



**DIRECTOR OF PLANNING AND  
ENVIRONMENTAL REVIEW  
SUBSTANTIAL CONFORMITY DETERMINATION**

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**DATE:** June 28, 2021

**TO:** Peter T. Imhof, Director

**FROM:** Mary Chang, Supervising Senior Planner  
Bret McNulty, Contract Planner

**SUBJECT:** **Kellogg Crossing Substantial Conformity Determination  
10 S. Kellogg Avenue; APN 071-090-082  
Case No. 21-0001-SCD**

**RECOMMENDATION**

Staff recommends that the Planning and Environmental Review (PER) Director:

1. Adopt Substantial Conformity Determination Findings, Title 17, Section 17.52.100(B)(2) provided as Attachment A;
  2. Approve the Substantial Conformity Determination (Case No. 21-0001-SCD), based on the findings provided in Attachment A, subject to the Original Conditions of Approval (Case No. 19-032-DPAM) in Attachment B; and,
  3. Adopt the Notice of Exemption as provided in Attachment C.
- If the PER Director determines other than the recommended action, refer the matter back to staff for preparation of the appropriate action and findings.

**APPLICANT**

Shane Albers  
Goleta Self Storage Partners, LLC  
8777 N. Gainey Center Dr. #191  
Scottsdale, AZ 85258

**AGENT**

Steve Welton, AICP  
SEPPS, Inc.  
1625 State Street #1  
Santa Barbara, CA 93101

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## **JURISDICTION**

The PER Director is authorized to act on this request pursuant to Goleta Municipal Code Sections 17.50.020 and 17.52.100 (B).

## **REQUEST SUMMARY:**

This request is for approval of a Substantial Conformity Determination (SCD) for the approved Kellogg Crossing Storage project (Case Nos. 19-032-DPAM, 20-007-LUP). The project changes include adjustments to the three (3) previously approved building sizes, massing, and footprints, as well as to the hardscape, parking, walkways, and landscaping to avoid one (1) onsite Southern California Edison (SCE) power pole that was previously planned to be removed/relocated during construction of the approved project. Should the PER Director approve the SCD, a Zoning Clearance (ZC) would be required to effectuate the revised project in accordance with Section 17.52.100(B)(4).

The subject property is identified as Assessor Parcel Number (APN) 071-090-082, a single parcel of approximately 89,734 square feet (SF) (2.06 acres). The site is a linear parcel located east of the north end of S. Kellogg Avenue, immediately north of the Union Pacific Railroad (UPRR) and south of Highway 101 rights-of-way. The property is currently developed with a 4,400 SF two-story warehouse/office, an 875 SF garage, and a 1,750 SF carport. As part of the original DPAM, the existing structures are to be removed and the site graded to accommodate the uses described in Table 1 below. The property has a General Plan Land Use Designation of General Industrial (IG) and is zoned General Industrial (IG) in Goleta Municipal Code Chapter 17.67. At the time 19-032-DPAM was approved, the site was zoned Light Industrial (I-L) under the then in effect Goleta Municipal Code Chapter 35, Inland Zoning Ordinance.

## **PROJECT DESCRIPTION**

The current application consists of the below changes to the approved Development Plan (Case No. 19-032-DPAM-DRB-LUP) in order to retain the existing on-site power pole. The adjustments would reduce the size of approved Building "A" by 6,249 SF to avoid the existing power pole, reduce approved Building "C" by 461 SF, and expand approved Building "B" by 5,980 SF to incorporate additional storage units (See Table 1 below). Overall, the project would reduce the approved self-storage units onsite by 11 units from the approved 1,034 units to 1,023 units.

The changes include a reduction of the three approved project building footprints by a total of 1,855 SF; relocation of interior elevators to accommodate the new building configurations; an increase of paving and hardscape by 1,927 SF, a reduction in landscaping by 72 SF, and an increase in grading cut of 370 cubic yards (CY) and fill by 500 CY with an overall reduction in soils export by 370 CY.

**Table 1 Approved Project and Proposed Changes**

<b>Site Coverage</b>					
	<b>Approved with 19-032-DPAM</b>	<b>%</b>	<b>Proposed With 20-0001-SCD</b>	<b>Changes</b>	<b>New %</b>
<i>All Buildings 1st Floor Footprints</i>	33, 574 SF	37.4%	31,719 SF	-1,855 SF	35.4%
<i>Hardscape: Asphalt/Walkways /Trash Enclosures</i>	34,597 SF	38.6%	36,524 SF	1,927 SF	40.7%
<i>Landscaping</i>	21,563 SF	24.0%	21,491 SF	-72 SF	23.9%
<b>Total (2.06-acres)</b>	<b>89,734 SF</b>	<b>100%</b>	<b>89,734 SF</b>	<b>--</b>	<b>100%</b>
<b>Number of Self-Storage Units</b>	<b>1,034 Units</b>	<b>--</b>	<b>1,023 Units</b>	<b>-11 Units</b>	<b>--</b>
<b>Grading</b>	13,970 CY cut 700 CY fill 13,270 CY haul	--	14,100 CY cut 1,200 CY fill 12,900 CY haul	<b>130 CY cut 500 CY fill -370 CY haul</b>	--

<b>Building Area</b>	<b>Building A</b>	<b>Building B</b>	<b>Building C</b>	<b>Total</b>
<i>Approved Gross</i>	48,057 SF	45,638 SF	42,372 SF	136,067 SF
<i>Proposed Gross</i>	41,808 SF	51,618SF	41,911 SF	135,337 SF
<b>Change</b>	<b>-6,249 SF</b>	<b>+ 5,980SF</b>	<b>-461 SF</b>	<b>-730 SF</b>

The proposed change in building coverage is consistent with Goleta Municipal Code Section 17.52.100 (B) (Changes to Prior Permits and Approvals), requiring an SCD. This change (building footprints reduction of 1,855 SF) will not result in an increase of 1,000 SF or more than 10 percent of building coverage of new structures over the total previous Development Plan approval that would necessitate processing a Development Plan Amendment pursuant to Goleta Municipal Code Section 17.52.100(C) (Changes to Prior Permits and Approvals – Amendments).

**BACKGROUND**

*Prior Planning Approvals*

The Goleta Planning Commission adopted a Final Mitigated Negative Declaration (MND) and approved the Schwan Self-Storage Project Development Plan on October 24, 2011

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(Case No. 07-229-DP), pursuant to the Inland Zoning Ordinance in place at the time.<sup>1</sup> The approval included 685 self-storage units and landscaping and setback modifications (detailed in the discussion section below). A time extension was granted to the project in 2016.

A Revised Development Plan was approved by the Planning Commission on September 18, 2017, and an Addendum to the Final MND adopted (Case No. 17-055-DPRV). The project increased the number of self-storage units by 178 storage units to 863. This was accomplished by reducing the size of the units, while removing 7,433-square feet of approved lease area, reducing the approved building coverages, adding basements to each building, while increasing the net floor area by 25,141 square feet.

On December 4, 2019, the PER Director approved Addendum No.2 for the Final MND and a Development Plan Amendment (DPAM) for the renamed Kellogg Crossing Self-Storage Project and by the project owner as shown in Table 1 above and Figure 1 below that increased the number of storage units by 180 additional units to 1,043 units (Case No. 19-032-DPAM). This approval also increased the previously approved San Jose Creek setback from 50 to 75 feet.

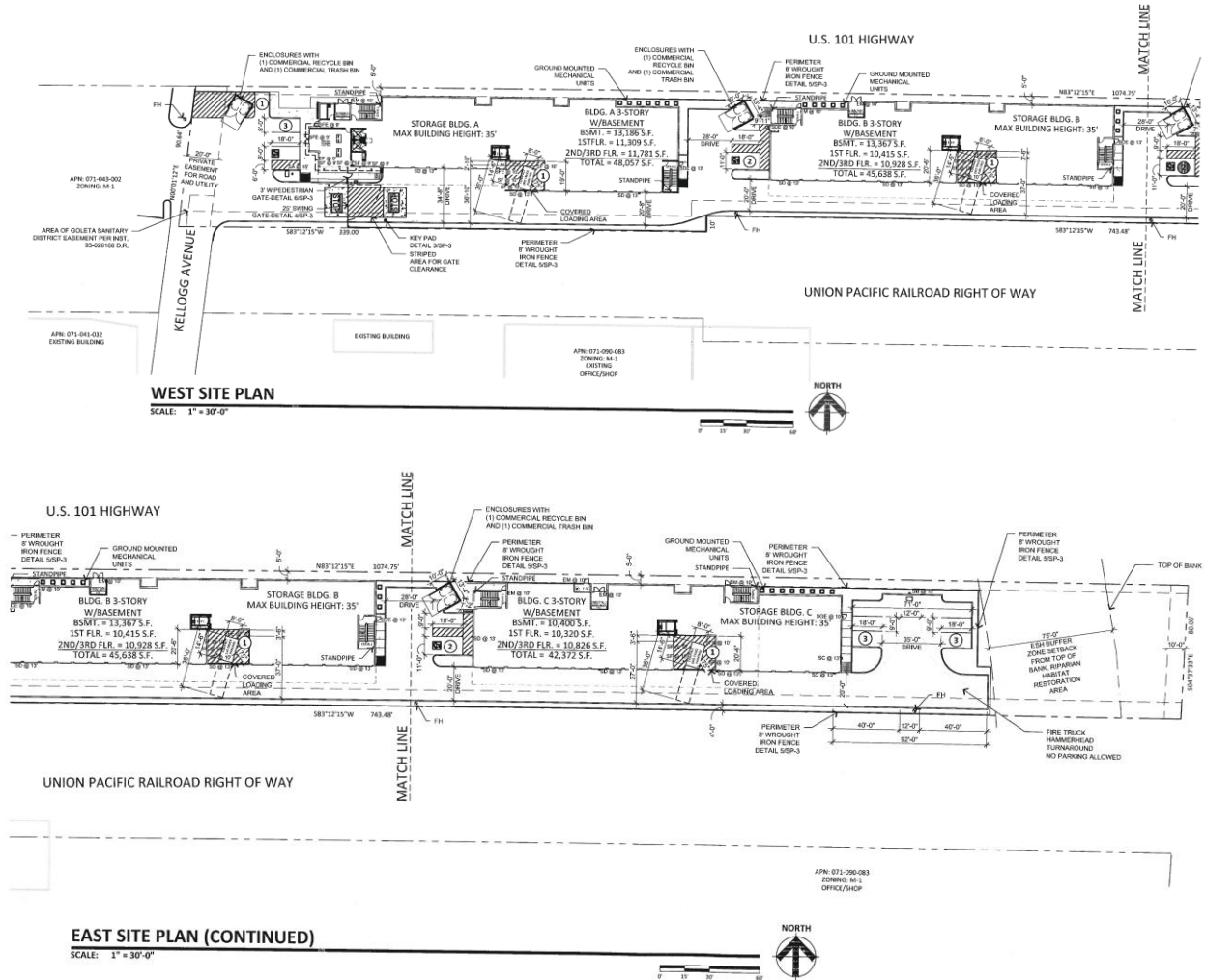
The previously approved DPAM (Case No. 19-032-DPAM) included the following modifications to the Goleta Municipal Code (GMC) Chapter 35 Goleta Inland Zoning Light Industry (M-1) zone district regulations in the in effect at the time of approval on December 4, 2019,

1. A modification to allow one required parking space at the northwest corner of the site within the northern side yard setback (GMC §35-275.3).
2. A modification to allow for a partial encroachment of 5 feet for each building and trash enclosure into the northern side yard setback (GMC §35-275.3).
3. A modification to reduce the required width of the landscape screening strip along a portion of the northern property line from 5 feet to a minimum of 3 feet (GMC §35-234.13).
4. A modification to reduce the required width of the landscape screening strip along a portion of the southern property line from 5 feet to minimum of 0 feet (GMC §35-234.13); and,
5. A modification to reduce the required width of the landscape screening strip along the western property line from 10 feet to 0 feet (GMC §35-234.13).

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<sup>1</sup> City of Goleta Municipal Code, Chapter 35, Article III, §35-317.10.2 (Development Plans), (previous Inland Zoning Ordinance, still applies to the Development Plan and was replaced by Title 17, Zoning, on March 3, 2020.

**Figure 1: Approved Site Plans - Split View  
 (Case No. 19-032-DPAM, December 4, 2019)**



**Design Review Board**

The Design Review Board (DRB) reviewed six design iterations between 2011-2020. The DRB approved the Schwan Self Storage Project on September 12, 2017, which incorporated landscape revisions along the northern property line to ensure sufficient screening was provided between the project and Highway 101. When the first DPAM was requested, the DRB approved the associated design changes on December 4, 2019. On February 25, 2020, the DRB approved the design associated with the second DPAM that included an increase in elevator housing heights to 42 feet; a parking aisle width increase next to Building C; minor changes in the building SF; a small reduction to the length of Building C; review of building colors; and revised landscaping plans. The DRB found the approved three 3-story buildings to have been designed appropriately, with color mixes, landscaping, setbacks, and lighting consistent with City design principles. The DRB found

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that the replacement storage building appropriately scaled for its location with well-designed entrances with appropriate fenestration and materials and colors complementary to the surrounding buildings, including residential uses across San Jose Creek to the west.

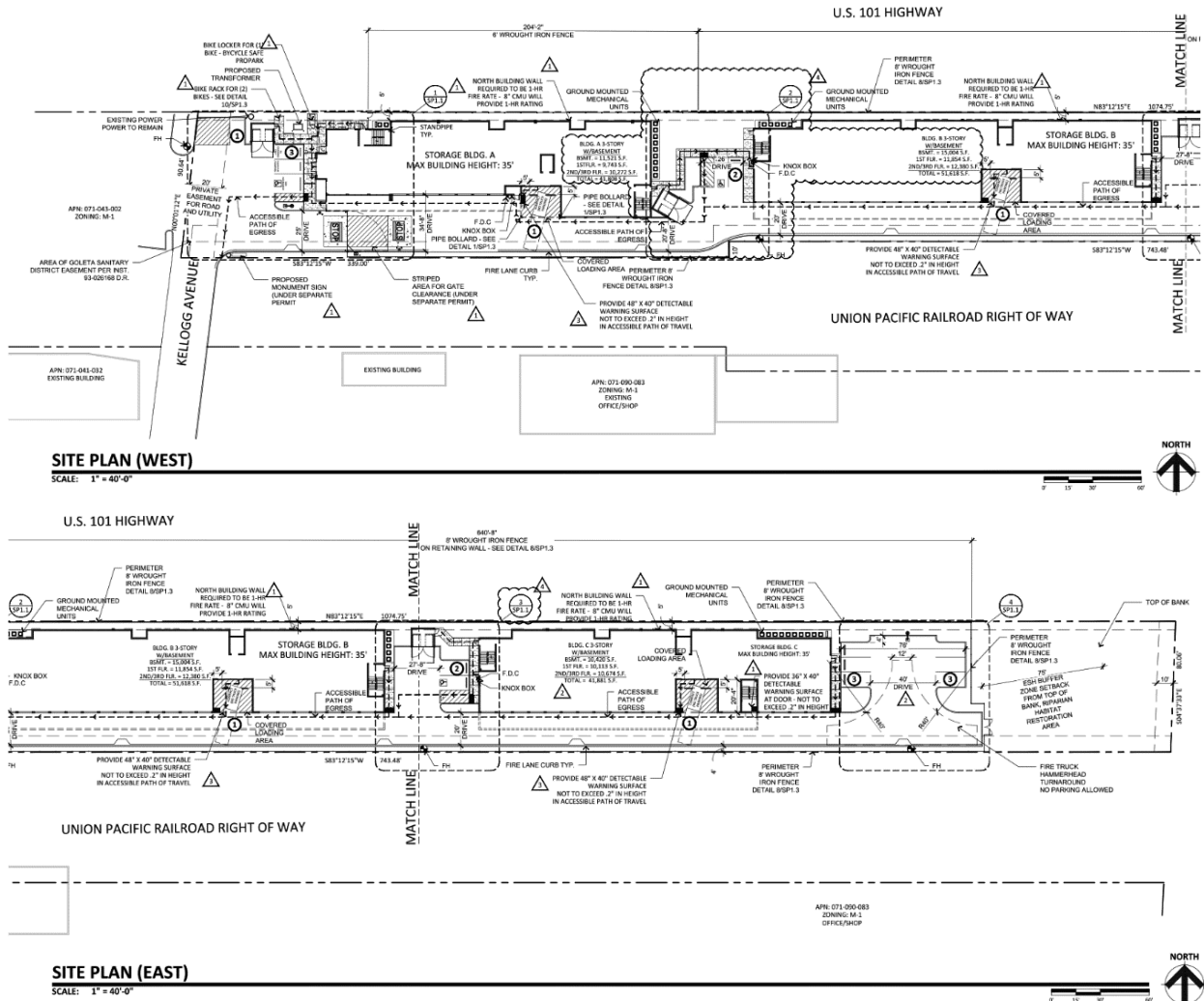
The proposed SCD changes are shown in Figures 2 and 3 below and detailed in Table 1 above. The SCD revisions were reviewed by DRB Chair Scott Branch with DRB Secretary Mary Chang. Chair Branch determined that the proposed changes detailed in the SCD application and plans are consistent with the overall design that was approved by the DRB on February 25, 2020 and that no additional design review would be necessary for these changes.

#### Post Discretionary Land Use Permit/SCE Power Pole

After obtaining Final Design Review Approval, the applicant was issued a Land Use Permit (Case No. 20-0004-DRB-LUP) to effectuate 19-032-DPAM, clearing the way for submittal of the final building and grading plans to the City.

While exploring the SCE and Caltrans permit process for removal of the SCE power pole during the building plan check process, the applicant team learned that relocation of the pole would require considerable work in the Caltrans right of way. This work would require closure of Highway 101 during construction and modifications to the power poles located north of Highway 101 and adjacent to Calle Real. The applicant determined that rather than attempt relocation of the existing power pole, it was more feasible to adjust the project design to retain the SCE power pole in its current location between Buildings “A” and “B” (see the East/West Site Plans in Figure 2 and the SCE pole location in Figure 3 below).

**Figure 2: Proposed Site Plans | Changed Areas Shown in Clouds | Split View**



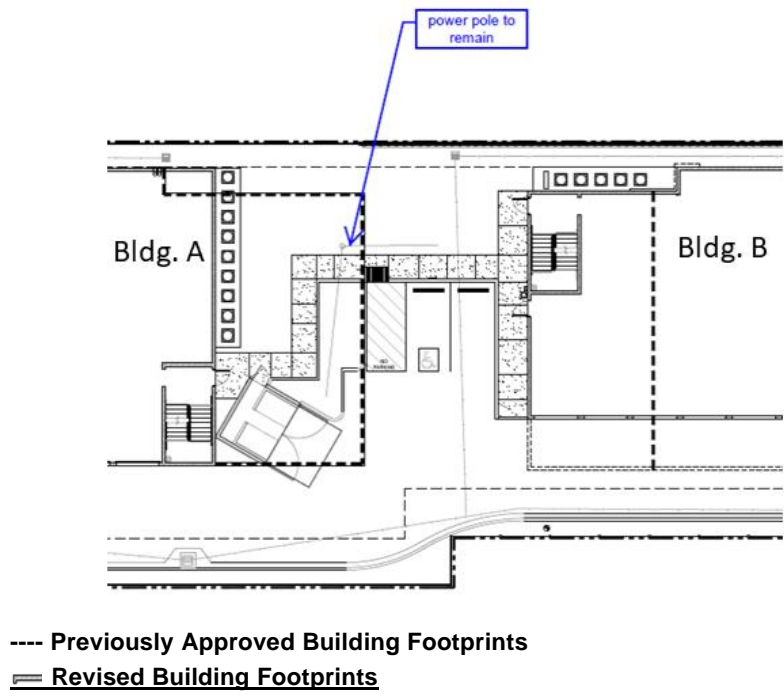
The power pole that is the catalyst for this request, is an SCE owned guy-pole located within the project site and shown in Figure 3 below. Relocating this pole will require the replacement of SCE owned guy-pole #4199060E, which supports approximately 150 linear feet (LF) of overhead distribution wire crossing above Highway 101 between the project site and the SCE pole #2296209E pole. SCE pole #2296209E is located in the Caltrans right-of-way on the North side of Highway 101 and adjacent to Calle Real. Any proposed new location must be approved by SCE engineering, either within the project site, or within the Caltrans right-of-way. Locations within the Caltrans right-of-way would require permit approvals from Caltrans and SCE's engineering departments. Either option would require SCE, Caltrans, and California Highway Patrol (CHP) crews working during late night hours and the closure of Highway 101 to relocate pole #4199060E and stabilizing SCE pole #2296209E on the north side of US 101.

In an effort to identify a new location on site that would not affect the previously approved project design, the applicant's engineer and project design team worked with SCE to identify alternate locations onsite for the power pole and its associated guy anchor. Below are the alternative locational options identified by SCE along with the impacts on the proposed storage buildings:

- Relocation of the pole and guy wire to the northwest by 32 feet from the current location. This alternative location would encroach further into building A's footprint and the new guy anchor (anticipated to extend 16 linear feet from the pole) would intrude into the approved building footprint of building A.
- Redesign of the building A footprint to accommodate the new pole and/or the new guy anchor.
- Relocation of the approved mechanical system equipment planned to be located on the northeast side of building A, to accommodate the SCE clearances required for the new pole and guy anchor.

As redesign of the approved all building footprints would be required to accommodate all potential pole locations, the project owners have expressed a preference for maintaining the existing pole in its current location and adjusting the footprint of the approved buildings and planned site hardscape and landscaping to accommodate the pole, rather than attempt to both relocate the pole and incur additional building redesign costs.<sup>2</sup>

**Figure 3 - Location of Power Pole to Remain**



<sup>2</sup> The possibility of relocating this pole to the north side of US 101 was evaluated by SCE. However, SCE staff determined this would not be a viable solution, per correspondence to the applicant from SCE Santa Barbara Service Center Planning Senior Specialist, Shawn Lee on 6/24/2020 (Shawn.Lee@SCE.com, or 805-535-5901).



## **ANALYSIS**

### ***General Plan, Goleta Old Town Revitalization Plan (GOTRP), and Zoning Consistency***

The proposed request is in substantial conformity with the most recent mini-storage project approved on this site. The project's approved indoor storage use is consistent with the Land Use Plan Map (Figure 2-1) of the GP/CLUP and the General Industrial (I-G) land use designation, which allows "Warehousing – Self-Storage" as an approved use. As the revised project retains the same self-storage use, the project will remain consistent with the GP/CLUP land use designation for the site.

The revised project to accommodate the retention of the SCD pole would reduce the size of buildings A and C and increase the size of Building B buildings to avoid the existing SCE power pole. However, the result would be a reduction in the building footprints by a total of 1,855 SF, and a reduction in 11 storage units, which can be found to be consistent with the General Plan, General Industrial Land Use Designation, and the current IG zoning for the site. In addition, the SCD project would remain consistent with the various General Plan that are applicable to the site and have been analyzed in the past with this project. The previous determinations remain unchanged with this minor adjustment. The slight adjustment to the buildings will continue to provide the approved 75' Streamside Protection Area buffer as previously approved.

In addition, these minor changes would not appreciably change the intensity of the approved use of the site (11 fewer storage units), nor significantly change the overall design of the three approved buildings, while resulting in a slight reduction in the amount of landscaping provided on site (72 fewer square feet). These changes are minor and would not affect or detract visually from a design or landscaping perspective and therefore is consistent with GOTRP land use and design policies. Therefore, the project will remain consistent with the GP/CLUP Land Use, Open Space, Transportation, Visual Resources, and Conservation Elements and the GOTRP.

The project is consistent with the development standards in place during approval of the DPAM (Case Nos. 19-032-DPAM) as shown in Table 2 below. The SCD request does not affect the project's ability to maintain consistency with the applicable standards as previously approved with modifications. Title 17 standards are not applicable to this mini-storage project.

**Table 3: Consistency with Development Regulations**

<b>IG District and Chapter 35</b>	<b>Regulation</b>	<b>Approved 19-032-DPAM</b>	<b>Proposed With 20-0001-SCD</b>	<b>Consistent Y/N?</b>
<b>Parking Spaces</b> <i>§35-255(7) per Director</i>	15 parking spaces 1 ADA space/ one van accessible.	17 parking spaces Including 3 compact, 3 ADA spaces, and one space at the NW corner of site in north side yard setback	16 ADA spaces	Yes, consistent with previously approved modification associated with 19-032-DPAM. §35-275.3 N/A for Title 17
<b>Setbacks</b> <i>§35-275(3) applies to interior lots</i>	Front (west): Sides (north and south): Rear (east): At least 10 ft.	Front: 20 ft. Side (north): 3 ft. at northeastern parking spaces and 5 ft. at building "bump-outs." Side (south): 10 ft Rear (east): 75 ft.	No change	Consistent with previously approved modification associated with 19-032-DPAM. §35-275.3
<b>Building Coverage</b>	50%	33,574 SF (37.4 %)	31,719 SF (35.4%) Decrease: 1,855 SF (2.0%)	Yes, with §35.234
<b>Building Height</b>	45 ft  50 ft. for architectural and structural projections	35 ft.  39 ft	None  41 ft. per DRB	Yes, with §35.234
<b>Landscaping &amp; Common Open Space</b>	10%  10 ft. front 5 ft. side and rear	21,563 SF (24%)  West Front Property Line - No landscape strip South Side Property Line - an intermittent landscape strip ranging from 0 ft. to 4 ft. North Side Property Line - an intermittent landscape strip ranging from 3 ft. to 5 ft.	21,491 SF (23.9%)  Decrease: 72 SF (0.1%)	Yes, Consistent with previously approved modification associated with 19-032-DPAM. §35-234.13
<b>Hardscape Asphalt and Walkways</b>	No minimum or maximum	34,597 SF (37.4%)	36,524 SF (40.7%)	Yes, Consistent with previously approved

	in the IG zone district	East Side Property Line – 75-foot landscape buffer.	Increase of 1,927 SF (3.3%)	modification associated with 19-032-DPAM. §35-234.13 N/A for Title 17
<b>Trash Enclosures</b> <i>Area Included in Hardscape above</i>	Enclosed by a wall or fence 6 feet in height.	3 trash enclosures; one at the west property line, one between Buildings A and B and one between Buildings B and C.		Yes, Consistent with previously approved modification associated with 19-032-DPAM.

Substantial Conformity Thresholds and Findings

The proposed change in coverage is consistent with Goleta Municipal Code Section 17.52.100 (B) Changes to Prior Permits and Approvals requiring an SCD. The proposed changes are minor in nature and warranted based on the need to retain the existing SCE pole on site. The applicant and SCE has identified the options and the proposed change is the one that results in the minimal effect to the project and the community. The project meets the Thresholds for an SCD as follows:

- This will not result in an increase of 1,000 SF or more than 10 percent of building coverage of new structures over the total previous Case No. 19-024-DP approval. As stated previously, the project would result in an overall decrease total building square footage from the approved 33,574 square feet (SF) to 31,719 SF, which is a net reduction in building square are of 1,855 square feet. It is also a 2.0% reduction in building coverage. As the project will result in a decrease of both square footage and coverage, the SCD request meets this threshold criteria.
- The change will not result in an overall height, which is great than ten percent above the previous Permit or Plan approval height. The redesign buildings will remain at the same 41 feet height as the currently approved buildings. As the SCD request does not change the height of the approved buildings, the SCD request meets this threshold criteria.
- The change will not result in more than 1,500 cubic yards of new cut and/or fill in the Inland Area and avoids slopes of 30 percent or greater unless these impacts were addressed in the environmental analysis for this project; mitigation measures were imposed ot mitigate said impacts and the proposal would not compromise the mitigation measures imposed. The changes associated with the SCD will result in a 130 cubic yard (CY) increase in cut, a 500 CY increase in fill and a 370 CY decrease in haul due to greater onsite efficiencies with the proposed changes. This would result in a net increase in cut and fill of 630 CY cut and fill. Further the project will continue

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to avoid slopes of 30 percent or greater (none exist on the site). In addition, the imposed mitigation measures continue to be applicable, and none will be affected with the implementation of the SCD. As the changes associated with the revised project do not exceed the cubic yard threshold for an SCD, the proposal meets this threshold criteria.

- The project is located within the same general location as, and is topographically similar to, approved plans. The location must not be moved more than ten percent closer to a property line than the originally approved Permit or Plan. The project is located within the same general location as the previously approved project. The SCD just pulls buildings away from the existing SCE pole that is located on the site. The project has not been moved closer to a property line. As the SCD keeps the buildings in the same general location, the project meets this threshold criteria.
- The project has not been the subject of substantial public controversy, nor is there reason to believe that change is likely to create substantial public controversy. This project has not been the subject of substantial public controversy and will begin the process of revitalizing this portion of Old Town Goleta. The project is consistent with the approved Case Nos. 17-055-DPRV and 19-032-DPAM-DRB-LUP and the approved Mitigated Negative Declaration and Addendums. Each of these applications were duly noticed and the public was given the opportunity to comment. The record does not reflect that the project was the subject of substantial public controversy, nor is there in the record any reason to believe the changes, which are considered minor in nature by Title 17, Section 52.100 (B)(1), would result in creating a substantial public controversy. Therefore, the SCD, meets this threshold criteria.

Lastly, staff believes that the findings outlined in Section 17.52.100(B)(2) can be made as provided in Attachment A to this report.

### ***Environmental Review***

The original project was evaluated by the Schwan Self-Storage Project Final Mitigated Negative Declaration (Final MND) (10-MND-004) released October 2011 and adopted by the Planning Commission on October 24, 2011. The Revised Project was evaluated by an Addendum to the Schwan Self-Storage Final MND prepared in September 2017 and adopted by the Planning Commission on September 18, 2017.

The proposed project results in a relatively small (1,855 SF, 2%) decrease in building floor area and reduction of 11 units in the number of storage units from 1,034 to 1,023 units. To accommodate shifting of building area masses between Buildings A, B, and C, as detailed in Table 1 above, a 1,927 SF increase in hardscape accompanies the reduction in building space and results in a net reduction in landscaping of 72 SF. As these changes are primarily a result of changing building sizes to accommodate retention of the SCE power pole, the amendment will only result in modest exterior and site changes and a minor decrease in building coverage. The total grading cut and fill will increase, however, additional efficiencies due to the revised site configuration will result

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in fewer trips and exportation of 370 fewer Cubic Yards of haul, resulting in slightly lower anticipated short-term hauling related impacts than anticipated with the approved project.

Since the number of units will be reduced slightly, no additional traffic would be generated by the proposed changes and no additional PM Peak hour trips generated. As none of these changes result in changes to previously identified impacts, nor result in any new significant impacts not already addressed in the previously prepared Schwan Self-Storage Project Final MND and Addendums 1 and 2, and since the changes to the project are minor and necessitated by the need to facilitate retention of the SCE pole onsite, the previous CEQA findings can be remade consistent with Goleta Municipal Code Section 17.52.100 (B) (2) (Substantial Conformity Determination) (Required Findings) and an exemption for the revised project would be the appropriate environmental documentation.

The City of Goleta is the lead agency for this project pursuant to the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq.). The Project revisions have been found exempt from CEQA and a Notice of Exemption can be issued by the Director. Specifically, the project is categorically exempt from environmental review pursuant to CEQA Guidelines Section 15301(a) Exterior alterations, Section 15303(c) New Construction or Conversion of Small Structures, and Section 15304(b) New gardening or landscaping.

#### **NEXT STEPS:**

Should the PER Director approve the Substantial Conformity Determination, then (1) a 10-day appeal period will commence pursuant to the Goleta Municipal Code Section 17.52.100.C; (2) issuance of an effectuating Zoning Clearance pursuant to Goleta Municipal Code Section 17.54 for the SCD; and (3) issuance of building permits.

#### **APPEALS PROCEDURE**

The PER Director decision may be appealed to the Planning Commission within 10 calendar days following final action per Goleta Municipal Code Section 17.52.100.

#### **ATTACHMENTS**

- A. Findings
- B. Conditions of Approval (Cases No. 17-055-DPRV and 19-023 DPAM)
- C. Notice of Exemption
- D. Revised Project Plans