



**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: County Board of Supervisors

FROM: Jeff Wilson, (805) 586-2085
Assistant Director, Planning & Development

STAFF CONTACT: Sean Stewart
Planner, (805) 568-2517

DATE: July 2, 2019

RE: Patterson Avenue Holdings New Office Appeal, Case No. 18APL-00000-00022, Second Supervisorial District

The Patterson Avenue Holdings New Office Appeal (Case No. 18APL-00000-00022) is currently scheduled to be considered by your Board on July 16, 2019. This project was last heard on June 4, 2019, at which time your Board continued the item and directed staff to return with findings for denial of the project, in order to uphold the appeal. Planning and Development has drafted Findings for Denial (Attachment 1) and an updated Notice of Exemption (Attachment 2). Alternatively, should your Board choose to deny the appeal and approve the project, your Board may refer to the Findings, Conditions of Approval, and Notice of Exemption attached to staff's Board Agenda Letter dated June 4, 2019, incorporated herein by reference. Therefore, if your Board wishes to uphold the appeal and deny the project, staff recommends that your board take the following actions:

- a) Uphold the appeal, Case No. 18APL-00000-00022;
- b) Make the required findings for denial of the project, Case Nos. 16DVP-00000-00013 and 16BAR-00000-00154, included as Attachment 1 to this memo dated July 2, 2019, including CEQA findings;
- c) Determine that the project is exempt from CEQA pursuant to the State CEQA Guidelines Section 15270, included as Attachment 2 to this memo dated July 2, 2019; and
- d) Deny *de novo* Case Nos. 16DVP-00000-00013 and 16BAR-00000-00154.

Alternatively, if your Board wishes to deny the appeal and uphold the project, staff recommends that you take the following actions:

- a) Deny the appeal, Case No. 18APL-00000-00022;
- b) Make the required findings for approval of the project, Case Nos. 16DVP-00000-00013 and 16BAR-00000-00154, included as Attachment 1 to the Board Agenda Letter dated June 4, 2019, including CEQA findings;
- c) Determine that the project is exempt from CEQA pursuant to the State CEQA Guidelines Section 15303, included as Attachment 3 to the Board Agenda Letter dated June 4, 2019; and
- d) Grant *de novo* approval of the project, Case Nos. 16DVP-00000-00013 and 16BAR-00000-00154, subject to the conditions included as Attachment 2 to the Board Agenda Letter dated June 4, 2019.

Attachments:

1. Board of Supervisors Findings for Denial
2. CEQA Notice of Exemption

ATTACHMENT 1: FINDINGS FOR DENIAL

1.0 CEQA FINDINGS

The County Board of Supervisors finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270. Please see Attachment 2, CEQA Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

2.1 FINDINGS REQUIRED FOR DEVELOPMENT PLANS

In compliance with Subsection 35.82.080.E.1 of the County Land Use and Development Code, a Preliminary or Final Development Plan shall only be approved if all of the required findings for approval can be made. The following findings cannot be made:

2.1.1 The site for the subject project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed.

The site for the subject project is not adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed. The project is for a 6,723 square foot shell commercial building with a proposed office use. The parcel is a corner lot adjacent to the 3-lane northbound off-ramp of Highway 101 along its southern boundary and Patterson Avenue along its western border where ingress and egress is proposed. Patterson Avenue is one of the larger streets in this area with a heavy traffic volume, as described by the Appellant at the April 2, 2019 and June 4, 2019 hearings, and consists of four northbound traffic lanes and three southbound traffic lanes. The parcel's location, shape, and size necessitate that ingress and egress to the site is limited to right turn in and right turn out through a driveway that is located only approximately 125 feet from the highway off-ramp and approximately 185 feet from the Patterson Avenue/Calle Real intersection. As discussed below in Finding 2.1.2, traffic safety is compromised due to the parcel's positioning on Patterson Avenue between these two intersections and the need for a large number of vehicles exiting the site to cross three lanes of traffic within a short travel distance in order to make a u-turn at the Patterson Avenue/Calle Real intersection.. Therefore, given the potential level of use associated with the proposed 6,723 square foot office building, it cannot be concluded that the project site is adequate in terms of location and physical characteristics to accommodate the proposed development with its estimated 82 average daily trips, and this finding cannot be made.

2.1.2 Streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

Streets and highways will not be adequate and properly designed to carry the type and quantity of traffic generated by the proposed project, given the traffic safety concerns for this area of Patterson Avenue as discussed in Finding 2.1.1 and incorporated herein by reference. Regarding parking, the proposed project includes 23 parking spaces, however the estimated average daily trips for the project are 41 A.M. and 41 P.M. trips based on the Institute of Transportation Engineers trip rates for a single tenant office building. (Updated Traffic Study by Associated Transportation Engineers, dated November 16, 2018, Attachment 5 of Board Agenda Letter dated March 19, 2019). Based on the estimated trip generation there is already the potential for the proposed building to be under parked, and the severity of a parking shortage could ultimately be worse than anticipated given the variability of employee workspace square footage requirements for office uses described below. Nearby residential neighborhoods provide the only relief for additional parking given that Patterson Avenue contains no street parking in the area of the proposed project, and parking spillover from commercial development into the residential neighborhoods of Patterson Avenue is inconsistent with the design of those residential streets.

Regarding the future level of service of nearby intersections and the associated number of project trips, the P.M. peak hour level of service (LOS) of the U.S. 101 southbound onramp is expected to increase from LOS C to LOS D due to the forecasted 7 P.M peak hour trips associated with the project. (Updated Traffic Study by Associated Transportation Engineers, dated November 16, 2018, Attachment 5 of Board Agenda Letter dated March 19, 2019). While this LOS increase would not trigger a significant impact under the County's traffic impact CEQA thresholds, LOS C is generally considered the minimum acceptable level of service for County intersections and roadways. This concern is directly correlated to the uncertainty of the future intensity of use given the size of the building and the potential for it to accommodate a greater number of occupants than anticipated. An industry standards study regarding employee workspace square footage found a range of occupancy rates depending on the type of office use. For example, call centers require an average of 103.2 net square feet per employee work space and technology sectors require an average of 140 net square feet per employee work space. (http://gsa.gov/cdnstatic/Workplace_Standards_Benchmark.pdf). Using this data, based on the 5,431 net square feet of available office space for the proposed project, the number of employee occupants could range as high as 39 to 53, which would result in a greater number of average daily trips than anticipated. Therefore, it cannot be concluded that streets and highways are adequate to carry the project's traffic generation.

As discussed in the Appellant's presentation and public comment received on April 2, 2019 and June 4, 2019, incorporated herein by reference, of additional concern is the safety of the proposed egress from the project site, given that 85% or approximately 35

P.M. trips are anticipated to head southbound on Patterson Avenue. Each of these vehicles must make the transition from heading northbound on Patterson Avenue to southbound on Patterson Avenue once exiting the project site, since site egress only allows for a right hand turn onto northbound Patterson Avenue. Patterson Avenue adjacent to the project site consists of four lanes of traffic in the northbound direction and three lanes of traffic in the southbound direction. It is expected that the majority of drivers will attempt to cross three lanes of traffic upon immediately entering the roadway to position their vehicle to make a u-turn at Calle Real, which is operating at a Level of Service B. This allows drivers a maximum distance of approximately 185 feet (proposed curb cut to Calle Real / Patterson Avenue intersection) to accomplish this maneuver with no other cars present, and becomes increasingly shortened with each additional vehicle already in queue at the traffic signal, as depicted in the maps presented by the Appellant at the June 4, 2019 hearing, herein incorporated by reference. The limited distance available to make this maneuver and the potential traffic safety conflicts that would arise as these vehicles navigate a congested roadway across three lanes of traffic with a speed limit of 45 MPH indicates that this area of Patterson Avenue is not adequately designed to carry the project's traffic. Therefore, this finding cannot be made.

2.1.3 The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will not be incompatible with the surrounding area.

The proposed project will be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will be incompatible with the surrounding area. As discussed in Findings 2.1.1 and 2.1.2 above, and the appellant's presentation and public comment received on April 2, 2019 and June 4, 2019, the project could result in parking spillover within adjacent residential neighborhoods and also create a hazardous traffic situation along Patterson Avenue due to the requirement for a large number of u-turns associated with the project's P.M. trips anticipated to occur in a congested area of the Calle Real / Patterson Avenue intersection. Therefore, this finding cannot be made.

ATTACHMENT 2: CEQA NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Sean Stewart, Planning & Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: 067-200-005 **Case No.:** 16DVP-00000-00013

Location: 80 N. Patterson Avenue, Santa Barbara, CA 93111

Project Title: Patterson Ave Holdings New Office Building

Project Applicant:

Edward deVicente
DHMA Architecture
1 N. Calle Cesar Chavez #26
Santa Barbara, CA 93103

Project Description:

The project includes a request for approval of a Development Plan to permit the construction of a new 6,723 square foot (gross) shell office building. The office building would include two restrooms containing locker facilities, an employee break room, a shower room, one utility room, and one mechanical room located immediately adjacent to the main entry in the northwest corner of the building totaling 1,292 square feet. The remaining 5,431 square feet of the ground floor is designed as an open floor plan allowing for tenant improvements. The structure would measure a maximum of approximately 22'-6 1/4" feet in height from existing grade. The project would include a new surface parking lot with four compact spaces, 2 carpool spaces (defined as 2 or more persons per car for 4 or more times per week, except part-time employees who are eligible if they carpool every day that they work), 15 regular spaces, 1 electric vehicle space, and 1 handicapped accessible parking space, for a total of 23 parking spaces on site. Four bike lockers and two outdoor bike parking spaces are additionally provided. The site would receive 5,174 square feet of new landscaping. One coast live oak (*Quercus agrifolia*) tree is proposed for removal and would be replaced with three, 24-inch box coast live oaks to be planted onsite. A block site wall measuring between 0-6 feet in height, starting south of the new driveway along Patterson Avenue and extending south approximately 235 feet is proposed along the western property line. Grading would include approximately 1,213 cubic yards of cut, 849 cubic yards of fill and 364 cubic yards of export.

Transportation Demand Strategies to be implemented by prospective future tenants would include employer subsidized bus passes for employees who use transit; implementation of a sustainable transportation information center within the employee break room to display transportation information; assignment of a Transportation Coordinator to implement and monitor the occupying tenant's transportation information center, work with Traffic Solutions to develop and fine tune

alternative transportation methods for the site's employees, assist employees wishing to participate in an alternative mode of transportation, encourage participation and assist employees in registering semi-annually with the Smart Ride ride-matching program offered by Traffic Solutions, assist employees in registering with the Emergency Ride Home Program offered by Traffic Solutions, and conduct an orientation meeting with new employees to review the alternative transportation resources available.

Access would be provided via a new two-way driveway connecting to Patterson Avenue at the northwest corner of the property. The property is a vacant 0.54-acre parcel zoned C-2 and shown as Assessor's Parcel Number 067-200-005, located at 80 North Patterson Avenue in the Eastern Goleta Valley area, 2nd Supervisorial District.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Carlo Sarmiento, Owner

Exempt Status: (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section: 15270 [Projects Which are Disapproved]

Reasons to support exemption findings: The County of Santa Barbara is denying the project. CEQA does not apply to projects that a public agency disapproves.

Lead Agency Contact Person: Sean Stewart

Phone #: (805) 568-2517

Department/Division Representative: _____

Date: _____

Acceptance Date: _____

distribution: Hearing Support Staff

Date Filed by County Clerk: _____