



Agenda Item A.1
PUBLIC HEARING
Meeting Date: June 10, 2019

TO: Planning Commission Chair and Members

FROM: Peter Imhof, Planning & Environmental Review Director

CONTACT: Joe Pearson II, Associate Planner
Jaime Valdez, Senior Project Manager

SUBJECT: General Plan Conformity Determination for 130 Cremona Drive,
APN 073-330-014 (eastern portion); Case No. 19-045-GC

RECOMMENDATION

It is recommended that the Planning Commission:

1. Adopt Resolution 19-____, entitled "A Resolution of the Planning Commission of the City of Goleta, California, Reporting that the Acquisition of 2.04 acres of the eastern portion of Assessor Parcel Number 073-330-014 is in Conformance with the Goleta General Plan/Coastal Land Use Plan Pursuant to Section 65402 of the Government Code" (Attachment 1).
2. Direct staff to file a Notice of Exemption that this action is not subject to the California Environmental Quality Act (CEQA), provided as Attachment 2.

BACKGROUND

Section 65402 of the California Government Code requires Planning Commission review prior to any acquisition, disposition, vacation, or abandonment of any real property by the City. The Planning Commission is required to determine and report to the City Council as to whether the location, purpose, and extent of such proposed real property transaction is in conformance with the General Plan/Coastal Land Use Plan (General Plan).

On April 16, 2019, the City Council directed the City Manager to execute the Purchase and Sale Agreement (Agreement) between the City and University Business Center Associates and JCB Limited for the purchase of the property located at 130 Cremona Drive. The Planning Commission is requested to consider whether or not the location, purpose, and extent of the potential acquisition of a 2.04-acre portion of the subject parcel (APN 073-330-014), inclusive of the building addressed as 130 Cremona Drive (based on the draft ALTA¹ survey dated 5/13/19), is in conformance with the General Plan.

¹ An ALTA Survey is a comprehensive boundary survey, performed by a registered licensed surveyor, that adheres to the standards of the American Land Title Association or ALTA

The total property acquisition cost will be approximately \$11.5 Million. The purpose for acquiring the property is to secure a City-owned City Hall, where City operations would be able to continue without interruption.

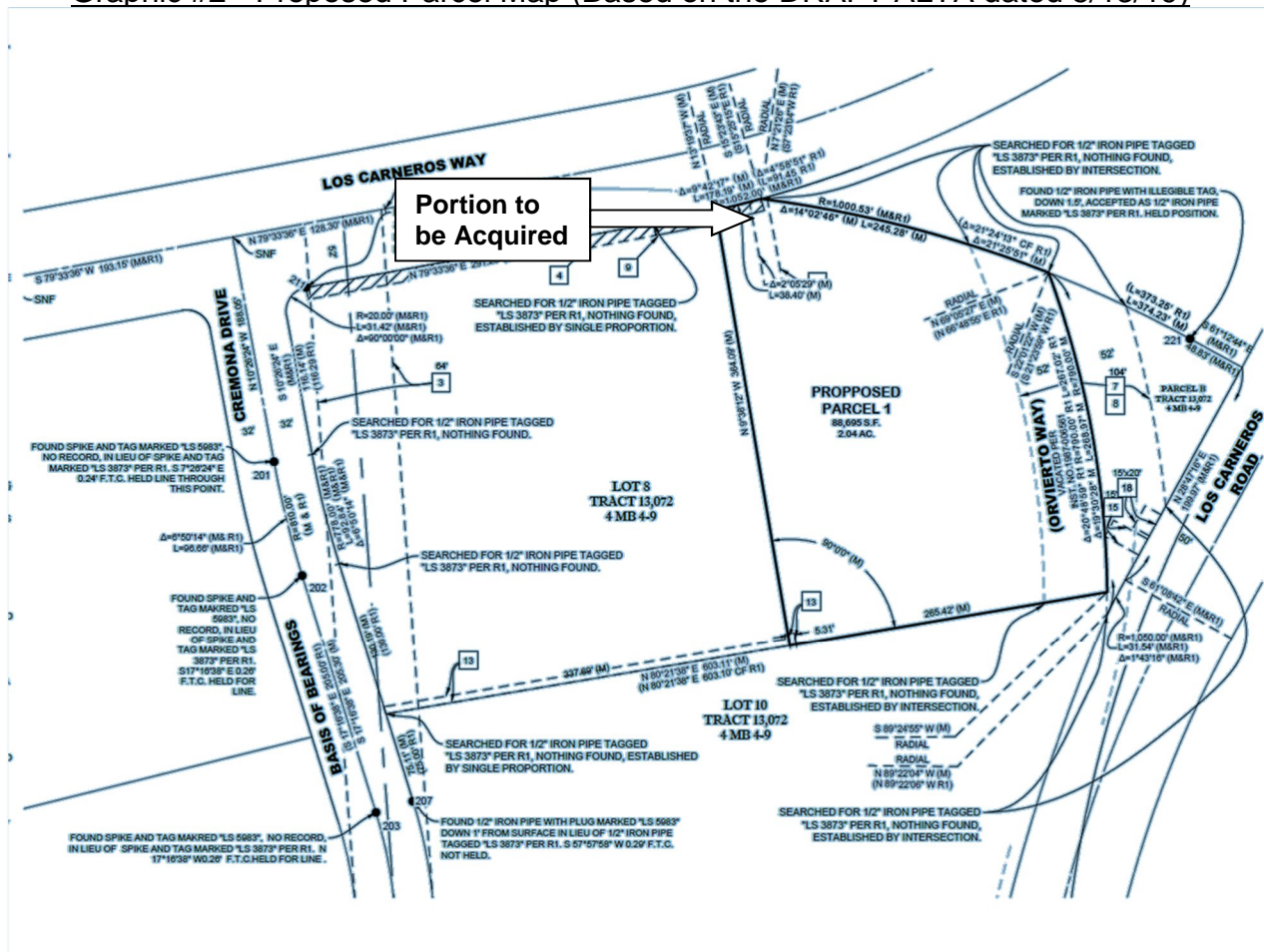
The City has long desired to acquire/develop a City-owned City Hall, and has explored several locations including entitled private property, existing developed private property, and new construction on City-owned land. Thus far, none of those options have proved as fiscally prudent as the opportunity to own the existing building the City currently uses as City Hall. However, it is important to note that even with the purchase of 130 Cremona Drive, the City could continue exploration of potential future sites for a Civic Center, such as in Old Town Goleta, if it so chooses. Acquisition of this parcel is consistent with the City's goals, as detailed in the next section.

The existing parcel is currently developed with two office buildings addressed 120 Cremona Drive to the west and 130 Cremona Drive to the east. Graphics #1 and #2 below show the location of the property and the proposed parcel to be acquired.

Graphic # 1 - Location Map



Graphic #2 - Proposed Parcel Map (Based on the DRAFT ALTA dated 5/13/19)



The portion of the parcel that is to be acquired by the City is identified generally in the map above as Proposed Parcel 1. In conjunction with the currently proposed 65402 determination, the City will be separately processing a Certificate of Compliance under the Subdivision Map Act which would result in the creation of the proposed parcel 1. Under the Subdivision Map Act, the creation of this parcel would usually require the processing of a new Parcel Map. However, when property is being conveyed to or from a government entity, such as the City, it is exempt from the parcel map requirement (Government Code, § 66428(a)(2).). This process is also codified in the City of Goleta Municipal Code, which states that the subdivision ordinance shall not apply to any division of land for the purposed of conveyance to or from a government agency (GMC, § 16.01.040(H).4). As part of the Certificate of Compliance process, the City will be ensuring the property is in compliance with the Subdivision Map Act and local ordinances enacted pursuant to this division.

DISCUSSION

Under Section 65402 of the Government Code, the Planning Commission is required to review the location, purpose, and extent of all real property acquisitions and report on its

conformance to the General Plan. The purpose of the Planning Commission review is to acknowledge the objectives and policy standards established in the General Plan.

The Public Facilities Elements (Chapter 8) of the City's General Plan sets forth goals and policies regarding the development of a Civic Center. Guiding Principal #1 of this Element states: "Promote the development of municipal public facilities, including a city hall, that are owned by the City and eliminate the need for leased facilities." General Plan Policy PF 1 provides more guidance regarding a Civic Center as discussed below.

Location

The extent of the future acquisition of 130 Cremona Drive includes the easternmost 2.04-acre portion of the parcel (APN 073-330-014), upon which is located an approximately 40,000 square foot office building and associated parking and other ancillary features. General Plan Figure 2-1 designates the parcel as Business Park (I-BP), which permits a wide variety of research and development, light industrial, and office uses, as well as small-scale commercial uses that serve the needs of business park employees. In addition to the industrial research and commercial uses allowed in the I-BP land use designation, General Plan Table 2-3 allows public and quasi-public uses as well. It is not the City's intention to develop industrial research or commercial uses with the purchase of this property. However, a City-owned City Hall would be considered a public use as allowed in I-BP.

Purpose

As mentioned above, General Plan Public Facilities Element Policy PF 1 contains an objective to "provide for a site and appropriate buildings for a predominately or fully city-owned city hall or civic center". The General Plan does not designate a specific location for a City-owned City Hall, but states that a future City Hall may be located within, and is consistent with, any land-use category. Public Facilities Element PF 8.2.d calls for "Public agency buildings to be conveniently located and accessible to residents and all segment of the community." The purchase of 130 Cremona would be consistent with this policy as it is centrally located within the City and easily accessible from two primary local roadways (Hollister Avenue and Los Carneros Road) and the US 101 freeway. The existing building addressed as 130 Cremona Drive was designed as an office building and is compatible with the surrounding development. While no changes to the building are currently proposed, any future changes to the existing building or any new development would be subject to the design consideration outlined in Public Facilities Element Subpolicy PF 1.5.

Extent

Public Facilities Element Sub-policy PF 1.3 provides that the *"site [for the City Hall] shall be of a sufficient size to accommodate any reasonably foreseeable future expansion needs, as well as the space needs for the next 10- to 20-year period."* Sub-policy PF 1.3 also provides that a *"site with a net usable area of 3 acres is estimated to be necessary for a future city hall."* Additionally, Public Facilities Element Sub-policy PF 1.4 provides that *"...the initial building facility shall be based on the estimated space needs of the city for the next 10- to 20-year period"* and *"that a minimum of 600 square feet of civic center space is required per 1,000 population..."*, which *"should include a council chambers,*

various smaller meeting or conference rooms, and space for the various administrative departments.”

While the portion of parcel, APN 073-330-014, proposed to be purchased is only 2.04 acres and is smaller than the 3-acre estimated size needed for a future City Hall site, if additional space were needed, the City currently owns two adjacent parcels to the northeast, which are approximately 2.43 acres (073-330-030) and 0.27 acres (073-330-012). The larger of these two adjacent parcels was acquired in 2012 for the purpose of a City-owned City Hall. When combined with the proposed site, the total area exceeds the estimated 3 acres called for under the General Plan. The General Plan requires the site to be of a sufficient size to accommodate the space needs, including reasonably foreseeable future expansion, for City Hall for the next 10-20 years. Based on a population of 30,000 (approximation based on 2014 population in the General Plan Housing Element Technical Appendix, page 10A-1), the space requirement would be 18,000 square feet. General Plan buildout (refer to page 2-5 of the Land Use Element) supports a population growth of approximately 8,000 people, increasing the City Hall space requirement from 18,000 square feet to 23,000 square feet. The existing building is approximately 40,000-square feet and therefore would be sufficient to meet necessary square footage for City Hall as estimated under the General Plan. Additionally, should the site be redeveloped, the 2.04 acres or approximately 88,862 square feet, would be capable of accommodating a building of 23,000 square feet and associated amenities. Should the existing adjacent site be used, the combined 4.46 acres is the equivalent to approximately 194,545 square feet, the subject parcel is more than capable of accommodating a building of 23,000 square feet, as well as the parking, landscaping and other aspects of development that would be required on the site. Therefore, the proposed acquisition by purchase of the 2.04-acre portion of parcel APN 073-330-014 as a site for City Hall is consistent with and conforms to the General Plan.

ENVIRONMENTAL REVIEW

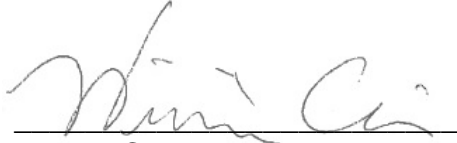
Pursuant to California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations Sections 15000 *et seq.*, the “CEQA Guidelines”), the proposed General Plan conformity determination does not constitute a “project” for the purposes of CEQA because the determination will not result in direct or indirect physical changes in the environment and there is no possibility it will have a significant effect on the environment (CEQA Guidelines Section 15061(b)(3) and Section 15378(b)(5).). The proposed determination simply fulfills the City’s obligation under Government Code Section 65402 to find land acquisitions in conformance with the General Plan. Any subsequent improvement to the property will be separately examined in accordance with CEQA.

SUMMARY AND CONCLUSION

The acquisition of the 130 Cremona Drive for the purpose of a City-owned City Hall is consistent with the allowable uses under the General Plan Table 2-3 and the location meets the purpose of the City-owned City Hall in that it is centrally located and easily accessible. The existing 40,000-square foot building and associated improvement are more than sufficient for meeting the needs of a City-owned City Hall. In addition, the acquisition of the building and property located at 130 Cremona Drive would implement


General Plan Guiding Principle #1 of Section 8.2 regarding eliminating the need for leased municipal facilities as well as the policies discussed above. Therefore, after review of the proposed acquisition of the easternmost 2.04-acre portion of APN 073-330-014 (130 Cremona Drive), staff recommends that the Planning Commission adopt the attached Resolution memorializing the Planning Commission's report to the City Council that the proposed acquisition conforms with the General Plan.

Legal Review By:



Winnie Cai
Assistant City Attorney

Approved By:



Peter Imhof
Planning Commission Secretary

ATTACHMENTS:

1. A Resolution of the Planning Commission of the City of Goleta, California, Reporting that the Acquisition of the Easternmost 2.04-Acre Portion of APN 073-330-014 (130 Cremona Drive) is in Conformance with the Goleta General Plan / Coastal Land Use Plan Pursuant to Section 65402 of the Government Code

Exhibit 1: Legal Description for Easternmost 2.04-Acre Portion of APN 073-330-014 (130 Cremona Drive) (Based on the DRAFT ALTA dated 5/13/19)

2. CEQA Notice of Exemption

ATTACHMENT 1

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GOLETA, CALIFORNIA, REPORTING THAT THE ACQUISITION OF A 2.04-ACRE PORTION OF ASSESSOR PARCEL NUMBER 073-330-014 IS IN CONFORMANCE WITH THE GOLETA GENERAL PLAN / COASTAL LAND USE PLAN PURSUANT TO SECTION 65402 OF THE GOVERNMENT CODE

RESOLUTION NO. 19-____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
GOLETA, CALIFORNIA, REPORTING THAT THE ACQUISITION OF A
2.04-ACRE PORTION OF ASSESSOR PARCEL NUMBER 073-330-014 IS
IN CONFORMANCE WITH THE GOLETA GENERAL PLAN / COASTAL
LAND USE PLAN PURSUANT TO SECTION 65402 OF THE
GOVERNMENT CODE**

WHEREAS the Goleta General Plan / Coastal Land Use Plan (General Plan) is a comprehensive, long-term plan that guides land use and physical development of the geographic area of the incorporated City of Goleta (City) limits; and

WHEREAS the General Plan provides policy direction regarding land uses that are intended to serve the community based on the buildout of the community as anticipated by the General Plan through the year 2030; and

WHEREAS the City has the ability to acquire, dispose of, vacate or abandon real property in conformance with its General Plan; and

WHEREAS Government Code Section 65402(a) requires that no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, until the location, purposes and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the Planning Commission as to the conformity with the General Plan; and

WHEREAS, on April 16, 2019, the City Council directed the City Manager to execute a Purchase and Sale Agreement (Agreement) between the City and University Business Center Associates and JCB Limited for the purposes of acquiring 130 Cremona Drive, Goleta CA; and

WHEREAS the City reviewed the Project's environmental impacts under the California Environmental Quality Act (CEQA) (Pub. Resources Code §§21000 et seq., "CEQA"), the regulations promulgated thereunder (14 CCR §§15000 et seq., the "CEQA Guidelines"), and the City's Environmental Guidelines; and

WHEREAS the City determined that the Project is exempt from environmental review pursuant to Sections 15061(b)(3) (Common Sense Exemption) and Section 15378(b)(5) (Project) of the CEQA Guidelines; and

WHEREAS a conveyance to or from a government entity is exempt from the parcel map requirement of the Subdivision Map Act (Gov. Code § 66482(a)(2)) and Municipal Code (GMC § 16.01.040(H)); and

WHEREAS, on June 10, 2019, the Planning Commission conducted a duly noticed public hearing on the location, purpose, and extent of the acquisition of the 2.04-acre portion of the easternmost portion of Assessor Parcel Number (APN) 073-330-014 (130 Cremona Drive, Goleta CA) at which time all interested persons were given an opportunity to be heard; and

WHEREAS the extent of the acquisition is the approximately 2.04 acres of the easternmost portion of Assessor Parcel Number (APN) 073-330-014, as described in the legal description as of May 13, 2019 set forth in Exhibit 1 of this resolution, and incorporated by reference; and

WHEREAS APN 073-330-014 is located on the east side of Cremona Drive, north of Hollister Avenue and south of the Los Carneros Road; and

WHEREAS the General Plan includes in its policies the need for a City-owned City Hall, and the purpose of the acquisition of 130 Cremona Drive is for the property and existing building to operate as City Hall to implement these policies; and

WHEREAS the Planning Commission has considered the entire administrative record, including the staff report and oral and written testimony from interested persons.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Goleta as follows:

SECTION 1. Recitals

The Planning Commission hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.

SECTION 2. Reporting of Conformity and Report to the City Council

Pursuant to Section 65402 of the Government Code, the Planning Commission has evaluated the location, purpose, and extent of the acquisition of APN 073-330-014 and finds that the location, purpose and extent of the acquisition conforms to the General Plan, which supports the acquisition and use of this property for a City-owned City Hall. The Planning Commission hereby directs staff to report this finding to the City Council.

SECTION 3. Documents

The General Plan and other relevant materials are in the custody of the City Clerk, City of Goleta, 130 Cremona Drive, Suite B, Goleta, California, 93117.

SECTION 4. Certification

The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this ____ day of June, 2019.

JENNIFER SMITH, CHAIR

ATTEST:

APPROVED AS TO FORM:

DEBORAH LOPEZ
CITY CLERK

WINNIE CAI
ASSISTANT CITY ATTORNEY

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

I, DEBORAH LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Planning Commission Resolution No. 19-__ was duly adopted by the Planning Commission of the City of Goleta at a regular meeting held on the ____ day of June, 2019, by the following vote of the Commission members:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH LOPEZ
CITY CLERK

Exhibit A Legal Description

Page 1 of 1

That certain portion of Lot 8 of Tract No. 13,072, in the City of Goleta, County of Santa Barbara, State of California, as per map recorded April 29, 1983 in Book 124, Pages 4 through 9, inclusive, of Maps in the office of the County Recorder of said County and amended pursuant to Certificate of Correction recorded October 31, 1984 as Instrument No. 84-59247 of Official Records of said County, and that portion of the westerly half of Orvieto Way adjoining said Lot 8 on the east, as vacated and abandoned by Resolution No. 87-25 of the Board of Supervisors of the County of Santa Barbara recorded January 27, 1987 as Instrument No. 1987-006561 of Official Records of said County, more particularly described as follows:

BEGINNING at a point on the south line of said Lot 8 lying distant North 80°21'38" East 337.69 feet from the southeast corner thereof; thence, leaving said south line,

- 1st - North 9°38'22" West a distance of 364.05 feet to a point on the north line of said Lot 8, being also the southerly right-of-way line of Los Carneros Road, said point being the beginning of a non-tangent curve, concave northerly and having a radial center which bears North 13°18'06" West a distance of 1052.00 feet; thence, along said north line and curve,
- 2nd - Easterly, through a central angle of 2°07'08", an arc distance of 38.91 feet to an angle point in said north line, being the beginning of a non-tangent curve, concave southwesterly and having a radial center which bears South 7°23'04" West a distance of 1000.53 feet; thence, leaving said southerly right-of-way line and along said curve and north line,
- 3rd - Southeasterly, through a central angle of 14°00'54", an arc distance of 244.74 feet to the centerline of Orvieto Way, vacated by said Resolution No. 87-25, being the beginning of a non-tangent curve, concave westerly and having a radial center which bears South 69°48'55" West a distance of 790.00 feet; thence, along said curve and centerline,
- 4th - Southerly, through a central angle of 19°31'17", an arc distance of 269.16 feet to the intersection with the easterly prolongation of said south line of Lot 8; thence, along said south line and the prolongation thereof,
- 5th - South 80°21'38" West a distance of 265.41 feet to the POINT OF BEGINNING.

Containing 2.04 acres, more or less.

END DESCRIPTION

This description was prepared by me or under my direct supervision in conformance with the requirements of the Professional Land Surveyor's Act on this 15th day of April, 2019.

Ian McClain, PLS 8310

ATTACHMENT 2

CEQA NOTICE OF EXEMPTION

NOTICE OF EXEMPTION (NOE)

To: ☐ Office of Planning and Research
P.O. Box 3044, 1400 Tenth St. Rm. 212
Sacramento, CA 95812-3044

From: City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

☒ Clerk of the Board of Supervisors
County of Santa Barbara
105 E. Anapamu Street, Room 407
Santa Barbara, CA 93101



Subject: Filing of Notice of Exemption

Project Title:

Government Code Section 65402 determination regarding the City of Goleta's acquisition of the eastern-most 2.04-acre portion of Assessor Parcel Number (APN) 073-330-014 (130 Cremona Drive) for a City-owned City Hall. Case No. 19-045-GC

Project Applicant:

City of Goleta

Project Location (Address and APN):

130 Cremona Drive, Goleta Ca, 93117, County of Santa Barbara; approximately 2.04 acres of the eastern portion of APN 073-330-014 as shown in the attached exhibit. (eastern portion)

Description of Nature, Purpose and Beneficiaries of Project:

General Plan Conformity Determination in accordance with Government Code Section 65402 associated with the City's purchase of a portion of one parcel. The 2.04-acre parcel being purchased by the City currently includes an approximately 40,000-square foot office building. Once purchased, the City intends to continue to use the existing building for administrative city hall functions. The beneficiaries of the project will be the citizens of Goleta.

Name of Public Agency Approving the Project:

Planning Commission of the City of Goleta

Name of Person or Agency Carrying Out the Project:

City of Goleta

Exempt Status: *(check one)*

- ☐ Ministerial (Sec. 15268)
- ☐ Declared Emergency (Sec. 15269 (a))
- ☐ Emergency Project (Sec. 15269 (b) (c))
- ☐ Categorical Exemption:
- ☒ Other Statutory Exemption: (15061(b)(3) and Section 15378(b)(5))

NOTICE OF EXEMPTION (NOE)

Reason(s) why the project is exempt:

Pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations Sections 15000 et seq.), Section 15061(b)(3), and Section 15378(b)(5), the proposed acquisition does not qualify as a "project" for the purposes of CEQA because the acquisition will not result in direct or indirect physical changes in the environment and there is no possibility the acquisition will have a significant effect on the environment.

City of Goleta Contact Person, Telephone Number, and Email:

Joe Pearson II, Associate Planner
805-961-7573
jpearson@cityofgoleta.org

Signature

Title

Date

If filed by the applicant:

1. Attach certified document of exemption finding
2. Has a Notice of Exemption been filed by the public agency approving the project?
☐Yes ☐No

Date received for filing at OPR: _____

Note: Authority cited: Section 21083 and 211110, Public Resources Code
Reference: Sections 21108, 21152.1, Public Resources Code