



Posting Date: March 14, 2024

Decision Date: April 1, 2024

CITY COUNCIL

March 14, 2024

Paula Perotte
Mayor

Steve Fort, AICP
Senior Planner

Luz Reyes-Martín
Mayor Pro Tempore
District 1

Suzanne Elledge Planning & Permitting Services, Inc.
1625 State Street, Suite 1
Santa Barbara, CA 93101

Stuart Kasdin
Councilmember

RE: Finding of Substantial Conformity (SCD)

James Kyriaco
Councilmember
District 2

5690 Calle Real; APN 069-110-094
Calle Real Shopping Center Division of Tenant Space
24-0001-SCD; 24-0005-ZC

Kyle Richards
Councilmember

Dear Mr. Fort:

CITY MANAGER
Robert Nisbet

The proposed project is a request for a Substantial Conformity Determination (SCD) to the previously approved Development Plan (95-DP-009 & 95-ND-16). The request is to reconfigure the former Outback Steakhouse restaurant tenant space on the north side of the shopping center to create two separate tenant spaces. The original restaurant space is 6,045 square feet (net); Suite A is proposed to be 1,768 square feet, and Suite B is proposed to be 3,738 square feet with 509 square feet to be demolished to move the storefronts back to create an exterior patio space. The proposal also includes the creation of new storefront with foldable wall systems on the south side of the building fronting the parking lot, a new interior demising wall to facilitate the creation of two separate tenant spaces, and construction of ADA complaint tenant restrooms for the two tenant spaces. No additional square footage or change in height to the existing building is proposed.

It was determined that the proposed exterior modifications met the criteria of Section 17.58.020(A)(3) to be exempt from design review as the changes would not have a substantial effect on the exterior appearance of the building. The minor exterior improvements match the form and architectural style of the approved shopping center. After the 15-day onsite notice and 10-day website posting date, I intend to approve your request (on April 1, 2024) for a SCD, as outlined below.

The proposed project is a request for a Substantial Conformity Determination to the previously approved Development Plan (95-DP-009 & 95-ND-16), approved by the County of Santa Barbara Planning Commission in 1995.

Calle Real Shopping Center Permit History

The shopping center was originally constructed in the 1960's and 1970's and was entitled by various ordinances (Nos. 1317, 1538, 1591, 1867, 1991, 2007, 2374, 3048), which created development plans for individual parcels. Case No. 95-OA-003 rescinded the ordinances listed. At the same time, the County of Santa Barbara granted Development Plan #95-DP-009, which included the exterior remodel of the center, changed the landscaping, and expand existing Shopping Center by 11,980 square feet in accordance with the standards of the Shopping Center (SC) zoning district. The square footage, orientation, architectural style, and amenities at the shopping center reflect the entitlement granted under #95-DP-0009.

This SCD is consistent with the Development Plan that exists for the Calle Real Shopping Center. The proposed new store fronts and tenant space division are not adding any additional square footage to the shopping center. No changes are proposed to the parking areas, pedestrian walking areas, or landscaping.

General Plan and Zoning Consistency

The land use designation (General Plan/Coastal Land Use Plan and zoning) on the property is now CC (Community Commercial). The current use of the site by Calle Real Shopping Center remains consistent with Figure 2-1 of the City's Land Use Plan and the Community Commercial (CC) land use designation. The Community Commercial category is intended to allow "relatively small commercial centers that provide convenience goods and services to serve the everyday needs of the surrounding residential neighborhoods while protecting the residential character of the area. [...] The Fairview Shopping Center and Calle Real Center are included in this [designation]."

Original conditions regarding the shopping center operation will continue to apply. The proposed site improvements of this SCD remain consistent with the goals and policies of the General Plan, as the revisions are considered minor in scale and will continue to meet the applicable performance standards that apply to the most recent Development Plan (95-DP-009) approval.

The revised store fronts will be the same architectural style with the same character of the previously approved shopping center architecture. Therefore, the project will remain consistent with the GP/CLUP Land Use and Visual Resources Elements.

The proposed site improvements are consistent with Goleta Municipal Code Section 17.52.100(B) (Changes to Prior Permits and Approvals), requiring an SCD. The proposed exterior improvements are considered minor changes to the existing Development Plan. Further, the proposed changes that are the subject of this SCD

meet or exceed the applicable development standards outlined in Section 17.08.030 for the CC zoning district.

Environmental Review

The original approvals were granted prior to CEQA being in effect. In 1995, when the Calle Real Shopping Center applied for the expansion and remodel, the entire development underwent CEQA review. A Negative Declaration was prepared (95-ND-16) and an Addendum was approved and adopted. The changes in this SCD will not create additional traffic trips or parking needs nor result in any new impacts not already addressed in the previously prepared environmental documents. Since the changes to the project are minor, the previous CEQA findings can be remade and an exemption for this revised project would be the appropriate environmental documentation.

Pursuant to the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code §§ 21000 et seq.), the regulations promulgated thereunder (14 Cal. Code of Regulations §§ 15000 et seq.: State CEQA Guidelines), and the City's Environmental Review Guidelines, the project has been found to be exempt from CEQA under Sections §15301 of the CEQA Guidelines.

The City of Goleta is acting as the Lead Agency for this project. The project has been found to be exempt from CEQA Guidelines per Sections 15301(a) (Exterior Alterations) and because the project is requesting a Substantial Conformity Determination to make exterior alterations on a developed site.

Moreover, none of the exceptions to the categorical exemptions set forth in State CEQA Guidelines Section 15300.2 apply to the project. The exception set forth in State CEQA Guidelines Section 15300.2(a), Location Class 11 are qualified by consideration of where the project is to be located. The proposed project is not located in or will have an impact on an environmental resource of critical concern that is designated, precisely mapped, or officially adopted pursuant to law by federal, state, or local agencies given its location and the nature of the site. Section 15300.2(b)'s exception, relating to cumulative impacts, does not apply as there are no other successive projects of the same type in the same place that could result in significant cumulative impacts. Section 15300.2(c)'s exception does not apply because there are no "unusual circumstances" that apply to the project; exterior and interior alterations to a shopping center are not unusual. Section 15300.2(d)'s exception does not apply because the project is not located near any scenic highways. Section 15300.2(e)'s exception does not apply because the project site does not contain hazardous waste and is not on any list compiled pursuant to Section 65962.5 of the Government Code. Finally, Section 15300.2(f)'s exception does not apply because the project has no potential of causing a substantial adverse change in the significance of a historical resource. Additionally, the project site does not contain any identified significant cultural resources and will be conditioned to include all mandatory grading best practices.

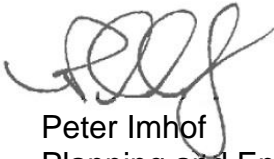
Conclusion

As outlined in Attachment A and, given that the proposed project does not conflict with the original project conditions, does not alter project findings, does not result in significant site alterations that create the potential for environmental impact, and is within the guidelines established for substantial conformity determinations, the above project description is in substantial conformity with Development Plan (95-DP-009).

Please be advised that this SCD is based on the staff's evaluation of current conditions, policies, environmental issues and attached findings. To become effective, the proposed changes require an effectuating Zoning Clearance following the SCD approval and its 10-day appeal period.

Please contact the Associate Planner, Christina McGuire, at (805) 961-7566 with any questions regarding this letter.

Sincerely,



Peter Imhof
Planning and Environmental Review Director

Attachments:

- A – SCD and CEQA Findings
- B – Notice of Exemption
- C – Project Plans
- D – 95-DP-009 Conditions of Approval

cc: Robert Skinner, Cal Real North L.P., Property Owner
Mary Chang, Supervising Senior Planner
Lisa Prasse, Current Planning Manager
Case File