

**RESOLUTION NO. 19 -29**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA TO 1) ADOPT AN ADDENDUM TO THE WESTAR MIXED-USE VILLAGE FINAL ENVIRONMENTAL IMPACT REPORT AND GENERAL PLAN ADDENDUM; 2) APPROVE A GENERAL PLAN AMENDMENT FROM COMMERCIAL COMMUNITY (C-C) TO RESIDENTIAL MEDIUM DENSITY (R-MD); 3) APPROVE A LOT LINE ADJUSTMENT BETWEEN THREE (3) EXISTING LOTS; AND 4) APPROVE A DEVELOPMENT PLAN REVISION WITH ASSOCIATED SETBACK MODIFICATIONS FOR A 27-UNIT HOLLISTER VILLAGE APARTMENT PROJECT WITH FIVE AFFORDABLE UNITS ON A 1.84-ACRE PARCEL LOCATED AT 7000 HOLLISTER AVENUE; CASE NO. 18-152-GPA-LLA-DPRV; APNS: 073-030-026, -027, -028, & -033**

The City Council of the City of Goleta does resolve as follows:

**SECTION 1:** *Recitals:* The City Council finds and declares that:

- A. On December 13, 2018, Jud Dutrisac Goleta Hollister Apts, LLC and Goleta Hollister Triangle, LLC ("Applicant") submitted an application for a General Plan Amendment to change the land use designation from Commercial Community (C-C) to Residential Medium Density (R-MD); a Rezone from Shopping Center (SC) to Design Residential (DR-20); a Lot Line Adjustment; and a Development Plan Revision with associated setback modifications for a project consisting of 27 studio and one-bedroom apartments, which includes five, income-restricted units (the "Project"). Updated plans and studies were submitted on January 17, 2019;
- B. The City reviewed the Project's environmental impacts in accordance with the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., "CEQA"), the regulations promulgated thereunder (14 California Code of Regulations §§ 15000 et seq., the "CEQA Guidelines"), and the City's Environmental Review Guidelines ("Goleta Guidelines");
- C. The City determined that an Addendum for the Project was appropriate pursuant to CEQA Guidelines § 15164 since minor changes to the Westar Village Final Environmental Impact Report and General Plan Addendum are necessary and no circumstances exist calling for the preparation of a subsequent or supplemental EIR pursuant to CEQA Guidelines §§ 15162 and 15163;

- D. The CEQA Addendum for the Hollister Village Apartment Project attached as Exhibit 1 to this Resolution and incorporated by reference, was prepared in full compliance with CEQA;
- E. On April 22, 2019, the Planning Commission conducted a duly noticed public hearing, at which all interested parties were heard, and recommended approval of the Project, on a 4-0 vote;
- F. On May 21, 2019, the City Council held a duly noticed public hearing at which all interested parties were heard; and
- G. This Resolution is adopted based upon the entirety of administrative record including, without limitation, staff reports, and evidence submitted during the public hearing.

**SECTION 2** *Factual Findings and Conclusions:* The City Council finds as follows:

- A. The Project site is located on vacant land consisting of 1.84 total acres (Assessor's Parcel No. 073-030-026, -027, -028, -033) within the Hollister Village Residential 15.41-acre site. The Project site currently has a General Plan land use designation of Community Commercial (C-C) and a Zoning designation of Shopping Center (SC). The Applicant is seeking a General Plan amendment and a Rezone. If approved, the General Plan amendment would cause the Project site to be designated Residential Medium Density (R-MD) and the Zoning would be Design Residential (DR-20).
- B. Access to the Project site is proposed from Hollister Avenue and South Glen Annie Road.
- C. The Project includes a request for approval of a Development Plan Revision ("DPRV") for 13 studios and 14 one-bedroom apartments with a modification to the allow the placement of mailboxes, trash enclosures to encroach into the secondary front yard setback, and to allow carports and parking spaces to encroach into an internal side yard setback area between existing Lot 10 and new Lot 11 of Final Map 32,048.
- D. The Project includes a request for a Lot Line Adjustment ("LLA") to adjust the boundaries of three lots (Lots 4, 5, and 6 of Final Map No. 32,048) to accommodate the development of the proposed 27 apartment units. New Lot 11 would be the area of former Lots 4, 5, and 6 of Final Map No. 32,048.
- E. The Project is located outside both the clear and approach zones of the Santa Barbara Municipal Airport as well as the downwind and base legs

or departure paths or traffic patterns.

- F. The Project has a density of 19 units per acre based on 293 (266 existing + 27 new) apartment units on 15.41-acre site.
- G. The Project site is a generally level triangular-shaped parcel.
- H. The Project provides a 0.42-acre park, privately maintained and open to the public during daylight hours.
- I. The Project provides 35 parking spaces for the 27 apartments which meets the minimum mandated by zoning regulations associated with the DR-20 zone district.
- J. The Project site has adequate ingress and egress that also meets Fire Department requirements.
- K. The factual findings and conclusions in this Section are based upon substantial evidence found within the entirety of the administrative record.

**SECTION 3:** *Environmental Assessment for the Project.* The City Council makes the following environmental findings:

- A. The Project was analyzed for its environmental impacts and the Addendum was prepared pursuant to CEQA Guidelines §15164. An Addendum is appropriate as there are only minor technical changes or additions that do not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts.
- B. The Addendum need not be circulated for public review (CEQA Guidelines §15164(c)). While the Addendum has not been circulated for public review it has been available to the public since April 18, 2019. An addendum must be considered by the decision-making body before making a decision on the GPA Project (CEQA Guidelines §15164(d)).
- C. There is substantial evidence in the record showing that the Addendum is appropriate for the Project.
- D. Pursuant to CEQA Guidelines §15074, the Addendum reflects the City's independent judgment and analysis. The City Council has independently reviewed and analyzed the Addendum prepared for the Project. The Addendum is an accurate and complete statement of the potential environmental impacts of the Project. The Addendum was prepared by the City of Goleta Planning and Environmental Review Department and

reflects its independent judgment and analysis of the environmental impacts.

**SECTION 4:** *General Plan Amendment Findings.* Pursuant to Government Code § 65358, the City Council finds that the proposed General Plan Amendment is in the public interest as follows:

- A. Amending Figure 2-1 of the Land Use Element, Land Use Map, to change the land use designation of the property from Community Commercial (C-C) to Residential Medium Density (R-MD) is in the public interest as it will provide additional housing and will reduce the potential traffic trips that could have been generated under the Community Commercial designation. Further, the change in the General Plan land use designation will restore the land use designation on the site in question to the General Plan designation that existed on site before October 2012.

The General Plan Amendment will still allow for the continuation of an integrated mixed-use neighborhood as envisioned with the Westar Project (Case No. 08-143-DP). As originally approved, the adopted land use designations led to the creation of 279 residential units (274 rental units and 5 live-work units) and 88,704 square feet of commercial. Of the 279 approved residential units, 266 have been constructed. With this General Plan Amendment, there will be 293 residential units and 75,900 square feet of commercial which allows for sufficient residential units and commercial square footage to maintain the mixed-use neighborhood planned for this site. Lastly, the General Plan Amendment is in the public interest as it changes the land use designation to facilitate the placement of more compatible residential uses along the S. Glen Annie residential corridor than the previous commercial uses.

**SECTION 5:** *Lot Line Adjustment Findings.* The City Council makes the following findings pursuant to Goleta Municipal Code ("GMC") § 16.13.040 regarding the proposed Lot Line Adjustment:

- A. The Lot Line Adjustment conforms to the Goleta General Plan and the purposes and policies of the GMC and Inland Zoning Ordinance. The boundary adjustments between the four lots that results in the merger of three lots, will allow the placement of the new building and the park area without having improvements crossing property lines. This facilitates orderly and safe development.
- B. There are no minimum parcel sizes specified for the Community Commercial (C-C) and Residential Medium Density (R-MD) General Plan land use designations within the General Plan/Coastal Land Use Plan and the DR-20 zoning district. Accordingly, all of the parcels conform and will

continue to conform to the designated minimum parcel size regardless of the associated land use and zoning designations.

**SECTION 6: *Development Plan Revision (DPRV) with Modifications Findings.***  
The Planning Commission makes the following findings pursuant to Section 35-317.10 of the Inland Zoning Ordinance:

- A. All of the findings made to approve Development Plan 08-143-DP as adopted in City Council Resolution No. 12-71, adopted on October 2, 2012, are affirmed and incorporated by reference. Further, the proposed DPRV is consistent with the previously approved findings in that the site is adequate in size, shape, and characteristics to accommodate the density and intensity of development. The density of the site will be 19 units to an acre which is less than the 20 units to the acre allowed by the General Plan and consistent with the density of the existing residential portion of the site.
- B. The adjacent streets, S. Glen Annie and Hollister Avenue, are adequate and properly designed to accommodate the traffic anticipated from the 27 apartment units as compared to the approved commercial/live-work project for the 1.84-acre site, and have already had improvements made (e.g., widening and signal installations) to accommodate the Westar Village traffic. Traffic resulting from the 27 apartment units is expected to be less than the amount traffic generated by 12,687 square feet of commercial development and five live-work units. There are adequate public services to serve the site and preliminary service letters have been provided by Goleta Water District and Goleta West Sanitary District.
- C. The Westar Final Environmental Impact Report (SCH #201007106) and the Westar General Plan Addendum analyzed the environmental impacts associated with developing the Westar Village project. The impacts associated with the overall project (88,704 square feet of commercial and 279 units) were identified and resulted in significant Class 1 impacts despite mitigation measures. The impact of developing the current location (Lots 4, 5, and 6 of Final Map No. 35,048) was part of said environmental analysis. An Addendum was prepared for the Westar Final Environmental Impact Report that analyzes the change from developing Lots 4, 5, 6, and 10 as 12,587 square feet of commercial and 5 live/work units to 27 apartment units. The analysis within the 2019 Addendum did not identify any new significant impacts resulting from the revised project. Therefore, the environmental impacts from the revised project result in impacts that are determined to be substantially the same or less than the environmental impacts already identified for the Westar Village Project.
- D. Further, the modifications are minor given the nature of accessory structures (mailboxes, and trash enclosure) proposed within the setback

along a private road interior to the development and the length of the site's frontage. The two accessory structures along the Village Way frontage make up about 5% (26') of the overall street frontage (approximately 570', measured at street centerline) and vary in encroachment from 9' (mailbox) to 10' (trash enclosure). The proposed building does not encroach into any setbacks.

The modification for the encroachment of eight of the 35 parking spaces and one of two carports into the side yard setback of Lot 10, are also considered minor given the setback is between two interior lots owned by the developer.

These setback modifications are compatible with the Hollister Village neighborhood and do not create an adverse impact on the community character, aesthetics, or public view based on the placement of these elements towards the interior of the overall site, and are similar in scale and design with the rest of the Westar Village neighborhood. The apartment building will meet all setback requirements, landscaping, and parking requirements.

**SECTION 7:** *Actions.* The City Council hereby takes the following actions:

- A. Adopt the Addendum provided Exhibit 1 to this Resolution, which is incorporated by reference, required by CEQA § 21081.6 and CEQA Guidelines § 15097.
- B. Adopt the General Plan Land Use Map Amendment from Community Commercial (C-C) to Residential Medium Density (R-MD) as shown in Exhibit 2 to this Resolution, which is incorporated by reference.
- C. Approve the Lot Line Adjustment as shown in Exhibit 7, subject to the conditions of approval attached as Exhibit 3 to the Resolution, and incorporated by reference.
- D. Approve the Development Plan Revision with the modification to allow the mailboxes and trash enclosure to encroach into the secondary front yard setback areas and the modification for 8 uncovered parking spaces and a portion of one carport to encroach into the side yard setback areas as shown in Exhibit 8, subject to the conditions of approval attached as Exhibit 4 to this Resolution, and incorporated by reference.; and
- E. Direct the City Manager or designee to file the Notice of Determination within five (5) business days.

**SECTION 8:** *Reliance on Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial

evidence, both oral and written, contained in the entire record relating to the Project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

**SECTION 9: *Limitations.*** The City Council's analysis and evaluation of the Project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the Project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

**SECTION 10: *Summaries of Information.*** All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

**SECTION 11:** This Resolution will remain effective until superseded by a subsequent Resolution.

**SECTION 12:** The City Clerk is directed to mail a copy of this Resolution to Jud Dutrisac of Goleta Hollister Apts., LLC and Goleta Hollister Triangle, LLC and to any other person requesting a copy.

**SECTION 13:** This Resolution will become effective immediately upon adoption.

**SECTION 14:** The City Clerk will certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

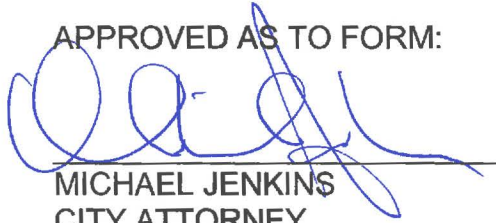
**PASSED, APPROVED AND ADOPTED** this 21<sup>st</sup> day of May 2019.

  
\_\_\_\_\_  
PAULA PEROTTE, MAYOR

ATTEST:

  
\_\_\_\_\_  
DEBORAH LOPEZ  
CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
MICHAEL JENKINS  
CITY ATTORNEY

STATE OF CALIFORNIA )  
COUNTY OF SANTA BARBARA ) ss.  
CITY OF GOLETA )

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 19-29 was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 21<sup>st</sup> day of May, 2019 by the following vote of the City Council:

AYES: MAYOR PEROTTE, MAYOR PRO TEMPORE RICHARDS,  
COUNCILMEMBERS ACEVES, KASDIN AND KYRIACO

NOES: NONE

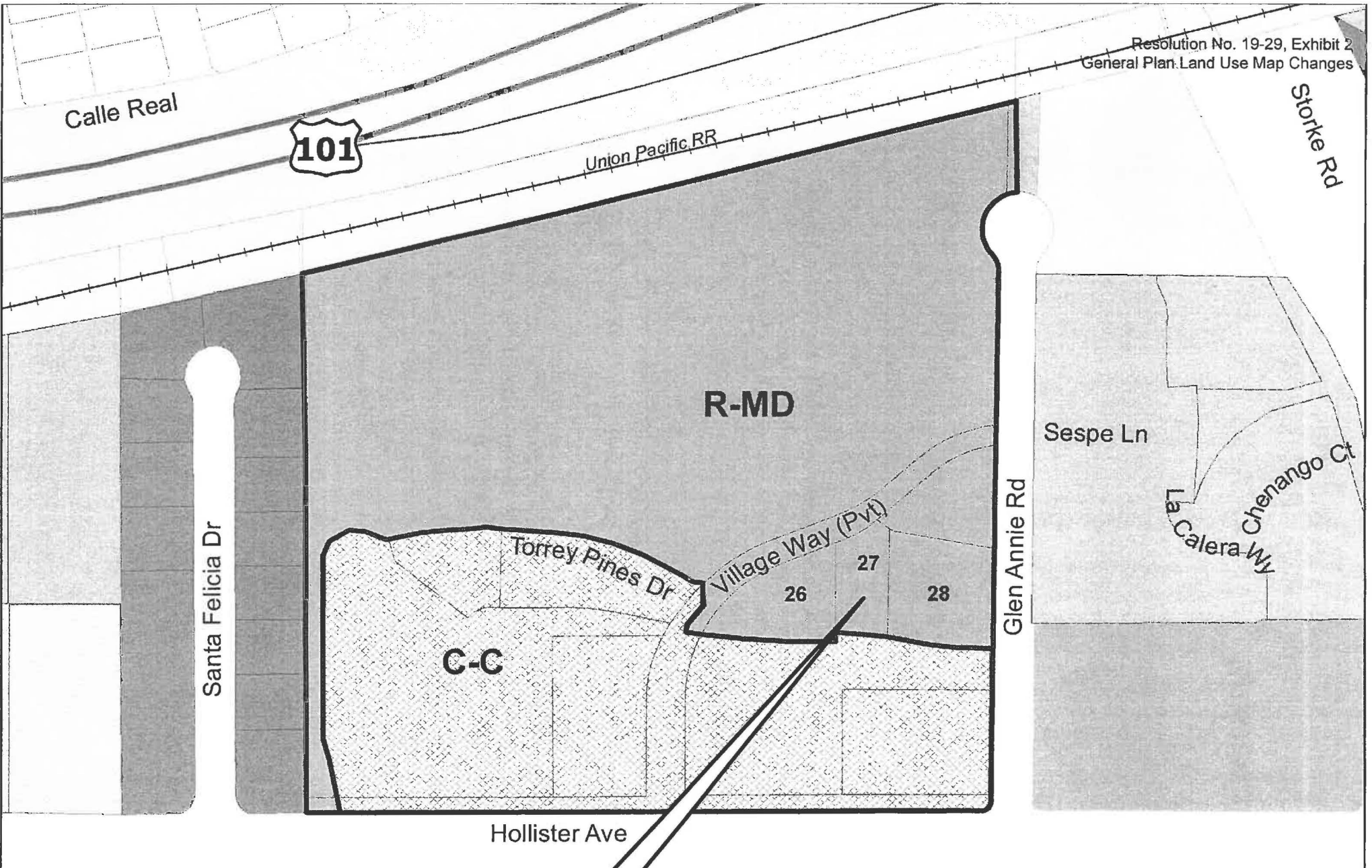
ABSENT: NONE

ABSTENTIONS: NONE

(SEAL)

  
DEBORAH S. LOPEZ  
CITY CLERK





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R-MD

C-C

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**Proposed Land Use Designation for  
APNs 073-030-026, 027 & 028  
Community Commercial (C-C) to  
Reside Medium Density (R-MD)**

