



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: 5/1/2012
Placement: Departmental
Estimated Time: 45 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Glenn Russell, Ph.D. Director, Planning and Development
Director(s) (805) 568-2085
Contact Info: Alice McCurdy, Deputy Director, Development Review South
(805) 568-2518

SUBJECT: Geyer Appeal (Case No. 11APL-00000-00027) of Planning Commission Approval of Santa Barbara Student Housing Cooperative (Case Nos. 10DVP-00000-00019, 10CUP-00000-00033 and 10CDP-00000-00082), Third Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

Recommended Actions:

Consider the appeal (Case No. 11APL-00000-00027), filed by Craig Geyer, of the County Planning Commission's December 7, 2011, approval of the Santa Barbara Student Housing Cooperative Change of Use. Your Board should consider the following actions:

1. Deny the appeal, Case No. 11APL-00000-00027, thereby upholding the County Planning Commission's approval of the project;
2. Make the required findings for the project specified in Attachment 1 of this Board Letter, including CEQA findings;
3. Determine the project is exempt from CEQA pursuant to Section 15303 of the State Guidelines for the Implementation of the California Environmental Quality Act, as specified in Attachment 4 of this Board Letter;
4. Approve *de novo* the Development Plan for the proposed student housing facility, 10DVP-00000-00019, subject to the conditions included as Attachment 2 of this Board Letter, including Development Plan modifications to the setback regulations to allow a trash enclosure in the rear

setback, a storage shed and a covered bicycle parking structure in the front setback north of the existing building, and two uncovered bicycle racks in the front setback east of the existing building;

5. Approve *de novo* the Minor Conditional Use Permit for the proposed meeting room for non-profit organizations, 10CUP-00000-00033, subject to the conditions included as Attachment 2 of this Board Letter, including Conditional Use Permit modifications to the parking regulations to allow a parking space in the front setback north of the existing building, to the requirement that specific off-site parking spaces be “permanently dedicated” to residents of the proposed student housing facility, and to increase the allowed maximum distance between the proposed student housing facility and off-site parking spaces from 500 feet to approximately 700 to 2,300 feet; and
6. Approve *de novo* the Coastal Development Permit, 10CDP-00000-00082, subject to the conditions included as Attachment 3 of this Board Letter.

The project site is located at 777 Camino Pescadero, in the Isla Vista area, Third Supervisorial District. The applications involve AP No. 075-020-037.

Summary Text:

Background and Project Description Summary

On December 7, 2011, the County Planning Commission approved a Development Plan, Minor Conditional Use Permit and Coastal Development Permit to allow the Santa Barbara Student Housing Cooperative (SBSHC) to convert an existing office building of approximately 7,641 square feet (gross) into a dormitory-style student housing facility with 12 bedrooms. The facility could house up to 18 students, consistent with the requirements of the High Density Student Residential zone (SR-H-20). In addition, a meeting room for non-profit organizations (the SBSHC is a non-profit organization) was approved within the student housing facility. Use of the meeting room would be limited to the 18 residents of the housing facility, two employees of the SBSHC (one full-time, one part-time), semi-annual meetings of the SBSHC membership, and occasional dinners of the membership and their guests. The meeting room would not be used by, or rented to, non-SBSHC members or the general public. The approval included modifications to allow minor encroachments into the setbacks for bicycle racks, storage shed, and trash enclosure; to allow one parking space within a front setback; to allow offsite parking to be located further than 500 feet from the project site; and to modify the requirement that offsite parking be “permanently dedicated” to the proposed housing facility.

On December 19, 2011, Craig Geyer filed an appeal of the Planning Commission’s approval of the project. County Counsel held a facilitation meeting between the applicant and appellant on March 8, 2012. No resolution of the appeal issues was reached at the facilitation meeting. See Attachment 8 to this Board Letter, the County Counsel Facilitation Report dated April 18, 2012. The staff report to the Planning Commission, dated August 9, 2011, and included as Attachment 7 to this Board Letter presents the full project analysis.

Appeal Issues

The appeal issues are listed in Attachment 5 to this Board Letter and include: offsite parking; the approved number of bedrooms; development within setbacks; and inclusion of a meeting room. The primary appeal issue appears to be the use of offsite parking to meet Coastal Zoning Ordinance parking requirements and concern that the offsite parking facility would not have the ability to provide the required parking. The other issues are related to the extent that the number of bedrooms, number of employees, and additional square footage determine the number of parking spaces required to serve the development. Each bedroom requires two spaces; the additional three spaces are required for the two employees and excess square footage, as prescribed in the SR-H zone.

Project Parking

To support the proposed SBSHC project, 27 parking spaces would be required. The site currently provides 12 parking spaces and would continue to do so. The remaining required 15 parking spaces would be located offsite at the parking facilities for the San Clemente Housing Project at the University of California, Santa Barbara (UCSB). The applicant would lease 15 spaces from UCSB; however, the lease would not dedicate specific parking spaces to SBSHC, for example, by posting signage. The project was conditioned by the Planning Commission to require the final lease be executed before the housing facility can be occupied (Condition No.10 of Attachments 2 and 3).

The parking facilities for the San Clemente Housing Project consist of a surface parking lot and a parking structure located on the west and east ends, respectively, of the San Clemente Housing Project. The lot and the structure are located approximately 700 feet and 2,300 feet, respectively, from the SBSHC site. The County Planning Commission approved a Conditional Use Permit modification to allow the offsite parking spaces to be located further than 500 feet from the SBSHC site in either of the two parking facilities. The Planning Commission's findings incorporated by reference staff's analysis in the staff report dated August 9, 2011. This analysis included the following reasons to support the modification: (1) the SBSHC housing facility is located near the UCSB campus and the residents would be students; and (2) student residents are more likely to walk or bike on a daily basis to and from campus and park their cars for longer periods rather than use them for daily commutes. Therefore, parking immediately adjacent to the housing facility is not as critical compared with other uses. Walking time to the nearest San Clemente parking (the surface parking lot) is approximately three to four minutes on a straight path. While the parking structure is considerably further away, it has more capacity and a higher vacancy rate than the surface parking lot and offers excellent long-term parking.

Response to Parking Appeal Issue

The appellant objects to the proposed offsite parking, stating that the parking would not comply with Special Condition No. 14 of the California Coastal Commission's approval of UCSB's San Clemente Housing Project (see Attachment 9 for a copy of the Coastal Commission condition). To summarize, when approving UCSB's San Clemente Housing Project and parking, the Coastal Commission required that a minimum of 976 new parking spaces be constructed to permanently serve the residents of the housing project, their guests and associated staff. The Coastal Commission also required a parking monitoring and reporting program. UCSB has just completed a preliminary final monitoring report, which finds that the parking facilities are used well below capacity and in compliance with the Coastal Commission's Special Condition No. 14.

The 15 offsite parking spaces for the SBSHC project would be located within the surface parking lot and the parking structure for UCSB's San Clemente Housing Project. UCSB's monitoring report concludes that the San Clemente Housing Project uses approximately 50-60% of the parking facilities' full capacity. In addition, when constructing the parking facilities, UCSB constructed 1,003 spaces, or 27 spaces more than required by the Coastal Commission. Finally, UCSB does not oversell parking permits for the San Clemente Housing Project's parking facilities. Therefore, there is more than enough capacity available to accommodate the 15 spaces required for the SBSHC student housing facility and specific dedication of parking spaces is not necessary to ensure the availability of the offsite parking.

Setback Encroachment

The property is located on the corner of Camino Pescadero and an unnamed public right-of-way that functions as a street or alley and provides access to four nearby properties. Thus, the SBSHC site is considered to be a corner lot and two front setbacks apply. The site currently provides 12 parking spaces, 10 of which are located within side or front setbacks. The existing building and parking lot were approved in 1970 in their existing configurations. The proposed project does not change the footprint of the building or the existing parking lot except to combine two spaces to create an ADA accessible parking space. The Planning Commission did not require changes to the parking lot to meet setback requirements.

The Planning Commission also approved the applicant's request to allow several new setback modifications. The Development Plan setback modifications allow a trash enclosure in the rear setback, bicycle racks in the front setback along Camino Pescadero, and a small storage shed in the other front setback along the existing unnamed alley. The Conditional Use Permit modification allows one parking space to be located within the front setback along the alley. The Planning Commission's findings incorporated by reference staff's analysis in the staff report dated August 9, 2011. This analysis concluded these modifications consistent with zoning requirements because (1) allowing a trash enclosure in the rear setback ensures the structure is both accessible and well-screened from streets and adjoining parcels, (2) siting bicycle racks in the front setbacks makes them convenient to use and helps reduce traffic and parking problems by promoting the use of bicycles, (3) the existing storage shed is small and partially screened from adjacent streets, and (4) allowing one parking space to be located in the setback maintains the existing number of parking spaces on the site, while complying with accessibility requirements.

Summary and Recommendations

Appeal issues raised by the appellant have been adequately addressed through existing project conditions, findings and consistency analysis. The project, as approved by the Planning Commission, including setback and parking modifications, would allow reasonable redevelopment and change of use on the property, given the location of the existing building and parking lot. The use of the meeting room is limited to the SBSHC membership and thus, would not result in the parking demand that would occur if the room could be rented to third parties. Finally, the proposed change of use, to a 12 bedroom, dormitory-style student housing facility that would house up to 18 students, would provide much needed student housing near the UCSB campus. Based upon the analysis presented in the "Appeal Issues" section above and the August 9, 2011, staff report to the Planning Commission, staff recommends denial of the appeal and *de novo* approval of the proposed project.

Fiscal and Facilities Impacts:

Budgeted: Yes

No appeal fees are required for appeals of projects that may be appealed to the Coastal Commission. The estimated staff cost to process the appeal is approximately \$6,500 (35 planner hours). Permit revenues are budgeted in the Permitting and Compliance Program of the Development Review South Division, on page D-314 of the adopted 2011/2012 fiscal year budget.

Special Instructions:

The Clerk of the Board shall publish a legal notice at least 10 days prior to the hearing on May 1, 2012. The notice shall appear in the Santa Barbara Daily Sound. The Clerk of the Board shall fulfill noticing requirements. Mailing labels for the mailed notice were attached to the April 3, 2012 Set Hearing Board Letter. A minute order of the hearing and copy of the notice and proof of publication shall be returned to Planning and Development, attention David Villalobos.

Attachments:

- Attachment 1: Findings
- Attachment 2: Conditions of Approval
- Attachment 3: Coastal Development Permit
- Attachment 4: CEQA Notice of Exemption
- Attachment 5: Appeal Application, received December 19, 2011
- Attachment 6: County Planning Commission Action Letter, dated December 12, 2012
- Attachment 7: P&D Staff Report to the County Planning Commission (including CEQA Exemption), dated August 9, 2011
- Attachment 8: County Counsel Facilitation Report, dated April 18, 2012
- Attachment 9: Coastal Commission Special Condition No. 14 for UCSB San Clemente Housing Project
- Attachment 10: Site Plan

Authored by:

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cc:

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