) Provide a Landscape Plan which provides additional landscaping along the driveway, sidewalk, and front-yard.

Action: Manson-Hing/Sherry, 6/0/0. Motion carried.

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

8. 4126 HIDDEN OAKS RD

PUD 0.4 Zone

(7:00) Assessor's Parcel Number: 049-440-005
Application Number: MST2006-00752
Owner: David and Stevie Peters
Architect: Paul Zink

(Proposal for garage conversion and additions to an existing 2,417 square foot two-story dwelling located on a 26,058 net square foot lot. The proposal would convert an existing attached 460 square foot two-car garage to habitable space and construct a new attached 460 square foot two-car garage, a 386 square foot first-floor addition, and a 100 square foot second-floor addition.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND NEIGHBORHOOD PRESERVATION ORDINANCE FINDINGS.)

(7:58)

Present: Paul Zink, Architect; David and Stevie Peters, Owner.

Public comment opened at 7:56 p.m.