ADMINISTRATIVE HEARING AGENDA REPORT

SUBJECT: Request to establish Business and Professional Offices use as an approved use for an existing 11,840-square foot commercial building in the Service Commercial (C-S) zone, in connection to a proposed remodel of the existing structure to accommodate professional offices (ARCH-0353-2020).

PROJECT ADDRESS: 1229 Carmel Street

FILE NUMBER: USE-0354-2020

BY: Kyle Van Leeuwen, Assistant Planner
Phone Number: (805) 781-7091
E-mail: kvanleeuwen@slocity.org

RECOMMENDATION
Approve an Administrative Use Permit establishing Business and Professional Offices as an allowed land use at 1229 Carmel Street within the Service Commercial (C-S) zone.

SITE DATA

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Probably a Mistake, LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complete Date</td>
<td>August 20, 2020</td>
</tr>
<tr>
<td>General Plan</td>
<td>Services &amp; Manufacturing</td>
</tr>
<tr>
<td>Zoning</td>
<td>Service Commercial (C-S)</td>
</tr>
<tr>
<td>Site Area</td>
<td>~27,073 feet (0.62 acres)</td>
</tr>
<tr>
<td>Environmental Status</td>
<td>Categorically exempt from environmental review under CEQA Guidelines section 15305 (Minor Alteration in Land Use Limitations)</td>
</tr>
</tbody>
</table>

1.0 PROJECT INFORMATION

Site Information/Setting
The project site is approximately 27,073 square feet in size and is currently developed with a one-story 11,840-square foot commercial building. The property is in the Service Commercial (C-S) zone and is located on the corner of Carmel and Pacific Streets. The existing structure is oriented toward Carmel Street with a parking lot in front of the building. The parking lot is accessed from both Carmel and Pacific Streets and contains 21 automobile spaces. The property is bordered to the west and south by C-S zoned properties, Retail-Commercial (C-R) to the north, and High-Density Residential (R-4) to the east. The existing structure, which is currently vacant, has been the site of various grocery store and general retail uses for over 40 years.

Project Description
The applicant has requested that Business and Professional Offices use be approved as an allowed use on the subject property. This use requires approval of an Administrative Use Permit to be established on the first floor of a structure in the C-S zone (Zoning Regulations, Table 2-1). The
applicant proposes to have this use approved for the property as a “blanket” approval, in that the property is pre-approved for this uses and specific tenants do not have to obtain the use permit on an individual basis. The applicant has also applied for architectural review (ARCH-0353-2020) to allow a minor remodel and façade improvements to the structure, which are designed to accommodate professional office tenants.

2.0 PROJECT ANALYSIS

Consistency with Zoning Regulations

Office - Business and Professional Offices
The Zoning Regulations (§17.36.030.B.) states that the approval of an office facility in the C-S zone requires specific findings must be made by the review authority. Those findings can be made because:

- Surrounding land uses to this site include a car wash, auto repair shop, an upholstery shop, business and professional offices, and residential units. There is also a new mixed-use building under construction to the north. These existing and new uses do not have aspects that would be incompatible with the proposed Business and Professional Offices use because none are industrial in nature and, due to the location of the structure, zoning boundaries, and existing property lines, no compatibility issues with other allowed uses would occur.
- The project will not preclude industrial or service commercial uses in areas especially suited for these uses when compared with Business and Professional Offices because the project site’s location adjacent to a residential zone and residential uses, is not especially well suited for many service commercial uses that would potentially have negative impacts on neighboring residential units.

Parking
The project site provides 21 vehicle spaces. The Zoning Regulations (§17.72.030) Table 3-4 requires that parking for a Business and Professional Offices use be provided at a rate of one space per 300 square feet of gross floor area. Given this rate, the 11,840-square foot structure would require 39 vehicle spaces. However, the previous approved use of the structure, General Retail, also requires parking at a rate of one space per 300 square feet, making the previous use legal nonconforming in regard to the parking requirement. This existing nonconforming parking scenario, 21 spaces provided where 39 are normally required, is allowed to continue in the establishment of a new use.\(^1\) This is consistent with Zoning Regulations section 17.72.060 (Nonconforming Parking) because no increase in the nonconformity will occur with the establishment of the new use. Therefore, the 21 spaces provided on site is consistent with parking requirements of the Zoning Regulations.

3.0 ATTACHMENTS

1. Project Description
2. Project Plans

\(^1\) Zoning Regulations Section 17.72.060.C, Nonconforming Parking, Use Changes. Changes in use that increase the total parking demand from existing legal use that are nonconforming because they do not meet current parking requirements may be allowed so long as the number of spaces equal to the difference between the number required by the previous use and the number required by the new use is provided, in additional to all spaces already provided for the previous use.
4.0 ACTION

The Administrative Hearing Officer does hereby approve an Administrative Use Permit to allow Business and Professional Offices use on the subject property within the Service Commercial (C-S) zone:

Findings

1. As conditioned, the proposed use will not adversely affect the health, safety, or welfare of persons living or working in the vicinity because the proposed use is compatible with the building and other surrounding uses.

2. As conditioned, the proposed use is consistent with the intent of the Zoning Regulations and applicable General Plan policies because business and professional services with limited need for public visitation or access to government services are supported in the Service and Manufacturing land use designation.

3. The proposed use is consistent with or an improvement to the character of the neighborhood because the Business and Professional Offices use will provide a buffer between residential uses and other service commercial uses that may impact residents.

4. The project provides adequate consideration of and measures to address any potential adverse effects on surrounding properties such as, traffic, vehicular and pedestrian safety, noise, visual and scale, and lighting, because the proposed use and associated site improvements maintain both vehicular entrances to the site, maintain available on-site parking, and maintain the building’s existing scale while improving pedestrian access to the site.

5. The proposed use is compatible with surrounding land uses including the car wash, auto repair shop, upholstery shop, business and professional offices, and residential units because none are industrial in nature and, due to the location of the structure, zoning boundaries, and existing property lines, no compatibility issues with other allowed uses would occur.

6. The project will not preclude industrial or service commercial uses in areas especially suited for these uses when compared with offices because the project site’s location adjacent to a residential zone and residential uses, is not especially well suited for many service commercial uses that would potentially have negative impacts on neighboring residential units.

7. The Business and Professional Offices use will not increase the severity of the non-conforming parking scenario previously established because the project will maintain the existing number of parking spaces provided on site.

8. The project is categorically exempt from environmental review (CEQA Guidelines, Section 15301, Class 1, Existing Facilities), because the proposed uses will be within an existing structure that will have no significant effect on the environment and would result in a negligible change in use when considering impacts on the environment.
Conditions

1. The Owner/Applicant shall defend, indemnify and hold harmless the City or its agents or officers and employees from any claim, action or proceeding against the City or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the City's approval of this project. In the event that the City fails to promptly notify the Owner/Applicant of any such claim, action or proceeding, or that the City fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

2. A building plan check submittal for tenant improvements that incorporates the following conditions of approval, shall be submitted for review and approval of the Community Development Department. A separate, full-size sheet shall be included in working drawings submitted for a building permit that lists all conditions of project approval.

3. The property owner shall inform all prospective tenants that the property has limited parking availability and the owner shall not lease any tenant spaces to businesses that require a high level of customer visitation. In general, future tenants shall have client and customer visitation primarily through scheduled appointments.

4. The project site shall maintain 21 parking spaces for use by the tenants of the building for staff and clients/customers.

5. Medical and Dental Offices use is not permitted with this use permit approval.

6. A review hearing may be scheduled at any time upon receipt of evidence that the use is not in compliance with conditions of approval and the Municipal Code. At the time of the use permit review, conditions of approval may be added, deleted, or modified or the use permit may be revoked.

☐ Approve
☐ Approve as modified
☐ Deny
☐ Continue to: ___________________________ to allow ___________________________
                                                                                   ___________________________
                                                                                   ___________________________
                                                                                   ___________________________

☐ Continue indefinitely to allow: __________________________
                                                                                   __________________________
                                                                                   __________________________
                                                                                   __________________________

Hearing Officer
CARMEL COMMERCIAL
1227-1229 Carmel Street | San Luis Obispo | Architectural Review [Minor]

DESIGN STATEMENT
This project proposes tenant improvements of an existing commercial building, including the demolition of existing exterior and interior walls, and the construction of a new facade. The proposed use is a multi-suite professional office building, with on-site parking and improved landscape transitions to the public sidewalks. The design updates a tired retail structure into a forward looking office use for decades to come.

SITE CONTEXT
The existing building at 1227-1229 Carmel was originally home to Smart&Final, built in 1973 and then improved to Betty’s Fabrics in 1991. Over the years it lacked consistent maintenance and has fallen into disrepair- now overdue for rehabilitation and reinvestment in the neighborhood.

The project site is 0.62 acres, situated at the intersection of Carmel and Pacific Street, in the Service-Commercial (C-S) zone. The C-S zoning extends along both sides of Pacific Street to the southwest; the zoning is Retail Commercial (C-R) towards the north along Marsh Street and High Density Residential (R-4) towards the east, therefore the surroundings are an eclectic mix of uses, scales, and styles. Commercial businesses, including an upholstery shop, an autocare center, and an art store, create some pedestrian activity around the site. Down Pacific, several ground floor office use buildings can be found, including a marketing office and an IT company. A carwash is directly adjacent to the north.

Please contact me if there are any questions. Thank you,

Bryan Ridley [architect]
bracket architecture office
805.704.0535
br@bracketao.com

INCLUDED WITH THIS LETTER
Planning Application
Agent Authorization
Project Plans, full size 11x17 5 copies
Project Plans, reduced 8 1/2x11 1 copy
**PROJECT TEAM**

**DEVELOPER OWNER APPLICANT**
Probable a Mistake, LLC
1413 Monterey Street
San Luis Obispo, CA 93401

**ARCHITECT REPRESENTATIVE**
Bracket Architecture Office
PO Box 1810
San Luis Obispo, CA 93406
Bryan Rickey | b@bracketao.com | 805 704 0535

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**VICINITY MAP**

**CARMEL COMMERCIAL**

1227-1229 CARMEL STREET | SAN LUIS OBISPO
20.0727 | ARCHITECTURAL REVIEW

**DESIGN STATEMENT**

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**PROJECT DATA**

| Address: | 1227-1229 Carmel Street |
| APN: | 002-008-013 |
| Zoning: | C-S Service Commercial |
| Adjacent Zoning: | C-S [west] |
| | C-R [north + south] |
| Lot Area: | R-4 [east] |
| Current Use: | 27,073 square feet (0.62 acres) |
| Proposed Use: | Multi-suite retail building |
| Gross Building Areas: | Multi-suite professional office building |
| | 11,840 sf |
| Lot Coverage: | 75% Allowed |
| | 45% Proposed |
| Building Height: | 20' at 10' street yard setback |
| | 35' at 15' street yard setback |
| | 20' maximum at 10' street yard setback |
| | 35' maximum at 15' street yard setback |

| Construction Type + Occupancy: | Type: V8 |
| | Current Occupancy: Group M Mercantile |
| | Proposed Occupancy: Group B Business |

| Vehicle Parking Existing: | Commercial |
| | 21 (1 space per 300 sf, non-conforming per 17,700 sf) |

| Vehicle Parking Provided: | Standard Spaces 20 |
| | Accessible Parking 1 space accessible |
| | Total 21 spaces [no change from current non-conforming total] |

| Bicycle Parking: | Required 8 (1 per 1,500 sf x 11,840 sf) |
| | Provided 12 bicycle spaces [3 long-term, 9 short-term] |

**BRACKET ARCHITECTURE OFFICE**

AH1 - 7
SITE CONTEXT

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SITE CONTEXT
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TREE INDEX
1. 6 1/2" LIME
2. 5 1/2" LIME
3. 5 3/4" LIME *
4. 6 1/2" LIME *
5. 6" LIME *
6. 4" ORANGE *
7. 6" GRAPEFRUIT *
8. 5" LIME *
9. 6" GRAPEFRUIT
10. 6" GRAPEFRUIT
11. 6" GRAPEFRUIT
12. 4 1/2" ORANGE
13. 6 1/2" LIME
14. 6" LIME
15. 6 1/2" LEMON
16. 3 1/2" ORANGE
17. 4 1/2" LIME
18. 6" GRAPEFRUIT
19. 6" GRAPEFRUIT
20. 3" LIME
21. 4" LAUREL
* TO BE REMOVED

LOCATION OF EXISTING UTILITIES
A. ELECTRIC METER/DH LINE
B. WATER
C. TELECOM
D. GAS

EXISTING + DEMOLITION SITE PLAN
1/20" = 1'-0"

CARAMEL COMMERCIAL
1227-1229 CARMEL STREET | SAN LUIS OBISPO
20/07/27 ARCHITECTURAL REVIEW

(E) PARKING LOT TO BE RESURFACED + RESTRIPED
NO CHANGE FROM CURRENT
NON-CONFORMING TOTAL

(E) PLANTER AREA TO REMAIN
(E) FRONTAGE IMPROVEMENTS TO REMAIN

(BRACKET ARCHITECTURE OFFICE)
<table>
<thead>
<tr>
<th>Use / Common Name</th>
<th>Botanical Name</th>
<th>Water Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shade Tree / Strawberry Tree</td>
<td>Abutilon ‘Marina’</td>
<td>L</td>
</tr>
<tr>
<td>Border Shrub / Hummingbird Sage</td>
<td>Salvia spathacea</td>
<td>L</td>
</tr>
<tr>
<td>Border Shrub / Mediterranean Spurge</td>
<td>Euphorbia characias</td>
<td>L</td>
</tr>
<tr>
<td>Meadow / Orange New Zealand Sedge / Carex testacea</td>
<td>Carex divulsa</td>
<td>L</td>
</tr>
<tr>
<td>Meadow / Berkeley Sedge</td>
<td>Pittosporum tenuifolium</td>
<td>M</td>
</tr>
<tr>
<td>Screen Shrub / Pittosporum</td>
<td>Agave Americana</td>
<td>L</td>
</tr>
<tr>
<td>Agave Plant</td>
<td></td>
<td>M</td>
</tr>
<tr>
<td>Existing Citrus</td>
<td></td>
<td>M</td>
</tr>
</tbody>
</table>
**LEGEND**

1. Wall Mount Downlighting, Night-Sky Compliant
2. Bicycle Rack, by Peak
3. Bicycle Locker by Madrax
EAST ELEVATION SIGNS | CARMEL STREET
1/8"=1'0"
MATERIALS + COLORS

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20/8/27 ARCHITECTURAL REVIEW

LEGEND
1-2 Mepsco Stucco Finish Fine Sand Texture - Thunder Sky
3-4 Thermory Benchmark White Ash Cladding
5 Painted concrete - Network Grey SW7073
6 Anodized aluminum storefront + garage doors - Dark Anodized
7-8 Painted steel + sheet metal - Urbane Bronze SW7048
9-10 Box Rib Cladding TL-1222 Metal Sales - Dark Bronze (50)
### Maximum Applied Water Allowance Calculations

<table>
<thead>
<tr>
<th>Enter Value in Blue Cells</th>
<th>Tan Cells Show Results</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Non-Residential</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Type of Project (ETAF)</strong></td>
<td></td>
</tr>
<tr>
<td>ETᵢ of City from MWELo data</td>
<td>43.80 (ETᵢ, inches/year)</td>
</tr>
<tr>
<td>0</td>
<td>Overhead Landscape Area (ft²)</td>
</tr>
<tr>
<td>2100</td>
<td>Drip Landscape Area (ft²)</td>
</tr>
<tr>
<td>SLA (ft²)</td>
<td>Total Landscape Area (LA)</td>
</tr>
<tr>
<td>2,100</td>
<td></td>
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</tbody>
</table>

**Results:**

\[
(To) \times (0.62) \times ((\text{ETAF} \times \text{LA}) + (1.0 - \text{ETAF}) \times \text{SLA})
\]

<table>
<thead>
<tr>
<th>Galloons per year</th>
<th>25,662.4</th>
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</thead>
<tbody>
<tr>
<td>HCF (Hundred Cubic Feet) per year</td>
<td>34</td>
</tr>
<tr>
<td>Acre-feet per year</td>
<td>0.079</td>
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</tbody>
</table>

### Definitions

<table>
<thead>
<tr>
<th>MAWA</th>
<th>Maximum Applied Water Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>ETo</td>
<td>Evapotranspiration Reference Value. Standard measurement of environmental parameters which affect the water use of plants. Taken from State MWELo.</td>
</tr>
<tr>
<td>0.62</td>
<td>Conversion Factor (acre-inches/acre per year converted to gallons/square foot per year)</td>
</tr>
<tr>
<td>ETAF</td>
<td>A factor given to project types, when applied to ETo, adjusts for plant factors and irrigation efficiency. The ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0. The ETAF for existing non-rehabilitated landscapes is 0.8.</td>
</tr>
<tr>
<td>LA</td>
<td>Landscape Area. All planting areas, turf areas, and water features in a landscape design plan.</td>
</tr>
<tr>
<td>SLA</td>
<td>Special Landscape Area. An area of the landscape dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water, and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.</td>
</tr>
</tbody>
</table>

### San Luis Obispo

1. Select type of project from drop down menu
   - For mixed-use projects please select Non-residential.
2. Enter spray irrigated landscape area in square feet
3. Enter drip irrigated landscape area in square feet
4. Enter Special Landscape Area (SLA) in square feet
   - If project is using only Recycled Water, enter all data in SLA field. Do not enter values in Overhead and Drip Landscape fields.
5. MAWA results appear in the tan cells

**LANDSCAPE WATER USE CALCULATIONS**

**CARAMEL COMMERCIAL**

1227-1229 CARMEL STREET | SAN LUIS OBISPO

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**BRACKET ARCHITECTURE OFFICE**
**Estimated Total Water Use**

| Enter Values in Blue Cells | Tan Cells Show Results |

**Instructions**

- **Cells with blue background are for entering data.**
- **Results show in cells with tan background.**
- **Errors will show in RED text.**

1) **Enter Plant Factor (PF)**
   - The plant factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR). (23 CCR § 402.4)

2) **Enter non-SLA Hydrozone Area (HA) in square feet.**
   - If project uses Recycled Water exclusively, enter all Hydrozone information.

3) **Select Irrigation Type from drop-down menu.**
   - Grip System Irrigation Efficiency (E): (0.61)
   - Spray System Irrigation Efficiency (E): (0.75)

4) **ETWU results show at the bottom of the page.**
   - Total Landscape Area (LA) must be equal to the LA input in the MAWA calculator. ETWU must be equal to or less than MAWA. Mistakes will show in RED.

**Definitions**

- **ETWU** Estimated Total Water Use. Total water used for landscape.
- **ET** Evapotranspiration Reference Value
- **LA** Irrigation Area in Square Foot
- **PP** Plant Factor. Multiplied by ET to establish amount of water needed by plants.
- **HA** Hydrozone. Landscaped area having plants with similar water needs.
- **SLA** Special Landscape Area

| Results | MAWA= 25.662 || ETWU= 21,992.1 || ETWU x 0.62 = SLA = 13.665 || ETWU - MAWA = 19,410.1 || ETPU complex with MAWA = 0.0615 || 

<table>
<thead>
<tr>
<th><strong>ETWU</strong></th>
<th><strong>Estimated Total Water Use</strong></th>
<th><strong>Total LA</strong></th>
<th><strong>SLA</strong></th>
<th><strong>ETWU - MAWA</strong></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>21,992.1</td>
<td>25.662</td>
<td></td>
<td>13.665</td>
<td>19,410.1</td>
<td>0.0615</td>
</tr>
</tbody>
</table>

**LANDSCAPE WATER USE CALCULATIONS**

CARMEL COMMERCIAL

1227-1229 CARMEL STREET | SAN LUIS OBISPO

ARCHITECTURAL REVIEW