



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** August 31, 2007  
**AGENDA DATE:** September 13, 2007  
**PROJECT ADDRESS:** 927 & 933 Olive Street (MST2006-000421)

**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
 Jan Hubbell, AICP, Senior Planner  
 Suzanne Johnston, Assistant Planner

### I. PROJECT DESCRIPTION

The project consists of a proposal to demolish two existing single-family homes and two existing garages and construct a five-unit condominium development. The project includes five two-bedroom units ranging from approximately 2,100 square feet to 2,150 square feet on an 11,761 square foot lot. Parking would be provided within five two-car garages. The project will include a voluntary lot merger to combine the two existing parcels.

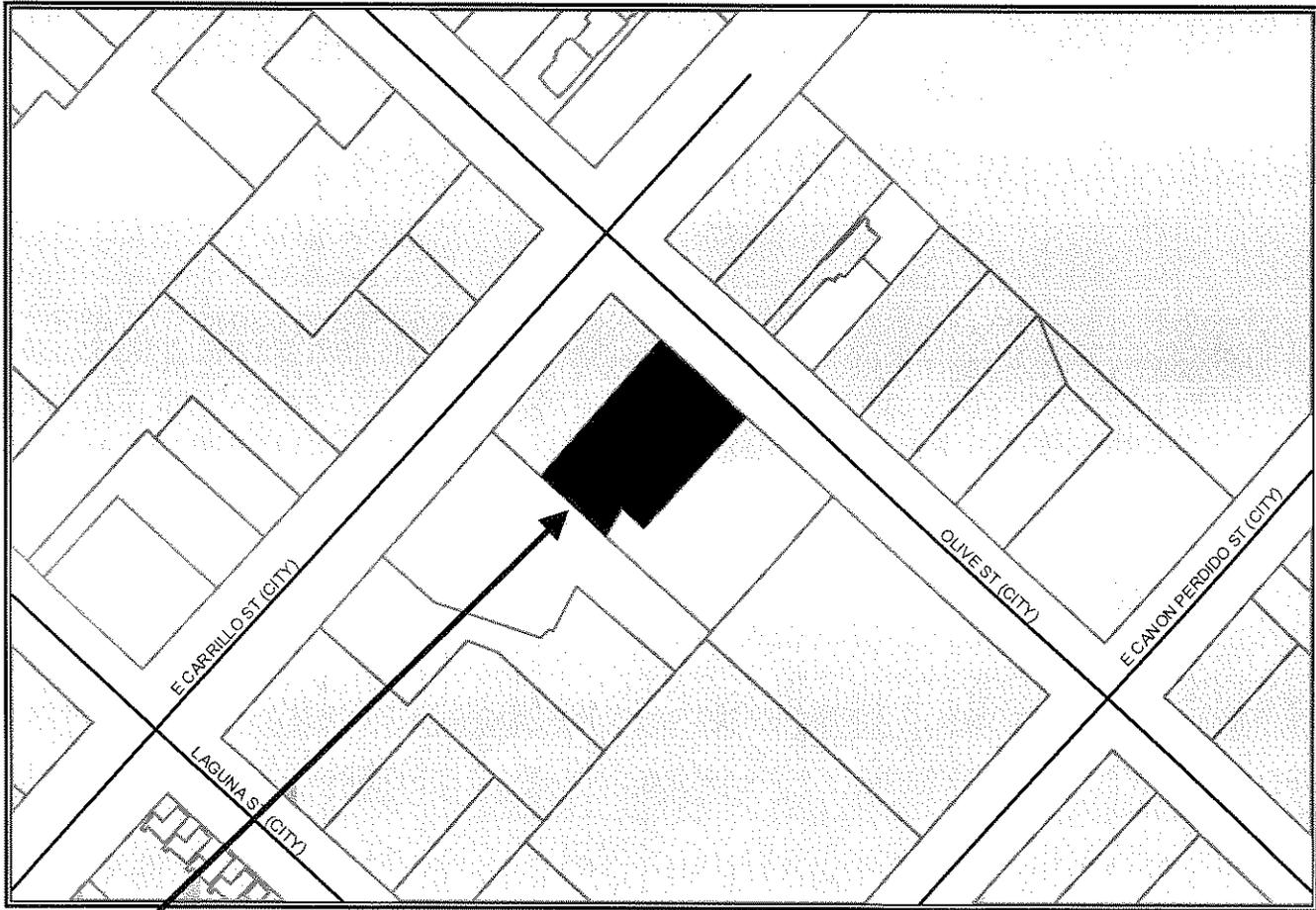
### II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. A Modification to allow encroachments into the interior yard setbacks. (SBMC §28.92.026.A);
2. A Modification to allow encroachments into the rear yard setback. (SBMC §28.92.026.A); and
3. A Tentative Subdivision Map for a one-lot subdivision to create five (5) residential condominium units. (SBMC 27.07 and 27.13).

### III. RECOMMENDATION

With the approval of the requested Modifications, proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



**Subject Site**

**APPLICATION DEEMED COMPLETE:** July 18, 2007  
**DATE ACTION REQUIRED PER MAP ACT:** September 1, 2007

**IV. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant:	Syncon Homes	Property Owner:	Fiesta Olive, LLC
Parcel Number:	029-302-030 & -031	Lot Area:	11,761 square feet (combined).
General Plan:	Residential 12 units/acre	Zoning:	C-2
Existing Use:	Residential	Topography:	8% slope
Adjacent Land Uses:			
North - Commercial		East - Residential	
South - Commercial		West - Commercial	

**B. PROJECT STATISTICS**

	Living Area	Garage	Accessory
<b>Existing (gross sq ft)</b>			
927 Olive St	803 sq ft	746 sq ft	354 sq ft
933 Olive St	997 sq ft	313 sq ft	224 sq ft
<b>Total</b>	<b>1,800 sq ft</b>	<b>1,059 sq ft</b>	<b>578 sq ft</b>
<b>Proposed (net sq ft)</b>			
	Living Area	Garage	Private Storage
Unit 1	1,672 sq ft	430 sq ft	300 cu ft
Unit 2	1,956 sq ft	400 sq ft	400 cu ft
Unit 3	1,730 sq ft	400 sq ft	300 cu ft
Unit 4	1,764 sq ft	400 sq ft	300 cu ft
Unit 5	1,744 sq ft	403 sq ft	300 cu ft
<b>Total</b>	<b>8,866 sq ft</b>	<b>2,033 sq ft</b>	

**V. ZONING ORDINANCE CONSISTENCY**

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks			
-Front	10' - 1 or 2 stories 15' - 3 story	> 15'	20'
-Interior	6' - 1 or 2 stories 10' - 3 story	0' - 3'	0' (South) 6' (North)
-Rear	10' - 2 or more stories	>10'	0'
Building Height	45'		31'
Parking	10	3 covered, 1 uncovered	10
Lot Area Required for Each Unit (Variable Density)	2,320 sq ft - 2 bedroom	N/A	2,320
10% Open Space	1,176 sq.ft.	> 10%	1,213 sq ft
Private Outdoor Living Space	140 sq ft - 1 <sup>st</sup> floor	N/A	Unit 1 - 140 sq ft Unit 2 - 165 sq ft Unit 3 - 190 sq ft Unit 4 - 145 sq ft Unit 5 - 147 sq ft
Lot Coverage			
-Building	N/A	2,560 22%	5,064 43%
-Paving/Driveway	N/A	1,819 15%	2,470 21%
-Landscaping	N/A	7,382 63%	4,227 36%

The proposed project would meet the requirements of the C-2 Zone, with the exception of structural encroachments within the R-4 rear and interior yard setbacks. The requested modifications are discussed in Section VI below.

## **VI. ISSUES**

### **A. DESIGN REVIEW**

This project was reviewed by the Architectural Board of Review (ABR) on three separate occasions (meeting minutes are attached as Exhibit D). On August 13, 2007, the ABR stated the following: 1. Modifications: The interior and rear yard modifications have no adverse aesthetic impact on the adjacent commercial uses to the south and the west. The modification requests are offset by the applicants provision for greater than required front yard setbacks, which provide continuity of the neighborhood setbacks along Olive Street. 2. The Board found that the third story roofs are better articulated but encourage further articulation and additional detail to those portions which appear boxy. 3. Additional articulation of the individual units entries, second story roofs of Building 2, and third story balconies which face the motorcourt are required. 4. The Board was split on the detailing of the courtyard/motorcourt paving patterns with some members feeling that the detailing was too busy.

### **B. COMPLIANCE WITH THE GENERAL PLAN**

The project site is located in the Laguna Neighborhood and has a General Plan designation of General Commerce and is zoned C-2, Commercial. The Laguna Neighborhood is an area delineated in the City's General Plan by Sola, Olive and Micheltorena Streets on the north and Cota Street on the south, Milpas and Canon Perdido Streets, and the eastern boundary of Santa Barbara Junior High School on the east; and Santa Barbara Street on the west. This neighborhood is developed as a residential neighborhood in the eastern and northern sections with a mixture of single-family, duplexes, and higher-density multiple units interspersed through the neighborhood. On the west, as it merges into downtown, mixed residential and commercial uses appear. The residential development would be subject to the density requirements of the R-3/R-4 Multiple Family Residential Zones, which allow 12 dwelling units to the acre. However, the General Plan Land Use and Housing Elements recognize that, in zones where variable density standards apply, development may exceed the limit of 12 units per acre without causing an inappropriate increase in the intensity of activities. The proposed project would result in a density of approximately 18 units per acre, which, based on the above discussion, would be consistent with the Land Use and Housing Elements of the General Plan.

### **Housing Element**

Santa Barbara has very little vacant or available land for new residential development. Therefore, City housing policies support build out of infill housing units in the City's urban areas. The City's Housing Element encourages construction of a wide range of housing types to meet the needs of various household types. The project would be consistent with the Housing Element as it will contribute four additional residential units to the City's existing housing stock. The Planning Commission has recently expressed concern about the large size

of proposed condominium units. The Commission has established an informal "guideline limited condominium sizes to 85% of the lot area required under variable density. The mix of units in this project includes five two-bedroom units. The proposed living areas for all five units are under this "rule of thumb" guideline which would be approximately 1,972 square feet. However, with the inclusion of the garage square footage all five units would be over the "rule of thumb". On average, the five units are about 92% of the lot area required for the units under variable density.

#### Neighborhood Compatibility

In accordance with Housing Element Policy 3.3, which requires new development to be compatible with the prevailing character of the neighborhood, the proposed building would be compatible in scale, size and design with the surrounding neighborhood. The surrounding neighborhood is comprised of a mix of office, residential and commercial buildings, with a wide range of heights. Along Olive and East Carrillo Streets, the uses are a mixture of offices and commercial uses with residential. The proposed three-story buildings have been broken up to reduce the verticality of the structure. The use of a common driveway, providing an additional ten foot setback above the requirement from the street provides relief to the streetscape and provides additional opportunities for landscaping.

One of the goals of the Urban Design Guidelines is compatibility of new development with the character of the City, the surrounding neighborhood, and adjacent properties. The ABR considers the Urban Design Guidelines in reviewing development proposals. As discussed above, the ABR is supportive of the site plan, and the size, bulk and scale of the project.

#### Modifications

***Interior Yard Modification:*** In the R-4 Zone, the interior yard setback for three-story buildings is 10'. However, if a building is designed so that the total floor area of the third story is one-half or less of the total floor area of the first floor, then the setback is 10' for the third story and 6' for the first and second floors. The interior yard setback modification along the southerly property line allows for the use of a common driveway for all five units, a common open space at the rear of the property, and a shared trash/recycling enclosure. The adjacent use along the southerly property line is a two-story commercial building with no openings, which is built up to the shared property line. Staff is supportive of this modification as it is minor in nature, allows the provision of enclosed parking, shared driveway access, increased landscaping opportunities, and shared trash/recycling facilities and enhances the usefulness of the project. The trash enclosure encroaches both into the interior and rear yard setbacks of this irregularly shaped lot.

***Rear Yard Modification:*** In the R-4 Zone, the rear yard setback for two- and three-story buildings is 10'. A rear yard modification is being requested to allow the second floor of Unit 5 to be located within six feet of the rear property line and an architectural projection to create an entry arch to encroach into the required six foot rear yard setback for the first floor. The architectural projection, which would extend to the rear property line, is mainly for aesthetics. The adjacent parcel at the rear of the subject lot is elevated and serves as a commercial parking lot and, therefore, the encroachment does not negatively impact the adjacent use. Staff can

support this modification because the structural encroachment, although providing additional habitable space, is offset by the additional generous front yard setback. In addition, due to the change in grade, the finished first floor of Unit 5 is approximately six feet below the grade of the commercial parking lot on the adjacent parcel.

**C. ENVIRONMENTAL REVIEW**

Staff and the Environmental Analyst have determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303, New Construction of Small Structures.

**VII. FINDINGS**

The Planning Commission finds the following:

**A. INTERIOR YARD SETBACK MODIFICATION (SBMC §28.21.060)**

The Planning Commission finds that the requested interior yard setback modification is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on the lot. The rear yard modification would allow the building containing Units 1 & 2 to encroach 10 feet into the required ten foot setback for three-story buildings. This structural encroachment can be supported because the adjacent two-story commercial building does not allow for the separation of structures to provide light and air and allows for the use of common driveway for the development, decks and balconies that orient use to the center of the property. In addition, this modification allows the provision of enclosed parking which is not visible from the street and enhances the usefulness of the project.

**B. REAR YARD SETBACK MODIFICATION (SBMC §28.21.060)**

The Planning Commission must find that the requested rear yard front yard setback modification is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on the lot. The rear yard modification would allow the second floor of Unit 5 to encroach four feet into the required ten foot setback. The rear yard modification can be supported due to fact that it is offset by the increased front yard setback over what is required, allowing for additional green-space, which is closest to the adjacent commercial uses and parking to the west.

**C. THE TENTATIVE MAP (SBMC §27.07.100)**

The Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development, the project is consistent with the variable density provisions of the Municipal Code and the General Plan, and the proposed use is consistent with the vision for this neighborhood of the General Plan. The design of the project will not cause

substantial environmental damage, and associated improvements will not cause serious public health problems.

**D. THE NEW CONDOMINIUM DEVELOPMENT (SBMC §27.13.080)**

1. There is compliance with all provisions of the City's Condominium Ordinance.
2. The project complies with density requirements. Each unit includes laundry facilities, separate utility metering, adequate unit size and storage space, and the required private outdoor living space.
3. The proposed development is consistent with the General Plan of the City of Santa Barbara.
4. The project can be found consistent with policies of the City's General Plan including the Housing Element, Conservation Element, and Land Use Element. The project will provide infill residential development that is compatible with the surrounding neighborhood.
5. The proposed development is consistent with the principles of sound community planning and will not have an adverse impact upon the neighborhood's aesthetics, parks, streets, traffic, parking and other community facilities and resources.
6. The project is an infill residential project proposed in an area where residential development is a permitted use. The project is adequately served by public streets, will provide adequate parking to meet the demands of the project and will not result in traffic impacts. The design has been reviewed by the City's design review board, which found the architecture and site design appropriate.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated June 21, 2007
- D. ABR Minutes



## PLANNING COMMISSION CONDITIONS OF APPROVAL

927& 933 OLIVE STREET  
TENTATIVE SUBDIVISION MAP AND MODIFICATIONS  
AS OF JULY 18, 2007

In consideration of the project approval granted by the Planning Commission and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

- A. **Recorded Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute (an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property") (a written instrument), which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
  2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
  3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement.
  4. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
    - a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium units.
    - b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
    - c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.

- d. **Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.
  - e. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
- B. **Public Works Submittal Prior to Final Map Approval.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to processing the approval of the Final/Parcel Map and prior to the issuance of any permits for the project:
1. **Final Map.** The Owner shall submit to the Public Works Department for approval, a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance.
  2. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff will prepare said agreement for the Owner's signature.
  3. **Drainage Calculations.** The Owner shall submit drainage calculations prepared by a registered civil engineer or licensed architect demonstrating that the new development will not increase runoff amounts above existing conditions for a 25-year storm event. Any increase in runoff shall be retained on-site.
  4. **Olive Street Public Improvements.** The Owner shall submit building plans for construction of improvements along the property frontage on Olive Street. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: sidewalk, driveway apron modified to meet Title 24 requirements, curbs, gutters, slurry seal a minimum of 20 feet beyond the limits of all trenching, underground service utilities (*SBMC* §22.38.125 and §27.08.025), connection to City water and sewer mains, public drainage improvements with supporting drainage calculations and/or hydrology report for installation of (drainage pipe, curb drain outlets, slot/trench drain, drop inlet, detention, erosion protection (provide off-site storm water BMP plan), etc.), preserve and/or reset survey monuments and contractor stamps, storm drain stenciling, supply and install \_\_\_\_\_ [TBD - NEW URBAN FORESTER CHECKING ON THIS] new designated street trees and tree grates per approval of

the City Arborist and provide adequate positive drainage from site. Any work in the public right-of-way requires a Public Works Permit.

5. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.
- C. **Design Review.** The following items are subject to the review and approval of the Architectural Board of Review (ABR). ABR shall not grant preliminary approval of the project until the following conditions have been satisfied.
1. **Useable Common Open Space.** Adequate usable common open space shall be provided in a location accessible by all units within the development.
  2. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.
- D. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Recordation of Agreements.** After City Council approval, the Owner shall provide evidence of recordation to the Public Works Department.
  2. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.
- E. **Community Development Requirements Prior to Building or Public Works Permit Application/Issuance.** The following shall be finalized prior to, and/or submitted with, the application for any Building or Public Works permit:
1. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.
  2. **Traffic Control Plan.** A traffic control plan shall be submitted, as specified in the City of Santa Barbara Traffic Control Guidelines. Traffic Control Plans are subject to approval by the Transportation Manager.
- F. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Architectural Board of Review, outlined in Section D above.

2. **Utilities.** Provide individual water, electricity, and gas meters, and sewer lateral for each residential unit. Service lines for each unit shall be separate until a point five feet (5') outside the building.
3. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

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Property Owner	Date
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Contractor	Date	License No.
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Architect	Date	License No.
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Engineer	Date	License No.
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- G. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction. (Community Development Department staff shall review the plans and specifications to assure that they are incorporated into the bid documents, such that potential contractors will be aware of the following requirements prior to submitting a bid for the contract.)

1. **Sandstone Curb Recycling.** Any existing sandstone curb in the public right-of-way that is removed and not reused shall be salvaged and sent to the City Corporation Annex Yard.
2. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September

Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

\*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

3. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
  - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
  - b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits *without extensions* may be issued for the life of the project.
  - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
4. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a

Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

H. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
2. **Complete Public Improvements.** Public improvements, as shown in the improvement/building plans, including utility service undergrounding and installation of street trees.
3. **Manholes.** Raise all sewer and water manholes on easement to final finished grade.

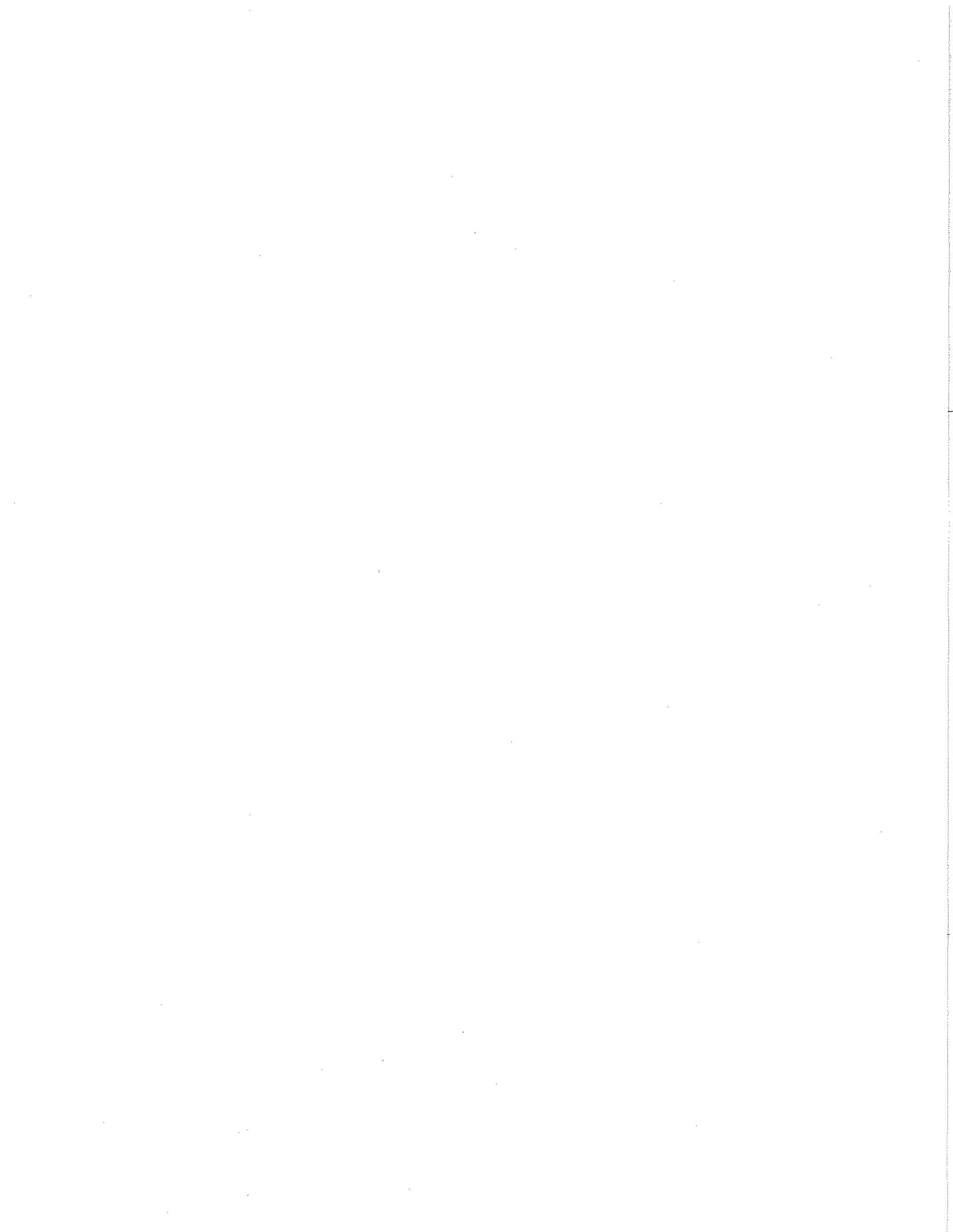
I. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the

City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

**NOTICE OF TENTATIVE SUBDIVISION MAP (INCLUDING NEW CONDOMINIUMS AND CONDOMINIUM CONVERSIONS) TIME LIMITS:**

The Planning Commission's action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110.







2020 Alameda Drive, Suite 100  
 San Francisco, CA 94107  
 (415) 778-1477  
 (415) 778-1499

Job No.:  
 9825160

Scale:  
 1/8" = 1'-0"

Issue:  
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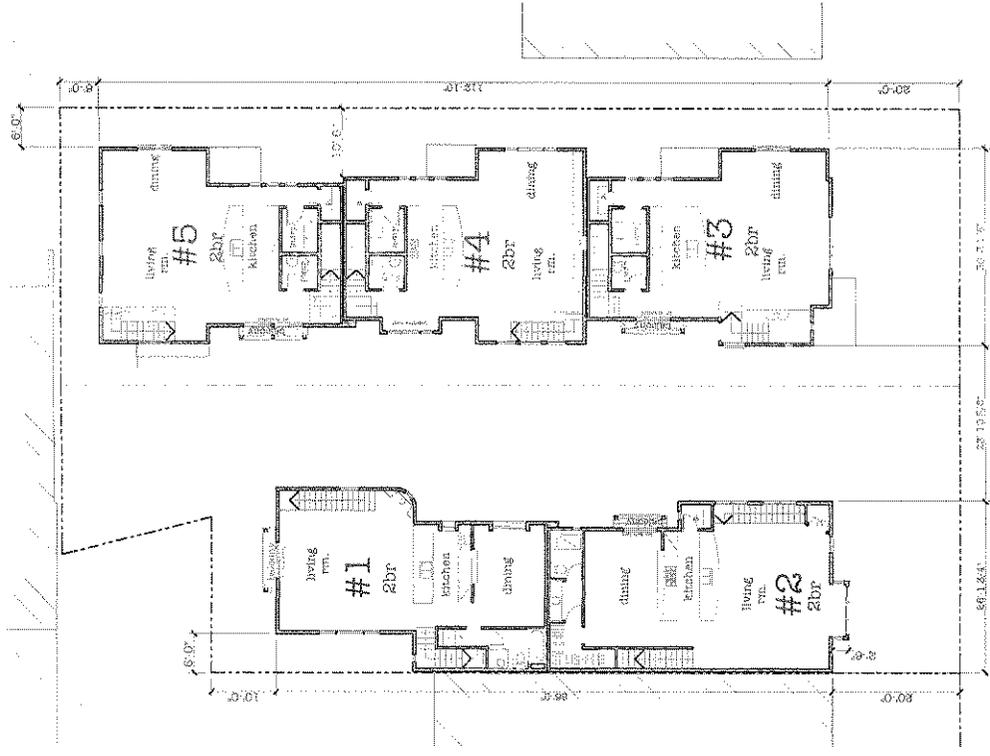
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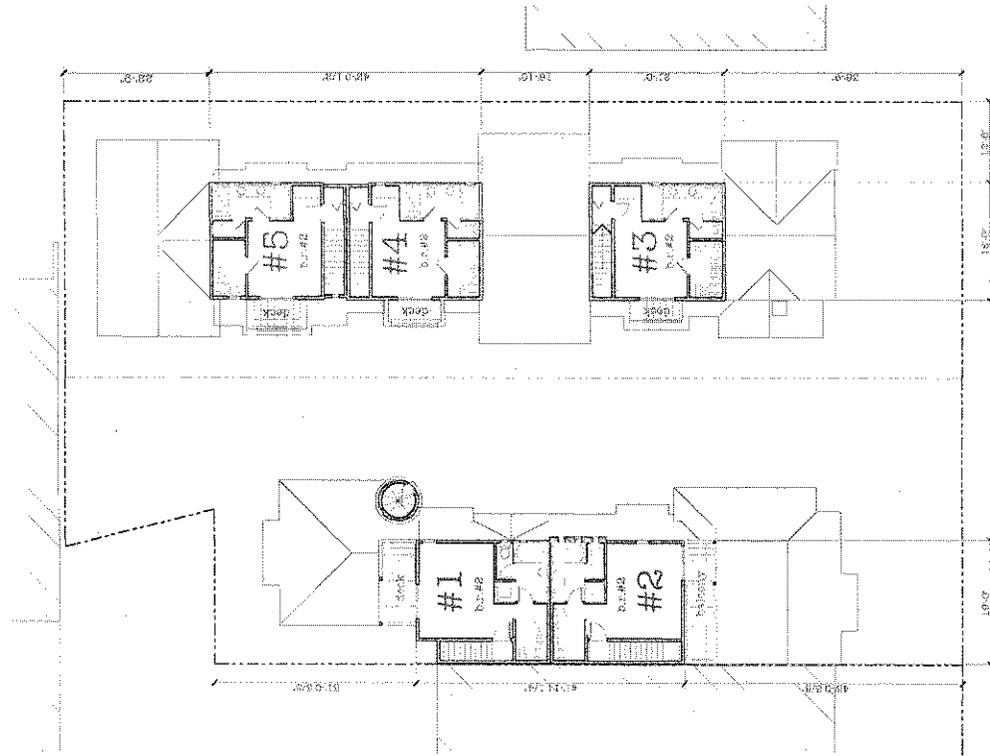
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SECOND FLOOR PLAN

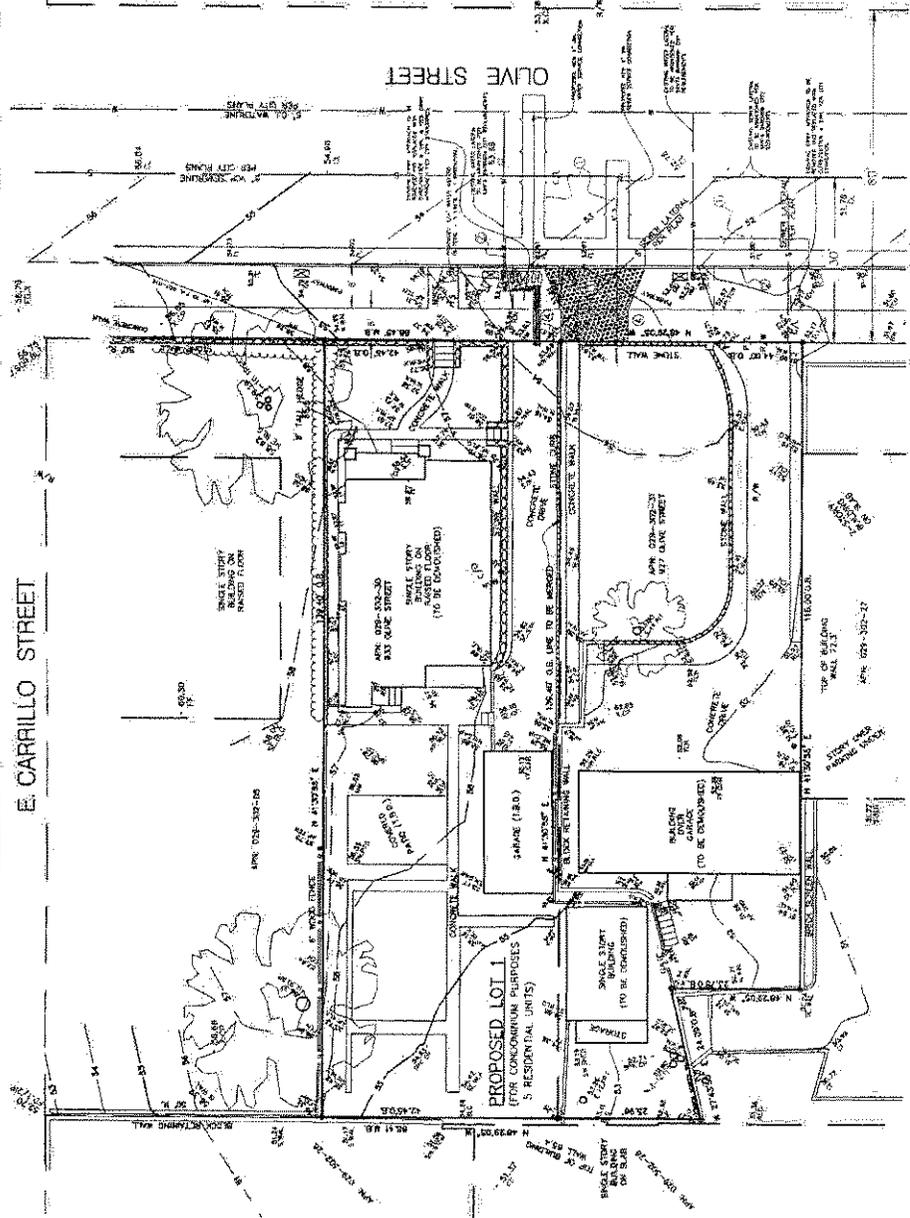


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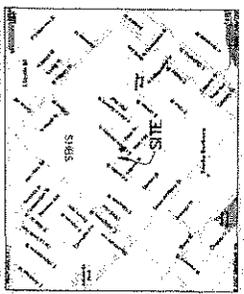
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E. CARRILLO STREET

OLIVE STREET



**PROPOSED LOT 1**  
FOR CONDOMINIUM UNITS  
5 RESIDENTIAL UNITS



VICINITY MAP  
NOT TO SCALE

**MAPPING INFORMATION:**

- 1) PROPERTY BOUNDARIES AND DISTANCES PLACED PER RECORD DATA RECORD.
- 2) ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
- 3) ALL DISTANCES ARE TO THE CENTERLINE OF THE LOT LINE UNLESS OTHERWISE NOTED.
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- 13) ALL DISTANCES ARE TO THE CENTERLINE OF THE LOT LINE UNLESS OTHERWISE NOTED.
- 14) ALL DISTANCES ARE TO THE CENTERLINE OF THE LOT LINE UNLESS OTHERWISE NOTED.
- 15) ALL DISTANCES ARE TO THE CENTERLINE OF THE LOT LINE UNLESS OTHERWISE NOTED.
- 16) ALL DISTANCES ARE TO THE CENTERLINE OF THE LOT LINE UNLESS OTHERWISE NOTED.
- 17) ALL DISTANCES ARE TO THE CENTERLINE OF THE LOT LINE UNLESS OTHERWISE NOTED.
- 18) ALL DISTANCES ARE TO THE CENTERLINE OF THE LOT LINE UNLESS OTHERWISE NOTED.
- 19) ALL DISTANCES ARE TO THE CENTERLINE OF THE LOT LINE UNLESS OTHERWISE NOTED.
- 20) ALL DISTANCES ARE TO THE CENTERLINE OF THE LOT LINE UNLESS OTHERWISE NOTED.

**MAP LEGEND:**

- AP = ANGLE POINT
- BL = BOUNDARY LINE
- CL = CENTERLINE
- CR = CURB
- EP = ELEVATION POINT
- FP = FINISHED FLOOR
- FR = FINISHED GRADE
- IR = IRREGULAR BOUNDARY
- IP = INTERIOR POINT
- MP = MIDDLE POINT
- OP = ORIGINAL POINT
- SP = SURFACE POINT
- TP = TOP OF CONCRETE
- TR = TOP OF RAIL
- UP = UNFINISHED POINT
- VP = VERTICAL CURVE

- PROPOSED IMPROVEMENTS LEGEND:**
- 1) CONCRETE DRIVE LOTTERY FROM EXISTING DRIVE TO DRIVE
  - 2) CONCRETE DRIVE LOTTERY FROM EXISTING DRIVE TO DRIVE
  - 3) CONCRETE DRIVE LOTTERY FROM EXISTING DRIVE TO DRIVE
  - 4) CONCRETE DRIVE LOTTERY FROM EXISTING DRIVE TO DRIVE
  - 5) CONCRETE DRIVE LOTTERY FROM EXISTING DRIVE TO DRIVE

**AGENTS CERTIFICATE:**

WE, THE UNDERSIGNED, ARE THE AGENTS OF THE SURVEYOR AND HAVE BEEN EMPLOYED BY THE CLIENT TO CONDUCT THE SURVEY AND TO PREPARE THIS MAP. WE HEREBY CERTIFY THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE PROFESSIONAL STANDARDS AND ETHICS OF THE SURVEYING PROFESSION AND THAT THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

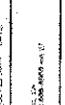


**TENTATIVE MAP: TM-1**

THIS MAP IS A TENTATIVE MAP AND IS NOT A FINAL MAP. IT IS SUBJECT TO THE APPROVAL OF THE CITY OF SANTA ANA AND THE COUNTY OF ORANGE. THE SURVEYOR'S OFFICE IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS MAP.



WATERS LAND SURVEYING INC.  
3000 N. TULSA AVE., SUITE 100  
SANTA ANA, CA 92705



J. Waters  
Professional Surveyor

SCALE: 1" = 10'  
DATE: 04/10/07

PROJECT: PROPOSED LOT 1  
SANTA ANA, CA

DATE: 04/10/07

SCALE: 1" = 10'

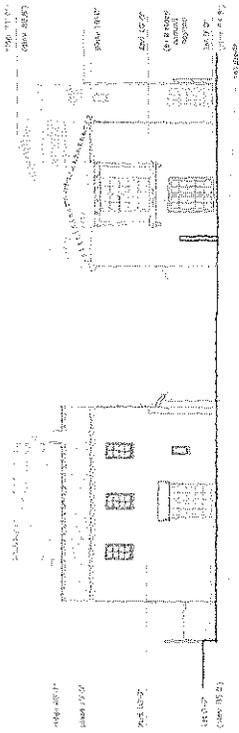
DATE: 04/10/07

SCALE: 1" = 10'

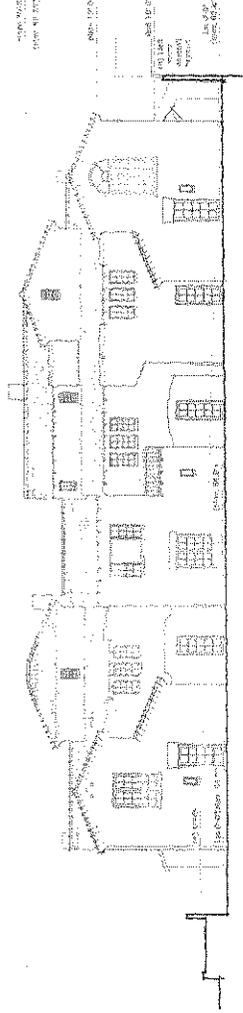




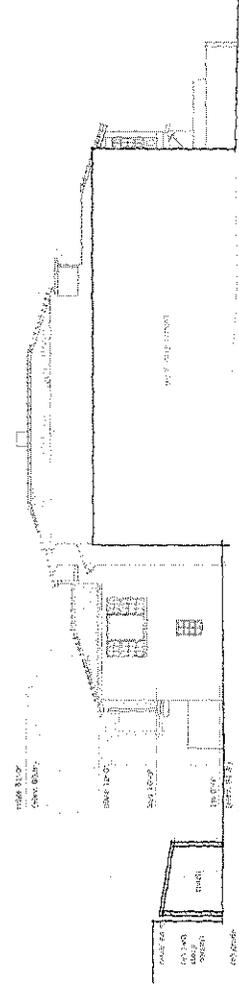
2022 Alameda/Contra Costa FWS  
 1825 9th St. #100  
 1825 9th St. #100  
 1825 9th St. #100



WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

Job No. 1825 9th St.  
 Scale: 1/8" = 1'-0"  
 Issue: 06.21.07  
 ISSUE FOR 2ND  
 DRAFT SUBMITTAL

927 & 933 Olive St.  
 RESIDENCES  
 Santa Barbara, California  
 Syncom Homes of  
 California  
 Drawing:  
 EXTERIOR  
 ELEVATIONS



A3.2

June 21, 2007

City of Santa Barbara  
Planning & Community Development  
630 Garden Street  
Santa Barbara, CA 93103

**RECEIVED**  
JUN 21 2007  
CITY OF SANTA BARBARA  
PLANNING DIVISION

RE: DART Application for 927 & 933 Olive Street

Dear DART Team Members:

Syncon Homes, the applicant is seeking approval for a Tentative Subdivision Map for a one lot subdivision to create a five unit condominium, with a voluntary lot merger. We had originally planned a mixed-use development on the site but after our first few meetings with city agencies we decided that mixed use requirements hindered the site from reaching its full potential. In responding to early ABR comments we have modified the site layout to improve traffic flow while reducing excess pavement and increasing the amount of open space. To achieve these improvements, and respond to the existing site and context conditions are requesting 3 zoning modifications including:

**S.B.M.C. Section 28.21.60 Yards**

1. Modification of 6' and 10' side yard setback for units One and Two to 0' adjacent to the neighboring zero lot line commercial building. The adjacent two story, zero lot building is an extraordinary circumstance resulting from the C-2 zoning of the block that generally would not occur adjacent to an R-3 parcel where the setbacks are intended. Such a variance would have positive effects on the public in that the blank multistory wall will be covered from view by the proposed structure. Furthermore, such a modification is necessary for the enjoyment of the future residents as a setback adjacent to a blank wall would serve no practical benefit – the intent in an R-3 zone being to provide a minimum 12' separation between buildings on adjacent properties. Such a variance would be consistent with the intent of the Land Use Policies of the General Plan in this matter.

2. Modification of 6' side and rear yard setback for the trash enclosure to 0' adjacent to the zero lot line commercial building to the West and commercial trash enclosure to the south. This will allow for a more usable common open space. Again, complying with R-3 setback requirements when surrounded by existing C-2 properties creates extraordinary circumstances. In this case having a zero lot line building to the West and a commercial trash enclosure at the property line to the South. Such a variance would have a positive effect in that it will create more open space and landscape which is a benefit to the environment in general as well as the project residents. It is necessary so that open space does not front a neighboring trash enclosure area. Such a variance would be consistent with the intent of the General Plan in maximizing viable open space and have no effect upon the Comprehensive Plan.

3. Modification of the 10' second floor rear yard setback for unit number Five to 6' to offset the greater than required 20' front yard setback provided along Olive St. The increased setback of 20', 5' more than the required 15', is an extraordinary circumstance resulting from the neighborhood's desire for the project to emulate the existing residential properties setbacks on the East side of Olive Street. This was voiced during public testimony at the first project ABR hearing and subsequently revised in response. The granting of the variance will not be detrimental as the adjacent parcel to the West is a commercial parking lot use, not an R-3 residential use, so no two adjacent residences will be facing one another across the rear setback and no usable open space will be infringed upon. This variance is necessary to compensate the property owner for the more than required setback provided at the street for the benefit of the neighborhood. An additional 5' of setback has been provided on two floors of two buildings as a gesture to the neighbors and 4' of setback relief on one floor of one building is being asked in compensation. This variance would be consistent with the intent of the Land Use policies of General Plan and have no adverse effect upon comprehensive planning.

It should be noted that the ABR reviewed the above modification requests as a part of their conceptual project review and voiced no objections to these modifications.

We met with City staff in July and August of last year to discuss the site layout and development concept. Many of the early concerns were regarding onsite circulation, parking, and meeting code requirements. Our first ABR concept review was 11/06/06. At this meeting we had presented our mixed-use concept which had previously been reviewed at PRT. The ABR consensus was for us to re-evaluate the site layout. Due to the mixed use requirements, our layout had created too much pavement, and not enough green open space. Although we were well within setbacks requirements allowed in the zoning, we were asked to adjust our setbacks to better match the neighboring buildings. Due to these comments we reconfigured our site layout, and eliminated the mixed use portion.

Our second concept ABR took place on 1/16/07. At this second concept meeting the ABR staff was much more approving of our design. In exchange for us increasing our front yard setback, many of the staff members were favorable toward our requests to decrease our side yard setbacks.

There are currently two single family homes located at 927 & 933 Olive Street. They are both two bedroom homes of approximately 750 and 950 square feet. The lot at 927 Olive Street is 5,663 square feet and the lot at 933 is 6,098 square feet. The combined lot size is 11,761 square feet, or approximately 0.27 acres. At the time we purchased the property in September, and during our first applications, the houses were vacant. We have since rented the houses and we are following the guidelines set by the tenant displacement ordinance.

The C-2 zoned site is surrounded on three sides by commercial uses with residential across Olive street. We are hoping to remove the existing structures and replace them with a 5-Unit condominium with Santa Barbara town home style architecture. The existing structures have aged and are located in a neighborhood that has seen constant transitions over the past few years. By creating the new condominiums, we are providing the opportunity for people to live in brand new homes located in a central downtown location. Some will have ocean views without hindering the ocean views of others. Santa Barbara incorporates beautiful architecture and we are hoping that we are adding to the beauty of the neighborhood.

The condominiums will all be 2 bedroom townhouse style condominiums ranging from about 1,800 to 2,100 square feet. All of the units will have private yards along with a large amount of shared open space.

Although we are replacing 2 houses with 5 condominiums, the impact on Olive Street should be a positive one. By combining the two existing driveways into one common one we have increased the number of on street parking spots. Along the street we are adding landscaping and incorporating existing sandstone walls along the sidewalk. From the street, the façade appears to only include 2 houses on separate lots, very similar to the existing layout. The additional town homes are located at the rear of the property site. By increasing our front yard setback to 20 feet (twice the zoning requirement), our new buildings will be further from the sidewalk than the existing home we are removing on the 933 Olive Street home site.

During the design process we have continued to modify our architectural layout to find a harmony between code requirements, neighborhood feel, and feelings of neighbors and city agencies.

I understand that the significant issues associated with development in the downtown area of Santa Barbara may include parking requirements, the integration of new construction into the existing context, and the demolition and grading of existing properties. As the design has changed, many original project concerns no longer apply. The biggest current issue that we see with this design is making sure the massing fits within the surrounding neighborhood. I feel we have done well addressing these issues and have created a good solution to all concerns.

The redevelopment would require removal of the existing structures as well as small trees, bushes and flowers located in the garden areas of the properties. Drainage on site is not working well on the existing configuration. During heavy rains, the water currently drains into the basement of 927 Olive Street. On our proposed plan drainage will be positive, controlled and conveyed to Olive Street in an approved manner.

Parking on 933 Olive street is currently limited to one covered space. Parking on 927 Olive street includes an outdoor space and 2 possible covered parking spaces. The 5 proposed two bedroom units require 2 parking spaces each. Each unit will have its own private 2-car garage. In addition to the onsite parking we will provide, we will create at least 2 new street parking spaces by eliminating one of the existing driveways. Landscaping statistics include 4,289 square feet, or 37% of the site in landscape. By modifying our design to be true residential rather than mixed use we have increased total landscaping by 52% since our first concept review. In addition to the landscape, much of our hardscape will include faux sandstone painting, stone textured concrete, and planted joints.

As a result of the demolition and new design grading will include approximately 600 cy of cut and 200 cy of fill.

The proposed project will include added exterior lighting at garage and entry doors. All lights will be between 6' and 8' off the ground. The proposed project will not create smoke or odors. The proposed project would not create new noise sources, except during construction. Geotechnical studies have not been conducted at this time. A Phase 1 archaeological report was conducted and reviewed at the Historical Landmark Commission on April 4th. Historical reports were not required as the city historian deemed the

properties to be not of historical significance. There will not be any trails or easements traversing the project site. The property is not located near a creek or other adjacent water source.

The demolition will be completed within a 1 week period. The demolition will require up to 5 workers to dismantle and recycle the salvageable materials. Actual demolition will consist of a backhoe, 2 laborers, and a large dumpster. The grading will take between 3 and 6 weeks to be completed. The grading will require 1 or 2 earthmovers and up to 5 laborers. During construction equipment will be limited to forklifts, concrete trucks, and may require a crane on 1 occasion. The number of workers will range from 4 to 15 on the site at any one time. Total construction activity is scheduled to take 9 months. More than 1000 sf of open space in the back left corner of the property will serve as a staging area for material. Due to the limited surrounding site area we will focus on just-in-time delivery to minimize traffic impacts/delays due to delivery trucks.

The project site does not have any known hazardous materials that will require remediation. The Permit Streamlining Act does not apply.

## **PRT RESPONSES- Comments and Issues**

### **A Planning Division**

1. *The parking requirement that applies to the residential units is 2 covered and 2 uncovered spaces for each duplex and 2 covered spaces for the stand-alone unit, for a total of 10 residential parking spaces per SBMC §28.90.100.G. The Multiple Residential Unit parking requirements do not apply to this project because a Multiple Residential Unit includes three attached units within one building. Therefore, the required parking shown on Sheet A0.1 should be changed to 10 spaces for residential use. Further, Transportation Planning Staff does not support providing the commercial spaces within garages (see Transportation Comments).*

**Applicant Response:** The required parking on A0.1 has been changed to 10 spaces. Comments regarding commercial parking no longer apply as there is no longer any commercial use in the project.

2. *Because the project is intended to function as live-work units, staff could likely support a modification for allowing less than the required amount of parking spaces for the commercial use. However, in order to support such a modification, the project would have to be conditioned so that the commercial office spaces could not be leased and would have to be used by each owner.*

**Applicant Response:** This comment no longer applies as there is no longer any commercial use in the project.

3. *Staff is supportive of the project design with regard to size, bulk, and scale; however, it is recommended that the project be submitted for review by the Architectural Board of Review (ABR) for conceptual review as soon as possible for the Board's input on the proposed project's size, bulk, and scale and compatibility with the surrounding neighborhood.*

**Applicant Response:** The applicant has had two ABR concept reviews, the later ( Jan. 16,2007) receiving generally favorable comments regarding the revised site plan and overall mass, bulk and scale.

4. *It is important to maintain separate entrances for the commercial spaces so that these spaces could not be used as bedrooms. Please consider redesigning the entrance to Unit 4 so that the residential unit and the commercial space do not share an entrance.*

**Applicant Response:** This comment no longer applies as there is no longer any commercial use in the project.

B. Transportation Division

1. *The required changes to the ADA space will result in parking layout changes to the site plan.*

**Applicant Response:** This comment no longer applies as there is no longer any commercial use and hence ADA parking space, in the project.

2. *Shared garages are not supported.*

**Applicant Response:** There are no longer any shared garages.

3. *Garages are not supported for the commercial parking space requirements. Although an open carport, depending on design and accessibility to the public may be supported.*

**Applicant Response:** This comment no longer applies as there is no longer any commercial use in the project.

4. *Looking at the elevations for Olive Street, it appears that the units will be located lower than the sidewalk. Does the driveway have a slope down as well? We want to ensure that the plan is designed such that there is good visibility between the users of the street, sidewalk, and driveway. Landscaping along the front lot line and driveway should not exceed 42 inches over the sidewalk elevation at mature growth.*

**Applicant Response:** Revised drive slopes up from the sidewalk and provides the required visibility.

5. *Single car garages must be a minimum of 10.5 feet in width. Please consult the Standards for Parking Design.*

**Applicant Response:** This comment no longer applies as there is no longer any single car garages in the project.

6. *Redesign the garage for Unit No. 4 such that no pedestrian doors open into the parking spaces.*

**Applicant Response:** All access doors now swing out from the garages.

7. *Many of the parking spaces do not function as proposed*

(a) *Spaces 1, 2 and 3 are not accessible.*

- (b) *Probably space No. 4 is not accessible as proposed.*
- (c) *Space No. 13 may need to be widened, as per the Standards for Parking Design.*
- (d) *The garage doors may need to be 18 feet wide in order to facilitate the parking maneuvers.*

**Applicant Response:** This comment no longer applies as the overall parking and driveway layout has been totally redesigned. The redesigned layout was reviewed Dec. 12, 2006 with Stacy Wilson who indicated she could support the revised layout.

C. Building & Safety Division

*General Accessibility Requirements:*

1. *Site Accessible Routes of Travel shall be provided from the public way and parking to the entrances and all "public and common-use areas."*

**Applicant Response:** This comment no longer applies since per CBC 1102A.1 & .3 this project does not contain covered dwellings units for purposes of accessibility. ( less than 4 condos per building)

2. *Site accessible parking facilities shall be provided per C.B.C.1118A. The first stall shall be 9' wide plus an 8' striped access aisle per 1118A.4.2. (van accessible)*

**Applicant Response:** This comment no longer applies since per CBC 1102A.1 & .3 this project does not contain covered dwellings units for purposes of accessibility. (less than 4 condos per building)

3. *Site accessible parking facilities shall be provided per C.B.C.1118A. A minimum 8'-2" clear ceiling height is required to all covered accessible garage stalls.*

**Applicant Response:** This comment no longer applies since per CBC 1102A.1 & .3 this project does not contain covered dwellings units for purposes of accessibility. ( less than 4 condos per building)

4. *Per CBC1129B.4.3 an accessible route of travel is not allowed to cross behind parking spaces. Unit 4 does not currently show an acceptable path of travel.*

**Applicant Response:** This comment no longer applies since Unit 4 no longer contains commercial uses.

5. *It does not appear the Units 1 & 2 have the adequate dimensions for the required landing in front of the entry way.*

**Applicant Response:** This comment no longer applies since Units 1 & 2 no longer contains commercial uses.

Unit 1:

6. Walls of an R3 occupancy closer than 3 feet to property lines shall be one-hour rated construction and have no openings. Such walls shall have 30" height parapets when the building floor area exceeds 1,000 sq. feet on any floor. [UBC °503, 709.4.1 & 709.4.2)

**Applicant Response: Unit 1's walls within 3' of the property line no longer contain openings and shall be 1hour construction. Parapets are not required per CBC 709.4.1, exception 5. See Building Code data, sheet A0.1.**

7. Per Table 5-A openings for a B occupancy are not allowed within 5' of a property line and must be protected if located within 10' of the property line.

**Applicant Response: This comment no longer applies since Units 1 no longer contains a B occupancy.**

8. Per Table 5-A openings for a B occupancy are not allowed within 5' of a property line and must be protected if located within 10' of the property line.

**Applicant Response: This comment no longer applies since Units 1 no longer contains a B occupancy.**

Units 2 & 3:

9. A 1-hour separation is required between the B2 and R3 occupancy.

**Applicant Response: This comment no longer applies since Units 2 & 3 no longer contains a B occupancy.**

10. Per Title 25 & CBC appendix 1208A.2, a 1-hour separation and sound wall with a minimum STC of 50 is required between units. (This requirement also applies to a garage serving another unit)

**Applicant Response: Project party walls between units shall be of 1 Hour construction and a minimum assembly of STC 50. See Building Code data, sheet A0.1.**

11. Per Title 25 & CBC appendix 1208A.2, a 1-hour separation and sound wall with a minimum STC of 50 is required between units. (This requirement also applies to a garage serving another unit)

**Applicant Response: Project party walls between units shall be of 1 Hour construction and a minimum assembly of STC 50. See Building Code data, sheet A0.1.**

Units 4 & 5:

12. A 1-hour separation is required between the B2 and R3 occupancy.

**Applicant Response: This comment no longer applies since Units 4 & 5 no longer contains a B occupancy.**

13. Per Title 25 & CBC appendix 1208A.2, a 1-hour separation and sound wall with a minimum STC of 50 is required between units. (This requirement also applies to a garage serving another unit)

**Applicant Response: Project party walls between units shall be of 1 Hour construction and a minimum assembly of STC 50. See Building Code data, sheet A0.1**

14. *A protected hallway is required for unit 4, between the R3 & B occupancies.*

**Applicant Response: This comment no longer applies since Units 4 & 5 no longer contains a B occupancy.**

## II. REQUIRED ADDITIONAL INFORMATION FOR APPLICATION SUBMITTAL

*Staff has identified the following additional information as necessary in order to adequately review the proposed development project. Please ensure that your formal application submittal contains at least the following:*

### A. Planning Division

1. *Please see the attached Planning Commission Submittal Packet for all requirements to be submitted with your Development Application Review Team (DART) application, including specific requirements that must be shown on the plans. Some of the requirements that must be shown on the plans include gross and net square footages for all proposed units and structures, proposed grading within and outside of the building footprints, location of trash/ recycling areas, adjacent building footprints, and adjacent building elevations.*

**Applicant Response: Gross & Net square footages and grading quantities are shown on A0.1. Location of the trash enclosure and the footprints of the adjacent buildings are shown on the Site Plan, sheet A1.1. The adjacent buildings are shown on the elevations, sheets A3.1 & A3.2.**

2. *The project site is located in several archaeological resource sensitivity zones: Prehistoric Sites & Watercourses, Spanish/Mexican Period, Hispanic-American Transition Period (1850-1870), American Period (1870-1900), and Early Twentieth Century (1900-1920). Given the scope of the proposed project, a Phase 1 Archaeological Resources Report will be required. Please note that thirteen (13) copies of this report will need to be submitted in draft form for review by the Staff, prior to it being reviewed by the Historic Landmark Commission's review and acceptance. There is a \$300.00 fee for this review and the report may be submitted at the Planning and Zoning Counter prior to submitting your formal Planning Commission (DART) application.*

**Applicant Response: An archaeological study was prepared by Western Points Archaeology and submitted to Planning in February of this year.**

3. *Please identify the size and species of the trees that overlap onto the project site from the neighboring property to the north. At the site visit it appeared that the tree towards the rear of the lot in particular would be affected by construction of the project. Once further information is submitted, an arborist report may be requested to assess the health the tree and to identify recommendations to mitigate any anticipated construction and post-construction impacts.*

**Applicant Response: Tree sizes and species are indicated on the Site Plan, sheet A1.1.**

4. *The City's Urban Historian has reviewed the proposed project and has determined that Historic Structures Reports are not required for either structure. However, his recommendation is to maintain the*

portion of the sandstone wall on-site that fronts Olive Street due to historic value. If it is not maintained in-place, please consider other ways the wall can be incorporated into the project design. For example, it may be able to be relocated to the interior property line to the north to serve as a retaining wall.

**Applicant Response:** A portion of the existing wall has been retained at the Northeast corner of the property and sandstone has been incorporated into the caps of site walls and base of some of the building walls.

5. Provide current color photographs of the site from the street, adjacent properties, surrounding neighborhood area and streetscape, to provide an accurate depiction of the location of the subject parcel.

**Applicant Response:** Site and Context Photos are included on sheets A0.2 through A0.4.

6. Please delineate the required 10% open space per SBMC 28.21.080.F.

**Applicant Response:** The 10% open space is shown on the Open Space Diagram, sheet A1.0.

7. Show on the plans how the physical standards for condominiums, as required per SBMC §27.13.060, would be met. Please show the individual utility metering, private storage space, laundry area, and private outdoor living space as required per this section of the code.

**Applicant Response:** Individual metering is shown on the Preliminary Site Grading and Utility Plan, private open space and storage space is shown on the Site Plan, sheet A1.0. Laundry areas are shown on the First and Second Floor Plans Sheets, A1.1 & A2.1, respectively.

8. Show the dimensions for all private outdoor living areas. Some of the private outdoor living areas shown on the second-story decks do not appear to meet the minimum dimension of 6' per SBMC §28.21.081. Please label Unit 4's private outdoor living space.

**Applicant Response:** Dimensioned, private outdoor areas are shown on the Site Plan, Sheet A1.1. All such areas are now on grade.

9. The living room for Unit 5 should include a short wall at the top of the stairs so as not to allow this room to be counted as a bedroom.

**Applicant Response:** Unit 5 has been reconfigured such that this comment no longer applies.

10. On the site plan, identify all existing and proposed fences, walls, and hedges and their heights and materials.

**Applicant Response:** See A1.1 for fence heights and materials.

11. Please provide a preliminary landscape plan. See the Planning Commission Submittal Packet for requirements.

**Applicant Response:** See attached Preliminary Landscape Plan, L-1.

12. Add the General Plan land use designation, Residential – 12 units/acre on Sheet A0.1.

**Applicant Response: See A0.1, Project data for land use designation.**

**B. Engineering Division**

*For your convenience, a handout has been attached to this letter with requirements for the DART submittal. Please use this handout as a checklist prior to submitting the formal DART so that nothing is missed, otherwise it is unlikely the plans will be deemed complete at the first submittal.*

**1. Handout Checklist –**

*1. A Tentative Subdivision Map prepared by a registered civil engineer, or licensed surveyor, or by a licensed architect insofar as such maps fall within the practice of architecture is required. A Tentative Map Handout explaining those items required on the map is available at [http://www.santabarbaraca.gov/Business/Forms/PW/Handouts\\_and\\_Forms.htm](http://www.santabarbaraca.gov/Business/Forms/PW/Handouts_and_Forms.htm)*

**Applicant Response: See attached Tentative map.**

*2. Provide a current (within three (3) months) Preliminary Title Report.*

**Applicant Response: See attached (3) copies of the Preliminary Title Report.**

*3. A separate water meter shall serve each dwelling unit.*

**Applicant Response: Separate water meters are shown for each unit on the Prelim Grading, Drainage & Utility Plan.**

*4. Existing private sewer laterals serving the property shall be inspected by closed circuit inspection camera by a licensed plumber. A statement of inspection results shall be provided to Manuel Romero, Wastewater Collection System Supervisor, 897-1931 for the record. The Applicant shall repair, at their expense, any defects that are found in the private lateral prior to occupancy. Any existing sewer lateral(s) identified to be abandoned, shall be disconnected at the sewer mainline connection.*

**Applicant Response: See the civil drawing for sewer abandonment and the Public Works Construction Notes, 1 and 2, on sheet A0.1.**

*5. Staff recommends individual sewer laterals for each unit. Any proposed new "common" sewer lateral shall be sized accordingly; with shared maintenance agreement recorded in private Covenants, Conditions and Restrictions (CC&Rs).*

**Applicant Response: See the Prelim Grading, Drainage & Utility Plan for sewer layout.**

*6. All existing and proposed utilities that provide exclusive service to the project site shall be placed underground.*

**Applicant Response: See the Public Works Construction Notes, note 6, on sheet A0.1.**

7. A comprehensive Conditions of Approval for public improvements in the right of way will be addressed in the DART submittal.

**Applicant Response:** N/A

8. Show on Plan the location of the water meter.

**Applicant Response:** Separate water meters are shown for each unit on the Prelim Grading, Drainage & Utility Plan and Site Plan, A1.1.

9. Show all existing and proposed water and sewer mains and services to the site from the point of connection, include sizes and materials.

**Applicant Response:** See the Prelim Grading, Drainage & Utility Plan.

10. Indicate any abandonment or removal of water or sewer utilities.

**Applicant Response:** See the Prelim Grading, Drainage & Utility Plan.

11. Show any existing or proposed underground or overhead utilities (electric, gas, telephone or cable television).

**Applicant Response:** See the Prelim Grading, Drainage & Utility Plan and Site Plan, A1.1.

12. Indicate how site drainage will be accommodated and discharged into the public right of way or drainage systems on Olive Street. No sheet flow is permitted across the public driveways and sidewalks. Show all proposed and existing contours, flow arrows and drainage pipes. Site drainage to the gutter must be conveyed via City standard curb outlets.

**Applicant Response:** See the Prelim Grading, Drainage & Utility Plan.

13. Show on Plan the location of all Contractor's Stamps in the sidewalk or curb and gutter along Olive Street. Add Note: "Contractor's Stamps shall be preserved and/or reset under the direction of the Public Works Department."

**Applicant Response:** See Site Plan, A1.1, for contractor stamp locations and Sheet A0.1, Public Works Construction Note 5.

14. Add to the plans the following Construction Notes: (5 notes requested)

**Applicant Response:** Construction notes have been added to Sheet A0.1.

2. Provide two copies of a current (within three (3) months) Preliminary Title Report.

**Applicant Response:** See attached (3) copies of the Preliminary Title Report.

3. *An Approved Tentative Subdivision Map is required. See the Tentative Map Handout explaining those items required on the map. This information is also available at [http://www.santabarbaraca.gov/Business/Forms/PW/Handouts\\_and\\_Forms.htm](http://www.santabarbaraca.gov/Business/Forms/PW/Handouts_and_Forms.htm)*

**Applicant Response: See attached Tentative Subdivision Map.**

4. *The Tentative Map must show all existing and any new proposed features in the public right of way along Olive Street. Please use the following as a checklist: Identify R/W lines along entire property for both sides of the street along the property frontages, street centerline, existing water main, existing and proposed locations of water services with manifolds, number & sizes of proposed water meters, existing sewer main, sewer laterals, existing storm drain mainline, storm drain laterals, proposed storm drains, new trench/slot drain at back of driveway approach and Type B or A470 curb drain outlets, curb, gutter, sidewalk, vaults, poles, street lights, trees, sidewalk, parkway, existing and proposed fire hydrants, dedicated fire lines, any and all other features in the public right of way. Engineering conditions shall include the following improvements to be shown on the tentative map/site plan;*

**Applicant Response: See attached Tentative Subdivision Map.**

5. *Sandstone curb along property frontage, improve sidewalk where damaged, drought tolerant plants in parkway, remove landscaping in right of way, install curb drain outlets, may require a new street light. A separate water meter shall serve each dwelling unit. All existing and proposed utilities that provide exclusive service to the project site shall be placed underground. Staff recommends individual sewer laterals for each unit.*

**Applicant Response: No sandstone curb exists along the property frontage anywhere on Olive street, no new sandstone curb is proposed. See Site demo plan, Sheet A1.0, for landscape removal in parkway, See L-1 for drought tolerant plantings in same. See Prelim Grading, Drainage & Utility Plan for remaining items.**

6. *As outlined in the City of Santa Barbara's Circulation Element Chapter 16 - Public Utilities, adopted in 1998 by City Council, and SBMC 27.07.030 #1-9 provide a conceptual composite utility plan including: water, sewer, storm drain, electric, gas, phone, and cable.*

**Applicant Response: See Prelim Grading, Drainage & Utility Plan.**

7. *In addition, provide an estimate of the total demand generated by the proposed project, and establish the available capacity of each utility. In lieu of capacity calculations, provide a copy of a 'Can and Will Serve' letter, or equivalent of such a letter with conclusive evidence from utility companies that demand and capacity issues have been reviewed and approved.*

**Applicant Response: "Can & will Serve" letters for gas, water, sewer and electric have been received and are attached.**

8. *Provide drainage calculations justifying the drainage system is able to accommodate a minimum of a 25-year storm event, and indicate on plan how increase in runoff will be conveyed to the public right of way.*

**Applicant Response: See attached Hydrology Calculations by Flowers and Associates.**

9. Please show location of trash/recycling enclosures on site plan. Please note that trash and recycling must be of equal size and in the same enclosure. Recycling must be in a dumpster if trash is in a dumpster (as opposed to cans or carts). Recycling Questions regarding solid waste issues can be directed to Karen Guntow, Solid Waste Specialist at 897-2542. See Space Allocation Guide to help with trash/recycling design at [http://www.santabarbaraca.gov/Business/Forms/PW/PW\\_Forms.htm](http://www.santabarbaraca.gov/Business/Forms/PW/PW_Forms.htm).

**Applicant Response:** Trash enclosure is shown on the Site Plan, A1.1.

C. Fire Department

1. A commercial fire hydrant is required to be located within 300 feet of all exterior walls by way of access. The hydrant shall be equipped with one (1) four inch (4") and two (2) two and a half inch (2 ½") outlet and flow a minimum of 1,250 gpm. Please show all existing and proposed hydrants within the scope of the project meeting these requirements on the plans.

**Applicant Response:** See Site Plan, A1.1 for nearest hydrant location.

2. A commercial fire hydrant is required to be located within 300 feet of all exterior walls by way of access. The hydrant shall be equipped with one (1) four inch (4") and two (2) two and a half inch (2 ½") outlet and flow a minimum of 1,250 gpm. Please show all existing and proposed hydrants within the scope of the project meeting these requirements on the plans.

**Applicant Response:** See Site Plan, A1.1 for access.

3. An automatic fire sprinkler system is required for the project. Please note a "fire sprinkler system in accordance with NFPA shall be submitted under a separate permit" on the plans.

**Applicant Response:** See Building Code, Sheet A0.1 for fire sprinkler note.

4. A mixed-use fire alarm is required for this project. Please note a "mixed-used fire alarm system in accordance with Santa Barbara City Fire Department and NFPA requirements shall be submitted under a separate permit" on the plans.

**Applicant Response:** A mixed use fire alarm will no longer be needed as the commercial uses have been removed from the project.

D. Transportation Division

1. Is the proposed pedestrian pathway separated by a curb?

**Applicant Response:** Path is not separated by a curb.

2. Please provide a pedestrian pathway to Unit No. 5 that is apart from the loading zone for the ADA parking space.

**Applicant Response:** Comment no longer applies as layout has been changed.

3. Sixteen foot wide garage doors require 27 feet of back up. Do the garage door locations provide the extra foot.

**Applicant Response:** Seventeen foot wide garage doors have been indicated on the Site Plan, A1.1.

## E. Building and Safety Division

*General Commercial Requirements:*

1. Identify the occupancy and the type of construction on the cover sheet. Include an analysis of the allowable floor areas for each occupancy.

**Applicant Response:** See "Building Code", sheet A01.

2. Remove the label – 1 Bdrm from the designated office space.

**Applicant Response:** Comment no longer applies as office use has been deleted.

3. Indicate compliance with the 1-hour occupancy separation between the S-3 garage and the R3 & B occupancies as required by Table 3-B if any of the covered "garage spaces" are designated for commercial use.

**Applicant Response:** Occupancy separation no longer applies as project is now all residential occupancy.

4. Correct the elevations to show the 18" pop out at the kitchen @ the west & east elevations.

**Applicant Response:** Comment no longer applies as "pop out" has been deleted.

5. Correct the west elevation to show the bathroom windows.

**Applicant Response:** Comment no longer applies with new configuration.

We have addressed all comments from the PRT letter. By eliminating the commercial portion of our design, we solved many of the issues that had come up during PRT. After we modified our layout, the massing as viewed from Olive Street has also improved to fall in line with ABR comments and recommendations. I hope you will agree that our proposed design is heading in a positive direction for this site.

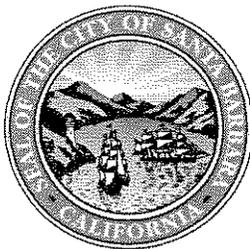
Please feel free to contact me in advance regarding any questions or concerns you may have regarding the proposed project.

Thank you.

Aaron Amuchastegui  
Project Manager  
Syncon Homes of California

1603 Copenhagen Dr. #8 · Solvang · CA · 93463

P: 805.688.8968 · F: 805.688.1038



## DESIGN REVIEW ACTIVITIES SUMMARY

927 OLIVE ST (MST2006-00421)

MIXED-USE

*Proposal for a five-unit condominium development consisting of two 3-story buildings. The project includes five, 3-story one- and two-bedroom residential condominium units ranging from 1,800 to 2,100 square feet in size. Each unit has an attached two-car garage and there are three uncovered parking spaces and a central auto court. A Voluntary Lot Merger is proposed to combine two parcels for the 11,761 square foot site. The project includes demolition of the two existing single-family dwellings at 927 and 933 Olive Street and 500 cubic yards of site grading. Planning Commission Approval of a Tentative Subdivision Map is requested. Modifications are requested for encroachments into two-side yards and the rear yard. Approximately 800 cubic yards of grading is proposed as a part of the proposal.*

Status: Pending

DISP

Date 3

ABR-Concept Review (New) - PH

CONT

11/06/06

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR CONDOMINIUMS.)

(3:55)

Present: Kieth Riviera, Project Architect; Lorene Hinkle, Designer; Aaron Amuchastegui, Applicant; Chelsey Swanson, Assistant Planner, City of Santa Barbara.

Public comment opened at 4:13 p.m.

Michael Hofmann, resident, opposed.

Sudi Staub, resident, in favor of the design, but concerned about the height.

Michael Biancon, expressed concern with building heights, obstruction of cross-town sightline.

Grant Castleberg, resident, in favor.

Rob Hunt, resident, opposed.

Public comment closed at 4:20 p.m.

Motion: Continued indefinitely to the Full Board with the following comments:

- 1) The chosen site plan is forcing the buildings to the perimeter of the property making the mass, bulk, and scale appear aggressive.
- 2) Study other parking design alternatives which do not require the extreme vehicular movement within the auto-court.
- 3) The Board is concerned with the minimal setbacks, especially along the north property line abutting the craftsman single story residence and structure frontage. Study ways to closer emulate the front-yard setbacks established by the two adjoining structures.
- 4) Reconsider the massing of the buildings as they relate to the street so as to not emulate the "wedding cake" layering approach.
- 5) Consider the third-stories as attic stories within the roof forms, reminiscent of the residential neighborhood across the street.
- 6) Provide a design scheme that presents two units to the street that appear single-family in nature and places the third unit more internal to the block.
- 7) Establish the grading with an accurate topography map to take better advantage of the drop-off at the rear-most portion of the site to help minimize the height impact of the structures.
- 8) Look for ways to enhance the pedestrian entries to all units, especially the rearmost unit which is currently hidden from the street without apparent pedestrian access.
- 9) Study the relationship of the contiguous buildings. Some Board members feel the chosen design style is not compatible with the

residential theme presented along Olive Street. Consider more pedestrian friendly elements along the street frontage.

Action: Mosel/Sherry, 7/0/0. Motion carried. (Manson-Hing absent.)

**ABR-Concept Review (Continued)**

**CONT**

**01/16/07**

(Second Concept Review.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR CONDOMINIUMS.)

(5:35)

Present: Keith Rivera, B3-Architects; Loren Hinkel B3, Architects; Aaron Amuchastegui, Applicant.

Straw Vote: How many Board members think the project needs to return? 6/0/0.

Motion: Continued indefinitely to the Full Board with the following comments:

1) The Board is pleased with the new site plan layout for the five units and the central driveway. 2) Provide a wider strip of landscape between the driveway and the sidewalk area. 3) The third level roofs forms appear too large and too long, especially as seen from Olive Street.. Articulate the third floor roof forms to provide a break to reduce the bulkiness of a continuous roof. 4) Provide details for site drainage, such as retaining walls, catch basins, or sump pumps. 5) Design a less boxy, more proportional window fenestration, on the north elevation, particularly the front elevation of the north building on Olive Street. 6) There is some concern with the gutter and eaves. Use a wider variety of eaves, so that they are not all flush conditions. 7) Provide more differentiation between individual units. 8) Integrate more sandstone stone into the building on the north and more brick to the building on the south, to integrate better into the existing streetscape. 9) Provide hi-quality garage doors.

Action: Sherry/Mudge, 6/0/0. Motion carried.

\*THE BOARD RECESSED FROM 6:21 P.M. UNTIL 6:42 P.M. \*

**HLC-Archaeology Report**

**APVD**

**04/04/07**

(Review of Phase I Archaeological Resources Report prepared by Larry A. Carbone, Western Points Archaeology.)

(1:57)

Staff comment: Susan Gantz, Planning Technician II, stated that Dr. Glassow reviewed the report and concluded that the archaeological investigation supports the report's conclusions that no further archaeological investigation is recommended or necessary at this time.

Motion: The Commission accepts the report as submitted.

Action: Hausz/Pujo, 5/0/0. (Murray/Naylor/Sharpe absent.) Motion carried.

Phase I Archaeological Survey and Resources Assessment revised March 2007, prepared by Western Points Archaeology, Author: Larry A. Carbone, M.A., RPA, was accepted by the HLC on April 4, 2007.

**ABR-Concept Review (Continued)**

**CONT**

**08/13/07**

(Third Concept Review.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR CONDOMINIUMS.)

Time: 10:02

Present: Keith Rivera, Architect.

Public comment opened at 10:12 p.m.

Paula Westbury: opposed.

Public comment closed at 10:13 p.m.

Motion: Continued indefinitely to the Planning Commission with the following comments:

- 1) Modifications: a. The modification for a trash enclosure located in the rear interior yard setback is acceptable as it is near a commercial trash zone to the south and zero lot line blank wall to west, and the modification will not negatively impact to the neighbors on either side; b. The modification for a side yard, south, zero lot line property is acceptable at that location as the site is located in a C-2 zone, and the neighboring property is also a zero property line; c. The modification for the rear yard of building number five, second-story portions to be 6 feet, as opposed to the required 10 feet, from the property line is supportable in that location as it overlooks a commercial parking lot to the west, and as the applicant has asked to mitigate the contiguousness of the adjacent properties by having a further setback off the Olive street sidewalk.
  - 2) The Board finds that the third level roofs are now better proportioned and better handled than previously submitted. The applicant is encouraged to further articulate and add architectural details to those portions to appear less boxy and more interesting.
  - 3) Front entries of all units shall be better articulated with artistic detailing and pedestrian friendly elements, especially the street-facing building number two.
  - 4) Some Board members feel the courtyard paving scheme may be too busy, others disagree. The Board's direction is to have a nicely articulated motor court design of a higher quality than just asphalt and concrete.
  - 5) The drainage from the site to the street is handled well utilizing subsurface underground piping and underground storage infiltration system, the Board prefers to see that continue.
  - 6) Refine the second-story roof at the east property line, adjacent to the south building.
  - 7) The Board finds that some of the third-story balconies, especially on interior motor courtyard, could use further study especially as they are attached and articulated with the second-story balconies and the bay windows below.
  - 8) Overall, the Board is pleased with the style of design and changes made to date.
  - 9) A landscape architect is to verify tree locations with the neighboring property to north. Show existing trees on the site plan.
- Action: Aurell/Mosel, 7/0/0. Motion carried. (Zink abstained because this his first view of the proposal).

