



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** May 19, 2008  
**AGENDA DATE:** May 22, 2008  
**PROJECT ADDRESS:** 730 Miramonte Drive (MST2006-00234)  
 KEYT  
**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
 Jan Hubbell, AICP, Senior Planner  
 Suzanne Johnston, Assistant Planner

### I. PROJECT DESCRIPTION

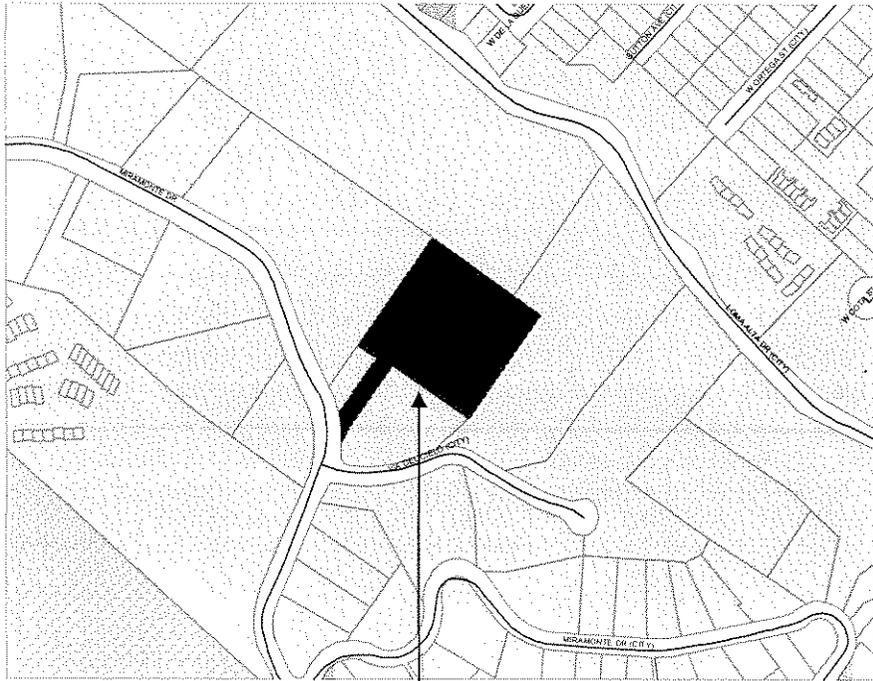
The project consists of the abatement and permitting of the following as-built conditions: two ground-mounted satellite dishes, removal of vinyl fencing surrounding existing satellite dish farm, two air conditioner units used for the approved Verizon equipment building, the replacement of HVAC rooftop equipment, removal of two pole lights, removal of a ramp, and new security lighting. In addition, the project includes the installation of a wooden fence surrounding the satellite dish farm and changes to the existing landscape plan, which is in compliance with all Zoning and Fire Code requirements. The applicant is also requesting permission for periodic small-scale events.

### II. REQUIRED APPLICATIONS

The discretionary applications required for this project is an Amended Conditional Use Permit (CUP) to permit the as-built installation of two additional satellite dishes (SBMC§28.94.20) and other changes.

### III. RECOMMENDATION

The 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.



**Project Site**



**APPLICATION DEEMED COMPLETE:**  
**DATE ACTION REQUIRED:**

March 27, 2008  
June 25, 2008

**IV. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant: Vadim M.Hsu, Architect	Property Owner: Katherine Driscoll-Roche
Parcel Number: 035-050-060	Lot Area: 2.24 Acres
General Plan: Residential	Zoning: A-1/E-1 (Split Zone)
Existing Use: Television Station	Topography: 27%, Hillside
Adjacent Land Uses:	
North - Residential	East - Residential
South - Residential	West - Research/Institutional

**B. PROJECT STATISTICS**

	Existing and Proposed
Television Studio	8,000
Accessory Space	240

**V. ZONING ORDINANCE CONSISTENCY**

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks *			
-Front (E-1)	40'	40'	40'
-Interior (E-1)	20'	20'	20'
-Interior (A-1)	30'	<b>20'</b>	<b>30'</b>
-Rear (A-1)	30'	30'	30'
* All Setbacks have been doubled for non-residential use in a residential zone.			
Building Height	30'	30'	30'
Antennae Height	77' 6"	77' 6"	77' 66"
Parking	56	52	56
Lot Coverage			
-Building	N/A	10,048 s.f.	10.3%
-Paving/Driveway	N/A	36,267 s.f.	37.2%
-Landscaping	N/A	51,259 s.f.	52.5%

The proposed project would meet the requirements of the A-1/E-1 Zone, with the exception of the use as a television studio within a single family residential zone which requires the approval of a Conditional Use Permit. See discussion below.

## **VI. ISSUES**

### **A. DESIGN REVIEW**

This project was reviewed by the Architectural Board of Review (ABR) on two separate occasions (meeting minutes are attached as Exhibit D). On November 20, 2006, the ABR stated the following: they supported the proposed removal of obsolete antennae, relocation of satellite dish farm out of the required setback, the timer that was added to talent lighting at rear of studio visible from freeway, and the removal of a ramp at the rear of the structure. The Board suggested that a focused landscape plan be considered as an alternative to the fiberglass/plastic fence around the dish farm, requested evidence that the parking lot lighting met the City Outdoor Lighting Ordinance and policies, and that a parapet should be installed to screen the as-built HVAC improvements. The Board directed the applicant to show the Fire Department landscaping requirements so that it could assess what screening would remain. The project returned to the board on July 2, 2007. The ABR stated the following: 1) Landscaping, especially at the property edge, shall be installed and maintained so as to hide/screen the antennas from neighboring views and at the parking lot edges to screen cars and their lights from the neighbors. 2) The Board appreciates that the satellite dishes were moved out of the setback area and the exterior lighting and timers as shown on the plans. 3) Screening material on the roof will be heavy gauged which does not require painting and maintenance, which is not bright in appearance such as bonded metal, copper, or zinc. 4) The Board was concerned with the apparent lack of master planning for the improvements that have occurred on the site, especially in the area directly abutting the residentially zoned properties; however, the Board now appreciates the action the applicant is taking to alleviate the situation and to bring the site more into compliance. 5) Coordinate with Verizon Company about painting the equipment enclosure a darker color. The applicant has revised the landscaping plan to address the ABR concerns and worked with the City's Wildland Fire Specialist to assure that the landscape is meeting both the neighborhood visual concerns and the required fire clearances for plantings within a High Fire Area.

### **B. PARKING**

The zoning requirement for the existing 8,240 square foot building is 33 parking spaces at 1 parking space per 250 square feet. The site was previously approved with 56 parking spaces, based on parking demand for the use; however, the spaces were provided in a different configuration. The parking lot has been restriped and reconfigured over time without additional reviews and it has been determined that currently 52 spaces exist. There is a history of neighborhood concerns about the on-site parking being inadequate and the effect of the employee/visitor parking on Miramonte Drive. Based on neighborhood concerns, it did not appear that the zoning parking requirement is consistent with the actual demand for this type of use. The Commission must make the required CUP finding that there is adequate access and off-street parking to meet the demand created by the use in order to approve the CUP. The applicant provided a parking demand study (Exhibit E and F) that evaluated the site's actual demand and it was found that the site does meet its parking demand for day to day operations.

The applicant has included the addition of small-scale periodic events to be held onsite, including up to six events per year with 50 or less guests, and up to two events per year with more than 50 and up to 100 guests in attendance. Any special event on-site would occur after 6:30 p.m. Parking for events with up to 50 guests could be accommodated on site; however, larger events would require additional off-site parking. The additional parking would be provided at a separate off-site location with a shuttle service, and would be subject to the review and approval by the Supervising Transportation Engineer a minimum of 30 days prior to the event.

**C. COMPLIANCE WITH THE GENERAL PLAN**

The project site is located within the Alta Mesa Neighborhood of the General Plan. The General Plan defines this area as the Alta Mesa Neighborhood at 3 dwelling units per acre and the north-facing hillside between Loma Alta and the property as designated Major Hillside. The plan states this Neighborhood is predominately developed with single-family homes or committed to public use (Honda Park). However, uses such as this are allowed by Conditional Use Permit (CUP) as long as the use is compatible with the neighborhood and meets other CUP findings.

The Conservation Element policies relevant to this project include the following: Policy 3.0 states that new development shall not obstruct scenic view corridors, including those of the ocean and lower elevations of the City viewed respectively from the shoreline and the upper foothills, and of the upper foothills and mountains viewed respectively from the beach and lower elevations of the City; and Policy 6.0 also states that ridgeline development which can be viewed from large areas of the community or by significant numbers of residents of the community shall be discouraged. The Architectural Board of Review looked at a plan to screen the existing satellite dish farm which is currently visible from several locations along the Highway 101 corridor and adjacent neighbors. With the revised plans, staff believes that the project is consistent with these policies.

**D. CONDITIONAL USE PERMIT REQUIREMENTS**

The project is consistent with the requirements outlined in SBMC§28.94.030, which requires that the Planning Commission approve a CUP for additional satellite dishes making findings listed below in Section VII of this report. The project has been reviewed, as discussed in the design review Section VI.A., to minimize the visual impact of the television station and its related equipment to the community and adjacent neighbors

**E. ENVIRONMENTAL REVIEW**

Staff has determined that the project qualifies for an exemption from further environmental review under Section 15301 (minor alterations to existing structures/facilities) of the California Environmental Quality Act (CEQA) Guidelines.

## **VII. FINDINGS**

The Planning Commission finds the following:

### **A. CONDITIONAL USE PERMIT FINDINGS (SBMC § 28.94.20)**

In keeping therewith, the Planning Commission may permit, by issuance of a conditional use permit, any of the uses specifically enumerated in Section 28.94.030 upon a finding that:

1. Any such use is deemed essential or desirable to the public convenience or welfare and is in harmony with the various elements or objectives of the Comprehensive General Plan;
2. Such uses will not be materially detrimental to the public peace, health, safety, comfort and general welfare and will not materially affect property values in the particular neighborhood involved;
3. The total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding properties is avoided.
4. Adequate access and off-street parking including parking for guests is provided in a manner and amount so that the demands of the development for such facilities are adequately met without altering the character of the public streets in the area at any time.
5. The appearance of the developed site in terms of the arrangement, height, scale and architectural style of the buildings, location of parking areas, landscaping and other features is compatible with the character of the area. The Planning Commission shall have the authority to approve the design of open space. Design shall mean size, shape, location and usability for proposed private, public, or quasi-public purposes and development. Approval of such open spaces may be expressly conditioned upon an offer of conveyance by the owner to the City of Santa Barbara of the development rights, the right to prohibit the construction of additional buildings, or other property rights, necessary to achieve the purpose set forth in this title.
6. Compliance with any additional specific requirements for a conditional use permit.

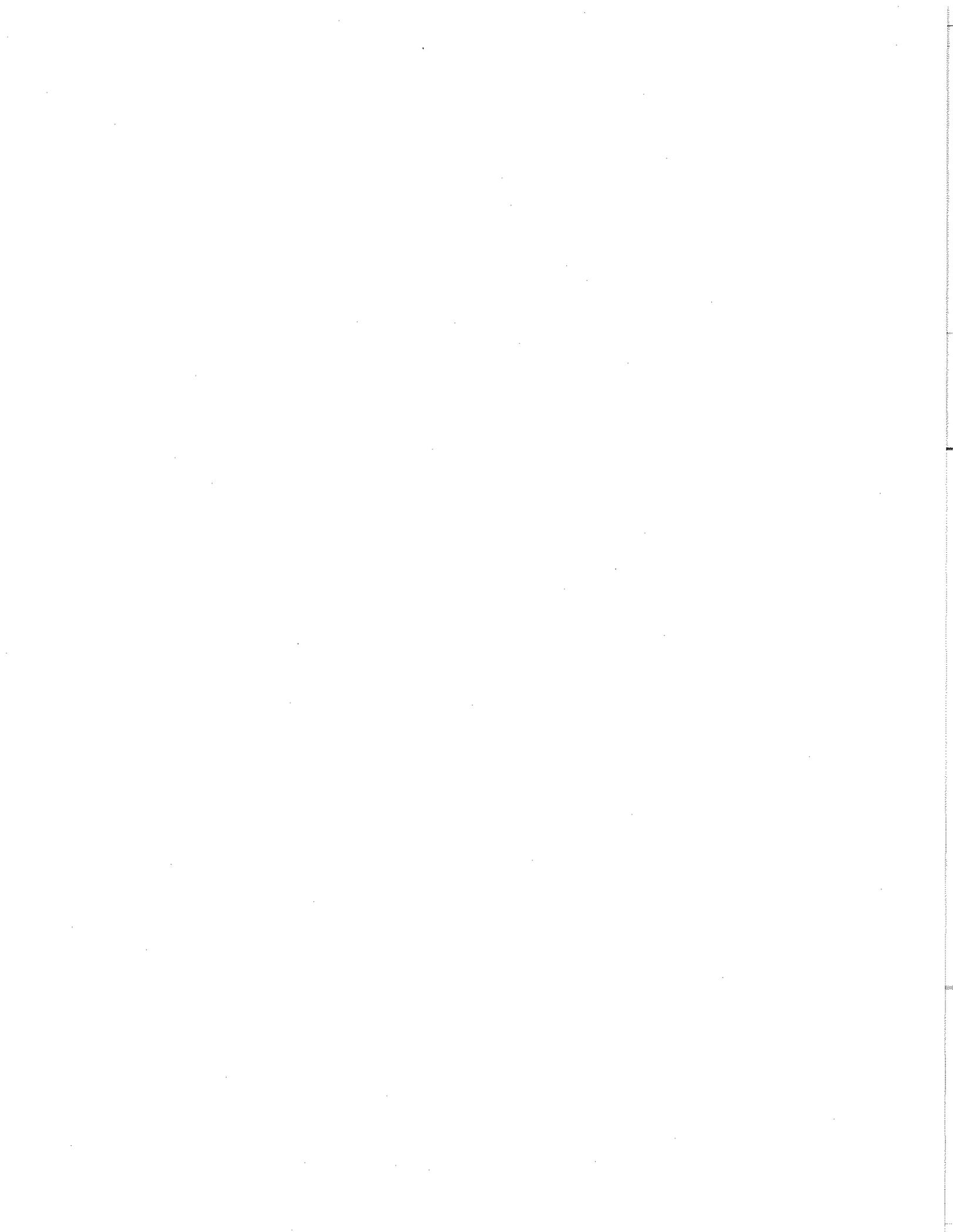
### **B. CONDITIONAL USE PERMIT FINDINGS SPECIFIC FOR RADIO OR TELEVISION ANTENNA (SBMC28.94.030(DD)(2)):**

1. Shared Use of Support Structure. The applicant had made a good faith effort to demonstrate that no existing or planned support structure, including an antenna tower, is available to accommodate the proposed antenna.

2. Site Size. The site is of a size and shape sufficient to provide an adequate setback from the base of the antenna support structure to any property line abutting a residential use.
3. Visual Impact. The project has been reviewed by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located in the El Pueblo Viejo Landmark District or another landmark district or if the property contains a designated City Landmark. The Board and Commission may take action on the location of the antenna(s) on the site, color and size so as to minimize any adverse visual impacts by requiring that the antenna and its supporting structure be designed and placed so as to be as visually unobtrusive as feasible, taking into consideration technical engineering and other pertinent factors. The Planning Commission may grant a waiver from height limitations if it finds that no feasible alternative location or design would not require such a waiver.
1. Non-ionizing Electromagnetic Radiation (NIER) Emissions. Any new transmitters and/or antennas, when combined with existing sources of NIER emissions on or adjacent to the site and when operating as designed and licensed, shall not expose the general public to ambient radiation emissions which exceed American National Standards Institute (ANSI) C95.1-1992 standard (if the Federal Communications Commission (FCC) rulemaking committee adopts a revised standard, said standard shall apply).

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated August 8, 2007 (Revised 2/26/2008)
- D. ABR Minutes
- E. Parking Demand Study Prepared by Associated Transportation Engineers
- F. Parking Study prepared by KEYT
- G. Antenna Inventory



## PLANNING COMMISSION CONDITIONS OF APPROVAL

730 MIRAMONTE DRIVE

CUP AMENDMENT

MAY 19, 2008

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 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. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR) and the City's Wildland Fire Specialist. Such plan shall not be modified unless prior written approval is obtained from the ABR and the City's Wildland Fire Specialist. 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.
  3. **Approved Development.** The development of the Real Property approved by the Planning Commission on May 22, 2008 is limited to a Conditional Use Permit for the use of an existing 8,000 square foot building as a television studio and related offices, a 240 square foot wireless equipment trailer, and 6 send/receive satellite dishes. *Up to six (6) events attended by up to 50 guests to be held after 6:30 p.m. providing parking for all guests on site. Up to two (2) special events a year that would be attended by up to 100 guests to be held after 6:30 p.m. providing parking both on-site and at an offsite location subject to condition A.6. below. All events are subject to the Noise Ordinance (SBMC§9.16).*
  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. **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.
    - b. **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.

5. **Use Limitations.** Due to potential traffic and parking impacts, uses other than general office and television studio are not permitted without further environmental and/or Planning Commission review and approval. Prior to initiating a change of use, the Owner shall submit a letter to the Community Development Director detailing the proposal, and the Director shall determine the appropriate review procedure and notify the Applicant.
  6. **Special Event Parking Agreement.** The Owner shall provide off-site parking to meet the generated parking demand for periodic special events to be attended by more than 50 and up to 100 guests, as determined by the Public Works Director. A plan for special event parking must be provided for review by the Public Works Director a minimum of 30 days prior to the event date for review and approval. If the parking demand is not met or a plan is not submitted in a timely matter, the project shall be returned to the Planning Commission for further review and consideration. The plan shall identify a location which has excess parking available during the special event.
  7. **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.
- B. **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. **Tree Protection Measures.** The landscape plan shall include the following tree protection measures:
    - a. **Landscaping Under Trees.** Landscaping under the tree(s) shall be compatible with the preservation of the tree(s).
    - b. **Oak Tree Protection Measures.** The following provisions shall apply to existing oak trees on site:
      - (1) Landscaping provided under the oak tree(s) shall be compatible with preservation of the trees as determined by the ABR. No irrigation system shall be installed under the dripline of any oak tree.
  2. **Landscape Screening.** Landscaping with low water use plants and/or a solid screen wall or fence shall be provided to buffer the parking area from adjacent neighbors.

C. **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 B above.
2. **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:

Property Owner	Date	
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

D. **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.

1. **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  
Christmas Day

Friday following Thanksgiving 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.

2. **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.
  - d. **Oak Tree Protection Measures.** The following provisions shall apply to existing oak trees on site:
    - (1) During construction, fencing or protective barriers shall be placed around and three feet outside of the dripline of all oak trees located within 25 feet of development.
    - (2) No grading shall occur under any oak tree dripline, except as indicated on the site plan for construction of the fencing for the satellite dish farm. Grading within the dripline during construction of this area shall be minimized and shall be done with light (one ton or less) rubber-tired equipment or by hand. If use of larger equipment is necessary within the dripline of any oak, it shall only

be operated under the supervision and direction of a qualified Arborist.

- (3) A qualified Arborist shall be present during any grading or excavation adjacent to or beneath the dripline of any oak tree. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound. Any thinning or root pruning and trimming shall be done under the direction of a qualified Arborist.
  - (4) No storage of heavy equipment or materials, or parking shall take place within five (5) feet of the dripline of any oak tree.
  - (5) Oak seedlings and saplings less than four inches (4") at four feet (4') above the ground that are removed during construction shall be transplanted where feasible. If transplantation is not feasible, replacement trees shall be planted at a minimum one to one (1:1) ratio. Replacement trees shall be a minimum of one (1) gallon size derived from South Coastal Santa Barbara County stock.
3. **Existing Tree Preservation.** The existing tree(s) shown on the approved Landscape to be saved shall be preserved and protected and fenced three feet outside the dripline during construction.
  4. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
  5. **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.

E. **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 *caused by construction* (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 building plans, including utility service undergrounding and installation of street trees.
3. **Evidence of Private CC&Rs Recordation.** Evidence shall be provided that the private CC&Rs required in Section A have been recorded.

F. **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.

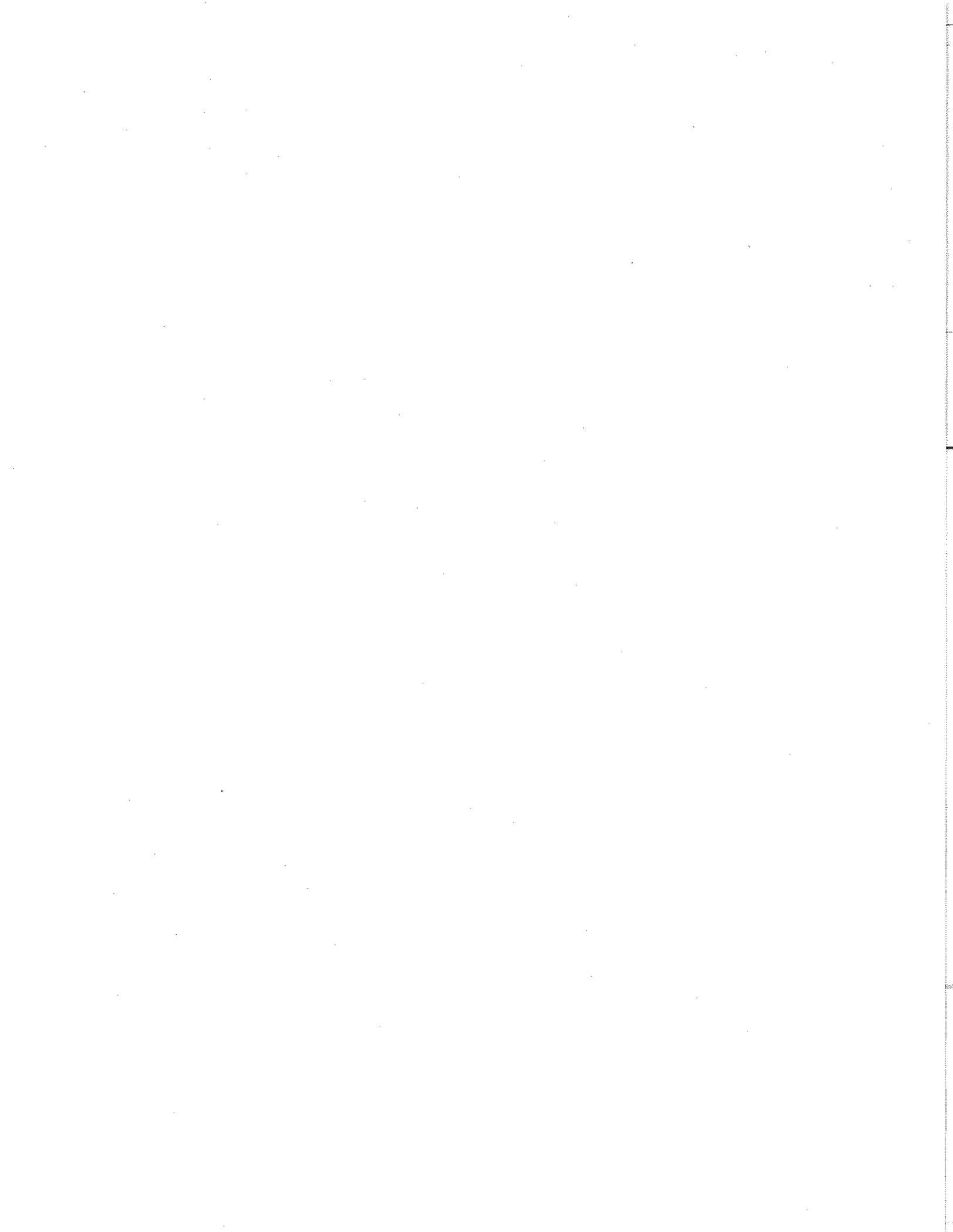
Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification 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 APPROVAL TIME LIMITS:**

The Planning Commission's action approving the Conditional Use Permit, Modification, Performance Standard Permit, or Variance shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or
2. A Building permit for the use authorized by the approval is issued within and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.
3. The approval has not been discontinued, abandoned or unused for a period of six months following the earlier of (a) an Issuance of a Certificate of Occupancy for the use, or (b) two (2) years from granting the approval.

If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the discretionary applications, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the application, unless otherwise specified by state or federal law.

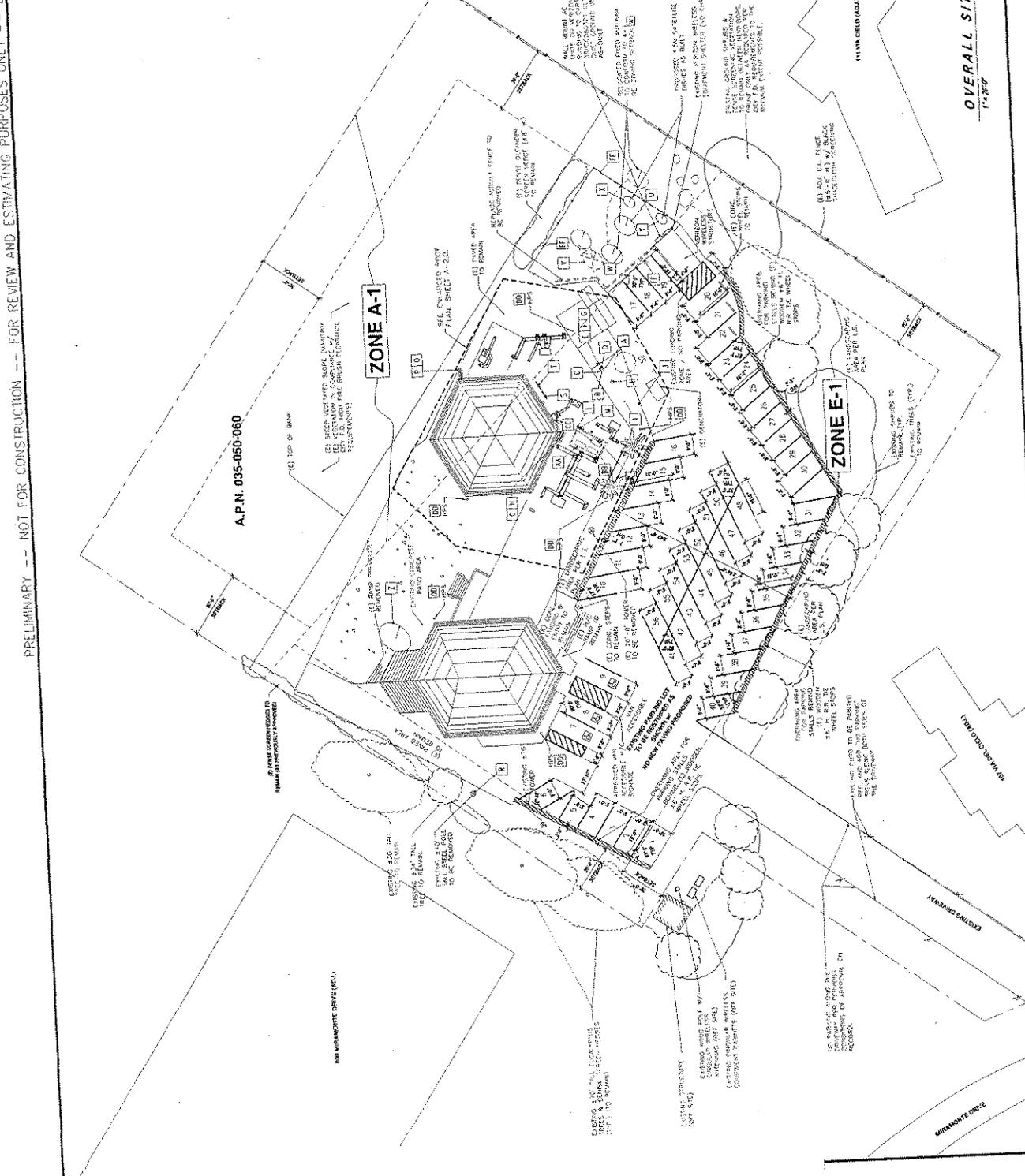


PRELIMINARY -- NOT FOR CONSTRUCTION -- FOR REVIEW AND ESTIMATING PURPOSES ONLY -- DO NOT DUPLICATE OR SEPARATE THESE DRAWINGS

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MANUSCRIPT NOTE: MAINTAIN PROTECT & PRESERVE ALL TO BE GREATEST PREVIOUSLY APPROVED WHERE SCREENING OCCURS BETWEEN AND WITH (E) AND (D) REQUIREMENTS TO BE LOCATED COMPLETELY OUT OF STRUCTURES. THE MINIMUM EVENT POSSIBLE.



**OVERALL SITE DEVELOPMENT PLAN**  
1/4" = 1' - 0"



**A-1.1**

**KEYT - TV**  
730 Miramonte Drive  
Santa Barbara, Ca 93109

**SITE AND BUILDING IMPROVEMENTS FOR:**

Scale: 1/4" = 1' - 0"

DATE: 12/07/2007

PROJECT: KEYT-TV

DATE: 05-06-08

PROJECT NUMBER: A-1.1

DATE: 05-06-08

PROJECT NUMBER: A-1.1

EXHIBIT B



PRELIMINARY --- NOT FOR CONSTRUCTION --- FOR REVIEW AND ESTIMATING PURPOSES ONLY --- DO NOT DUPLICATE OR SEPARATE THESE DRAWINGS

**ARCHITECT**  
 VAOR GENSFELLSM, A.L.A., INC.  
 1025 KENNEDY ROAD, SUITE 200, BERKELEY, CALIFORNIA 94704  
 TELEPHONE (415) 847-0923 FACSIMILE (415) 847-0919



**KEY-TV**  
 730 Miramonte Drive  
 Santa Barbara, Ca 93109

Project Title  
**SITE AND BUILDING IMPROVEMENTS FOR:**

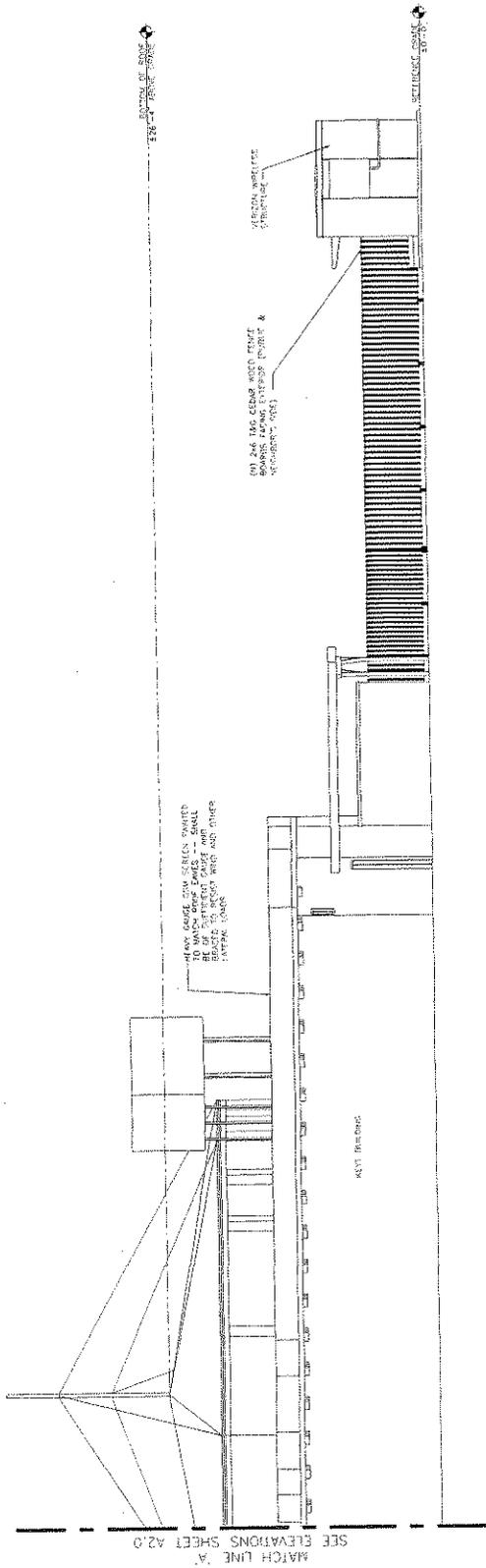
COMPOSITE ELEVATION

Date: 12/07/2007

Job # 07121

Sheet Number

**A-3.0**



**EXISTING NORTHEAST ELEVATION**  
 3/16" = 1'-0"

The landscape architect shall be required to guarantee the accuracy and completeness of the work represented hereon and to defend and indemnify the client against all claims, damages, losses, and expenses, including reasonable attorneys' fees, that may be asserted against the client arising out of or from the design or construction of the landscape or any other work performed by the architect or any other person or entity under the architect's supervision, control, or direction. The architect shall be responsible for the accuracy and completeness of the landscape design and shall be responsible for the accuracy and completeness of the landscape construction. The architect shall be responsible for the accuracy and completeness of the landscape design and shall be responsible for the accuracy and completeness of the landscape construction. The architect shall be responsible for the accuracy and completeness of the landscape design and shall be responsible for the accuracy and completeness of the landscape construction.

### Annual Landscape Maintenance Agreement for High Fire Compliance

1. The landscape architect shall be required to provide the client with a written agreement for annual landscape maintenance. The agreement shall include the following:
  - a. A list of the plants to be maintained and the frequency of maintenance.
  - b. A list of the tools and equipment to be used for maintenance.
  - c. A list of the personnel to be employed for maintenance.
  - d. A list of the areas to be maintained.
  - e. A list of the dates when maintenance is to be performed.
2. The landscape architect shall be required to provide the client with a written agreement for annual landscape maintenance. The agreement shall include the following:
  - a. A list of the plants to be maintained and the frequency of maintenance.
  - b. A list of the tools and equipment to be used for maintenance.
  - c. A list of the personnel to be employed for maintenance.
  - d. A list of the areas to be maintained.
  - e. A list of the dates when maintenance is to be performed.

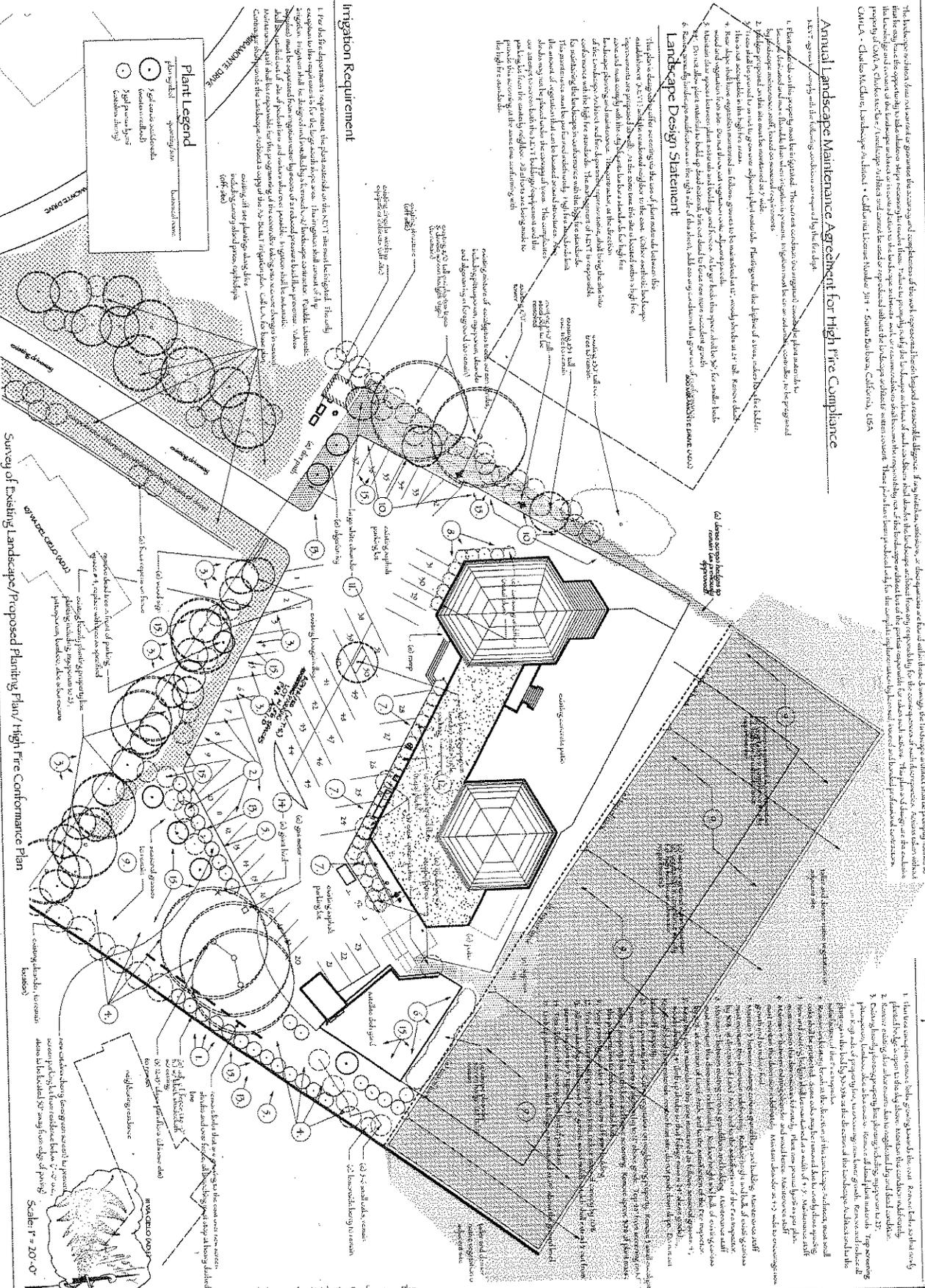
### Landscape Design Statement

The landscape design is a response to the site conditions and the client's requirements. The design is based on the principles of landscape architecture and the goal of creating a functional and aesthetically pleasing outdoor environment. The design is based on the principles of landscape architecture and the goal of creating a functional and aesthetically pleasing outdoor environment. The design is based on the principles of landscape architecture and the goal of creating a functional and aesthetically pleasing outdoor environment.

### Irrigation Requirement

The irrigation system is designed to provide adequate water to the plants and to maintain the soil moisture. The system is based on the principles of landscape architecture and the goal of creating a functional and aesthetically pleasing outdoor environment. The system is based on the principles of landscape architecture and the goal of creating a functional and aesthetically pleasing outdoor environment.

Plant Legend	
	Plant 1
	Plant 2
	Plant 3
	Plant 4
	Plant 5



### Landscape Modifications for High Fire Compliance

1. The landscape architect shall be required to provide the client with a written agreement for annual landscape maintenance. The agreement shall include the following:
  - a. A list of the plants to be maintained and the frequency of maintenance.
  - b. A list of the tools and equipment to be used for maintenance.
  - c. A list of the personnel to be employed for maintenance.
  - d. A list of the areas to be maintained.
  - e. A list of the dates when maintenance is to be performed.
2. The landscape architect shall be required to provide the client with a written agreement for annual landscape maintenance. The agreement shall include the following:
  - a. A list of the plants to be maintained and the frequency of maintenance.
  - b. A list of the tools and equipment to be used for maintenance.
  - c. A list of the personnel to be employed for maintenance.
  - d. A list of the areas to be maintained.
  - e. A list of the dates when maintenance is to be performed.

landscape planning for

**KEYT-TV**

730 Miramonte Drive  
Santa Barbara, California

CM/LA

Charles McClure  
Landscape Architect

3500 Orange Road  
Santa Barbara, CA 93101  
Tel: 805/964-1234

DATE: 10/15/07  
SCALE: 1"=20'-0"  
SHEET: 1 OF 3 SHEETS

A R C H I T E C T  
VADIM MENSTELL HSU/A.I.A.  
I N C O R P O R A T E D



RECEIVED  
FEB 26 2008

CITY OF SANTA BARBARA  
PLANNING DIVISION

ARCHITECTURE, PLANNING, CONSTRUCTION MANAGEMENT  
3023 SERENA ROAD - SANTA BARBARA - CALIFORNIA - 93105  
805.682.0025 - telephone 805.682.7625 - facsimile www.bigv-arch.com

To: City of Santa Barbara, Community Development Department  
Attn: Suzanne Johnston, Planner, Planning and Zoning,  
Stacey Wilson, Transportation Planning

From: Architect Vadim M. Hsu, AIA, Inc.; Agent for:  
Smith Media, LLC; dba KEYT-TV; and Katherine Dricol Roche, Owner.

Date: August 8, 2007 (Revised 2/26/2008)

Re: 730 Miramonte Drive, CA, 93109 (MST2006-00234)

This letter will serve as our formal request for Planning Commission review for an Amendment to an existing Conditional Use Permit for the above-referenced Site. This proposal includes Amendment requests including:

- 1). Permitting (2) 'as-built' satellite dishes in the satellite dish 'farm'.
- 2). Removing an 'as-built' vinyl fence surrounding part of the dish farm, and approval for replacement with a complete wood screening fence enclosure and landscape screening.
- 3). Permitting (2) small 'as-built' air conditioner units on the existing Verizon building in the parking lot.
- 4). Permitting the replaced HVAC rooftop equipment, and providing new ABR-approved screening of all replaced rooftop mechanical equipment.
- 5). Removal of (2) pole lights and unpermitted ramp. (All previously removed).
- 6). Permitting of 'as-built' security parking lot lighting, and provide 30-minute maximum timer for exterior 'talent' lighting, documented to comply with SBMC 22.75 by Smith Engineering Associates.
- 7). Revised Site plan showing the required 56 parking spaces restored by restriping, elimination of driveway entry parking through red curbs and Fire Lane signs, a Parking Demand Analysis by AET (Transportation Engineers) supporting the KEYT staff count and staggered work schedules. This parking study by AET includes analysis of potential event parking impacts, and recommendations should be included in the Conditions of Approval. Despite the fact the Owner & KEYT maintain there are no longer any gala events held on-site any more, there are occasional guests, and Staff has recommended to account for some small events into this CUP approval and the recommended mitigation as required, so that if gatherings ever should occur in the future, they would not be in violation of this CUP, and would be accountable to the City and neighborhood.
- 8). Approval of the Landscape Plan documenting all existing Site landscaping conditions, and additional proposed screening to adjacent neighbor(s) as suggested by the ABR and amicably discussed with southerly neighbor, and Fire Department required pruning and brush clearing, to bring Site into compliance with current ordinances, and provide accurate documentation of approved Site conditions for the proposed amended CUP.

Please find attached (10) revised sets of our submittal Drawings (that received favorable comments at the ABR Conceptual Review this past July 2, 2007 addressing the issues outlined at the previous ABR hearing last November 2006); (1) recent set of Site Photos; and (1) copy of relevant previous paperwork involving this project. As the new Architect-of-Record, I have tried to address the issues as outlined by all your past correspondence and the comments received at the ABR reviews. Additionally, I have specifically addressed the issues outlined to abate ENF2005-00730, and as directed by City Building and Zoning Staff.

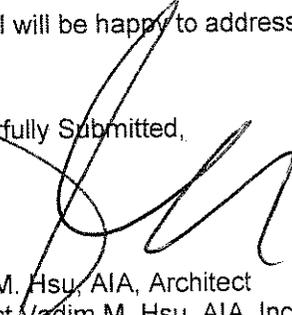
We look forward to clearing up the case; my Clients represent new management at KEYT-TV, and want to clean up past problems and violations as quickly as we are able. They are now well-briefed with the process, and want to act on the issues expeditiously.

EXHIBIT C

Upon receiving Planning Commission approval, we will return for Final ABR approval and Building Department submittal, as previously outlined by Ms. Nocis, and Ms. Johnston, to abate violations, and bring the project and Site into compliance with the amended CUP.

I will be happy to address any further questions or comments you may have.

Respectfully Submitted,



Vadim M. Hsu, AIA, Architect  
Architect Vadim M. Hsu, AIA, Inc.

Attachments  
cc: Client, McClure, file  
VMH:vmh



ARCHITECTURAL BOARD OF REVIEW  
CASE SUMMARY

730 MIRAMONTE DR

MST2006-00234

Page: 1

ANTENNA

**Project Description:**

Proposal for approval of "as-built" work for KEYT consisting of two antennas, a fence, and exterior lighting. The proposal also includes the removal two antennas and a concrete ramp, and the relocating of one antenna and two air conditioning units. The antenna facility is located on the 97,574 square foot parcel and the project requires a Substantial Conformance Determination at Planning Commission.

**Activities:**

7/2/2007

*ABR-Concept Review (Continued)*

*(Second Concept Review.)*

*(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND SUBSTANTIAL CONFORMANCE WITH THE EXISTING CONDITIONAL USE PERMIT AT PLANNING COMMISSION.)*

*(3:42)*

*Present: Vadim Hsu, Architect.*

*Public comment opened at 4:00 p.m.*

*Lois Franks: concerned with lack of landscape maintenance and screening.*

*Public comment closed at 4:03 p.m.*

*Motion: Continued indefinitely to the Planning Commission and return to the Full Board with the following comments:*

- 1) Landscaping, especially at the property edge, shall be installed and maintained so as to hide/screen the antennas from neighboring views.*
- 2) The Board appreciates that the satellite dishes were moved out of the setback area.*
- 3) The Board appreciates the exterior lighting and timers as shown on the plans.*
- 4) The applicant is to work with the adjacent neighbors on screening and landscaping to hide the building and its antennas as much as possible.*
- 5) Screening material on the roof will be heavy gauged which does not require painting and maintenance, which is not bright in appearance such as bonderized metal, copper, or zinc.*
- 6) The Board was concerned with the apparent lack of master planning for the improvements that have*

Date Printed: May 13, 2008

## ANTENNA

**Activities:**

occurred on the site, especially in the area directly abutting the residentially zoned properties; however, the Board now appreciates the action the applicant is taking to alleviate the situation and to bring the site more into compliance.

7) Provide a landscape plan which includes landscaping at the parking lot edges to screen cars and their lights from the neighbors.

8) Coordinate with Verizon Company about painting the equipment enclosure a darker color.

Action: Wienke/Zink, 5/0/0. Motion carried. (Aurell, Mosel, Mudge absent.) (Manson-Hing served as Acting Chair for this item.)

**6/18/2007****ABR-Resubmittal Received**

Three sets and photos received.

**11/20/2006****ABR-Concept Review (New) - PH**

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL.)

(4:40)

Present: Don Katich, Applicant; Kathy Jacquemin, KEYT General Manager; Dave Williams, KEYT Chief Engineer.

Public comment opened at 4:51 p.m.

Written comments from John Fritsche, resident, in favor of the project, were read into the record by Chair Bartlett.

David Franks, resident, opposed, provided the Board with photo documentation.

Lois Franks, resident, expressed concern with antennae equipment, etc., being added piece meal.

Public comment closed at 4:55 p.m.

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

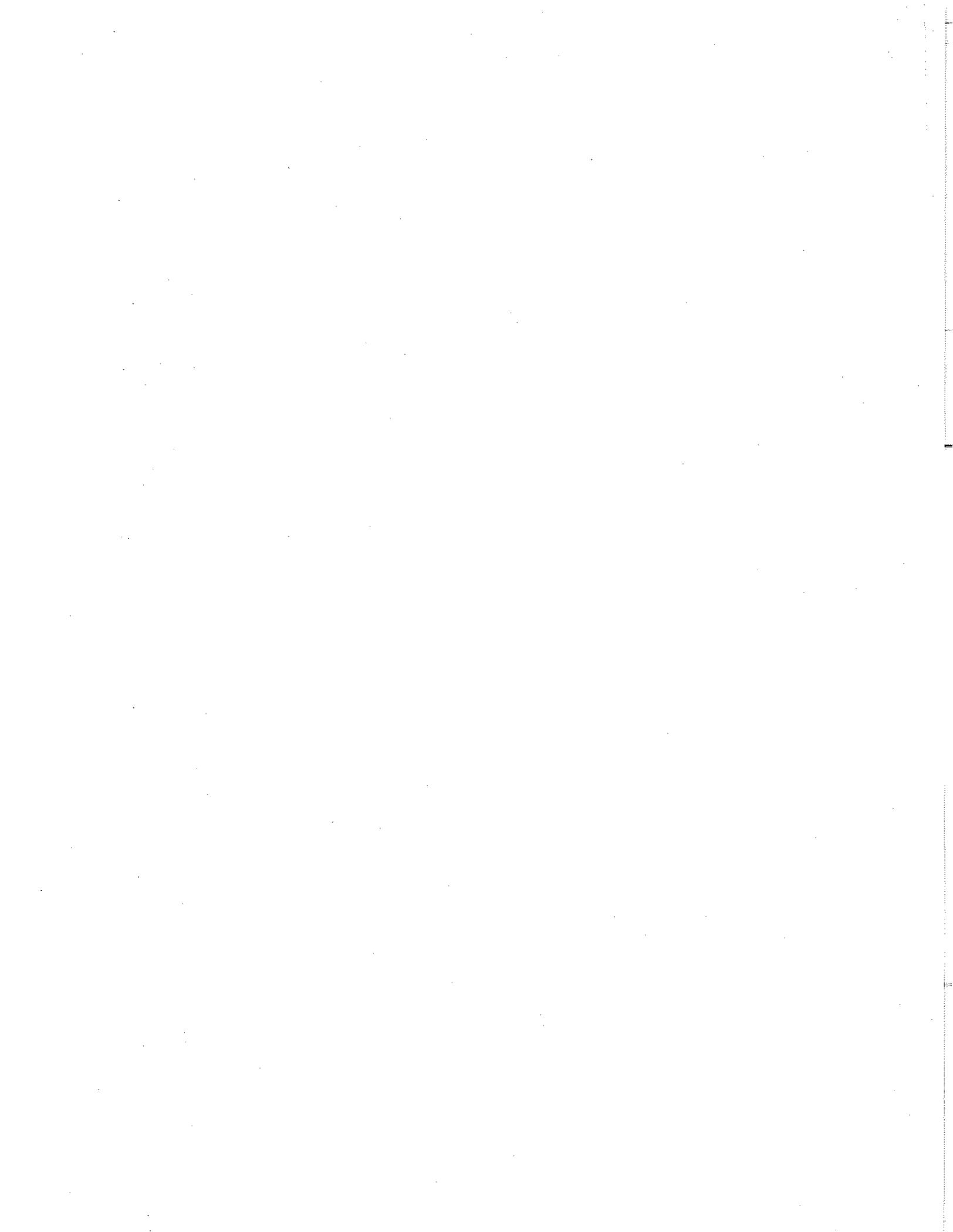
1) The Board is concerned with the apparent lack of master planning for the improvements that have occurred on the site, especially in the area directly abutting the residentially zoned properties. 2) The proposed corrections are beneficial to the neighbors but there needs to be more attention to landscape buffering between the modular structures located adjacent to the easterly property line. 3) The relocation of the satellite dishes further from the property line is an enhancement, and the removal of the redundant antennae are supported by the Board. 4) Provide a focused landscape plan that addresses privacy concerns to residential neighbors and an alternative for the fiberglass/plastic fence that screens the satellite dishes. 5) There is also concern for the parking lot lighting; demonstrate that there is no glare to neighbors or night flow from this prominent position. 6) The proposed timer is a good addition to the TV Hill light. The timing should be reduced to a minimal time frame to minimize impacts to

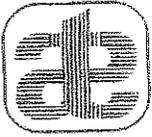
## ANTENNA

**Activities:**

neighbors and the freeway below. 7) As to the HVAC improvements that have occurred on the roof: the Board would prefer to see a parapet screen as opposed to the proposed painted duct solution. 8) Removal of the old ramp is supported by the Board. 9) Incorporate the Fire Department's requirements for landscape into the Landscape Plan, so the Board can see the screening that is to remain.  
Action: Mosel/Blakeley, 7/0/0. (Sherry absent.)

**11/20/2006*****ABR-Notice Prepared-PC/SHO Req*****11/1/2006*****ABR-Posting Sign Issued***





# ASSOCIATED TRANSPORTATION ENGINEERS

100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • [805] 687-4418 • FAX [805] 682-8509

Richard L. Pool, P.E.  
Scott A. Schell, AICP

RECEIVED  
FEB 26 2008

CITY OF SANTA BARBARA  
PLANNING DIVISION

January 30, 2008

08005L01.wpd

Mark Keenan  
KEYT-TV  
730 Miramonte Drive  
Santa Barbara, CA 93109

## PARKING DEMAND STUDY FOR THE KEYT-TV TELEVISION STATION, SANTA BARBARA, CA

Associated Transportation Engineers (ATE) has prepared the following parking demand study for the KEYT-TV television station project, located at 730 Miramonte Drive in Santa Barbara. The project is proposing a CUP amendment to address enforcement issues raised by the City. This study was prepared to address the issues raised in the City's DART letter dated October 26, 2007.

### Existing Parking Supply

There are currently 50 marked parking spaces on-site for KEYT staff and visitors. It is noted that during the parking survey periods there was 1 parking space that was occupied with KEYT equipment, resulting in a total of 49 spaces available on-site. On-street parking is allowed on Miramonte Drive adjacent to the KEYT driveway.

### Proposed Parking Supply

The project site plan (attached for reference) shows that the parking lot will be reconfigured to provide a total of 56 spaces on-site. No parking signs are to be installed along the project driveway and the existing curb will be painted red.

### Existing Parking Demands

ATE conducted parking surveys at the site on Tuesday, January 15 and Wednesday, January 16, 2008. Parked vehicles were counted hourly from 9:00 A.M. to 7:00 P.M. ATE staff also recorded parked cars on Miramonte Drive adjacent to the project site and along the project driveway. Parking survey data is attached for reference. Table 1 presents the results of the parking survey.

**Table 1**  
**Parking Survey Results**

Tuesday, January 15, 2008				Wednesday, January 16, 2008			
Time	Vehicles On-Site	Vehicles On-Street	Total Parked Vehicles	Time	Vehicles On-Site	Vehicles On-Street	Total Parked Vehicles
9:00 A.M.	35	0	35	9:00 A.M.	43	0	43
10:00 A.M.	36	0	36	10:00 A.M.	44	0	44
11:00 A.M.	33	0	33	11:00 A.M.	40	0	40
12:00 P.M.	29	0	29	12:00 P.M.	37	0	37
1:00 P.M.	25	0	25	1:00 P.M.	30	0	30
2:00 P.M.	29	0	29	2:00 P.M.	33	0	33
3:00 P.M.	50	1	51	3:00 P.M.	50	3	53
4:00 P.M.	49	2	51	4:00 P.M.	47	4	51
5:00 P.M.	52	2	54	5:00 P.M.	50	4	54
6:00 P.M.	32	0	32	6:00 P.M.	34	3	37
7:00 P.M.	17	0	17	7:00 P.M.	23	2	25

The data presented in Table 1 show that a peak parking demand of 54 vehicles occurred at 5:00 P.M. on both days of the survey. During these periods, the 49 on-site parking spaces were occupied and 2-4 vehicles were observed parking on Miramonte Drive. 1-3 vehicles were also observed double parked or parking in unmarked spaces on-site during the peak periods. Based on daily employee shift data provided by KEYT (attached for reference), 4:00 P.M. to 5:00 P.M. is the period when the most employees are on-site (52 employees). It is noted that there were no vehicles observed parking along the project driveway during the survey periods.

**Future Parking Demand**

The existing parking lot is to be reconfigured to provide a total of 56 spaces on-site. Based on the parking survey data collected by ATE and the daily employee shift data provided by KEYT staff, the proposed 56 on-site parking spaces would accommodate the peak demand of 54 vehicles experienced at the site. Therefore, parking on Miramonte Drive would not be required

**Special Event Parking**

At the request of City staff, an additional parking demand analysis has been completed to address parking demands associated with special events that may be held on-site. The special events would take place after 6:30 P.M., when parking demands are lower, and would be attended by 50 or fewer guests. As shown in Table 1, the observed peak parking demand after 6:30 P.M. was 25 vehicles. Based on the proposed parking supply of 56 spaces, 31 on-site parking spaces would be available for special event parking. Table 2 presents the special event parking demand calculations.

**Table 2  
Special Event Parking Demands - 50 Or Less Guests**

Event Size	Event Parking Demand <sup>(a)</sup>	KEYT-TV Demand <sup>(b)</sup>	Total Parking Demand	Available Parking	Parking Supply
50 Person	25 Vehicles	25 Vehicles	50 Spaces	56 Spaces	+ 6 Spaces

<sup>(a)</sup> Assumes average vehicle occupancy of 2 people per vehicle.

<sup>(b)</sup> Based on observed parking demand after 6:30 P.M.

The data in Table 2 shows that the proposed on-site parking supply would accommodate a special event of up to 50 guests and provide a reserve of 6 parking spaces.

It is noted that there may be one or two special events held at the site with up to 100 guests. Table 3 presents the special event parking demand calculations for special events with an attendance of up to 100 guests.

**Table 3  
Special Event Parking Demands - 100 Guests**

Event Size	Event Parking Demand <sup>(a)</sup>	KEYT-TV Demand <sup>(b)</sup>	Total Parking Demand	Available Parking	Parking Supply
100 Person	50 Vehicles	25 Vehicles	75 Spaces	56 Spaces	-19 Spaces

<sup>(a)</sup> Assumes average vehicle occupancy of 2 people per vehicle.

<sup>(b)</sup> Based on observed parking demand after 6:00 P.M.

The data presented in Table 3 shows that the proposed parking supply of 56 spaces would not accommodate an event of 100 guests. An additional 19 parking spaces would need to be provided to accommodate an event of this size. It is recommended that an off-site location, such as a nearby school or church, be used to provide additional parking for larger events. A shuttle service would need to be implemented to transport guests to and from the site.

This concludes our parking study for the KEYT-TV project. Please call our office if you have questions regarding the analysis or findings.

Associated Transportation Engineers

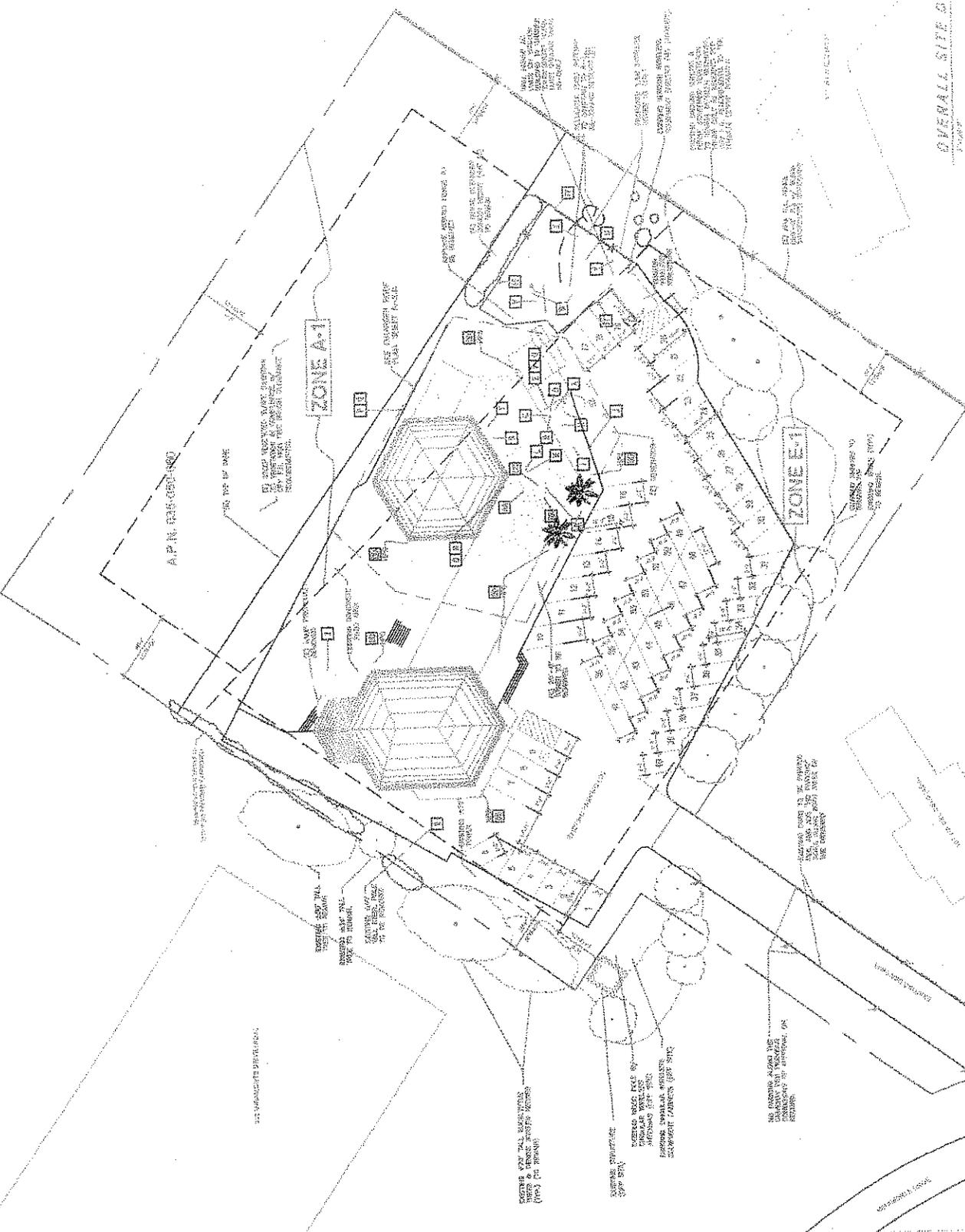
  
 Scott A. Schell, AICP, PTP  
 Principal Transportation Planner

SAS/MMF

Attachments: Proposed Site Plan  
 Parking Survey Data  
 Daily Employee Shift Data

OVERALL SITE DEVELOPMENT PLAN

THESE ARE THE GENERAL DEVELOPMENT CONCEPTS AND ARE SUBJECT TO CHANGE AS THE PROJECT DEVELOPS. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND THE STATE DEPARTMENT OF TRANSPORTATION. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND THE STATE DEPARTMENT OF TRANSPORTATION.



SEE QUANTITIES SHEET

#08005 - KEYT Parking Survey

Date: Tuesday, January 15, 2008

	Unassigned	Assigned	Visitor	ADA	Other (unmarked)	Total
Capacity	41	6	2	1		50

Time	Unassigned	Assigned	Visitor	ADA	Total	% Occupied
9:00	30	3	1	0	35	70%
10:00	30	5	1	0	36	72%
11:00	28	4	1	0	33	66%
12:00	24	4	1	0	29	58%
1:00	20	3	2	0	25	50%
2:00	23	4	1	0	29	58%
3:00	41	4	2	0	50	100%
4:00	41	3	2	0	49	98%
5:00	41	6	2	0	52	104%
6:00	26	4	2	0	32	64%
7:00	13	3	1	0	17	34%

Driveway	On-Street
0	0
0	0
0	0
0	0
0	0
0	0
0	1
0	2
0	2
0	0
0	0

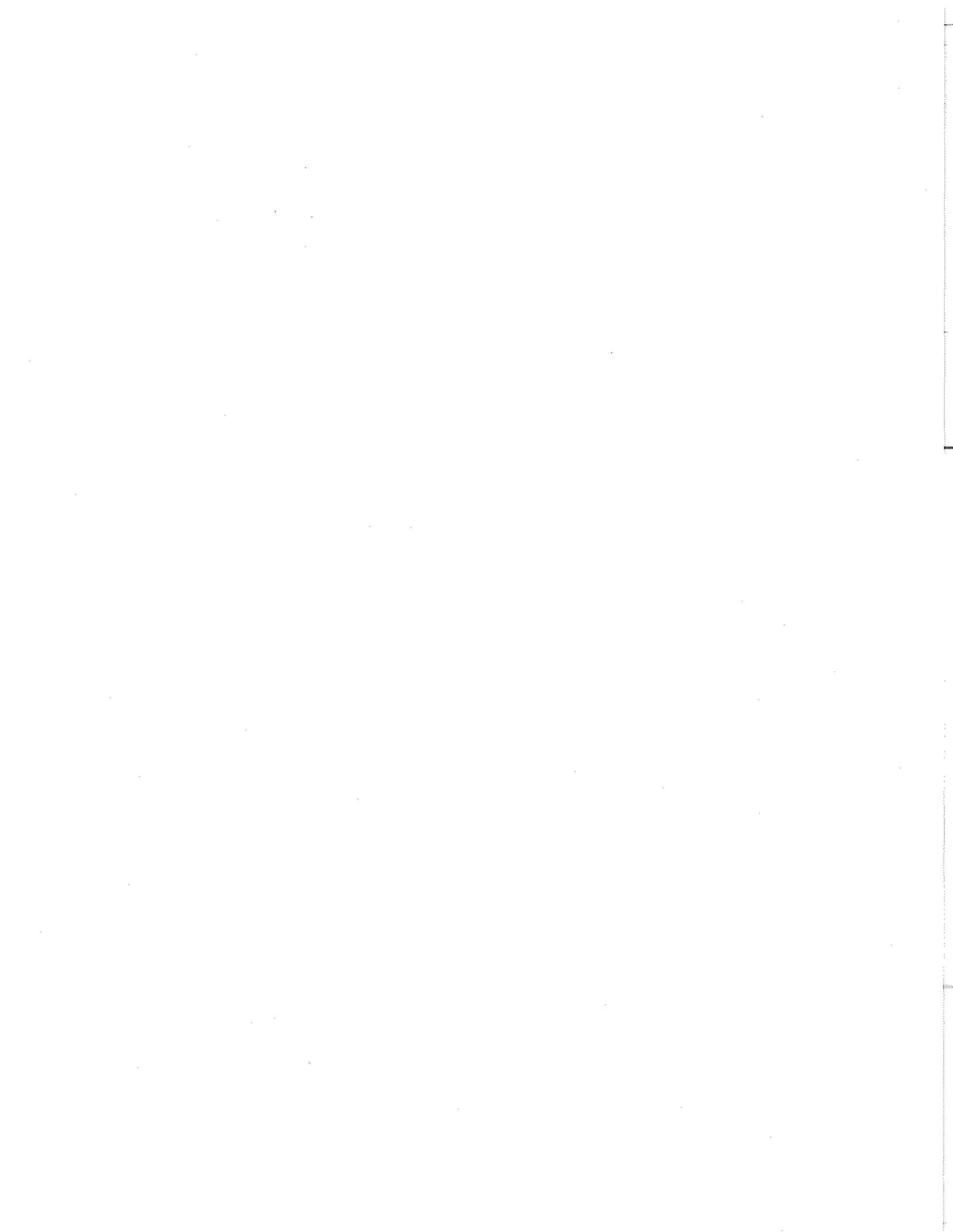
Date: Wednesday, January 16, 2008

	Unassigned	Assigned	Visitor	ADA	Other (unmarked)	Total
Capacity	41	6	2	1		50

Time	Unassigned	Assigned	Visitor	ADA	Total	% Occupied
9:00	35	4	2	0	43	86%
10:00	37	5	1	0	44	88%
11:00	34	4	1	0	40	80%
12:00	32	4	1	0	37	74%
1:00	26	3	0	0	30	60%
2:00	30	2	0	0	33	66%
3:00	41	5	1	1	50	100%
4:00	40	5	1	0	47	94%
5:00	41	5	2	0	50	100%
6:00	30	2	2	0	34	68%
7:00	19	3	1	0	23	46%

Driveway	On-Street
0	0
0	0
0	0
0	0
0	0
0	0
0	3
0	4
0	4
0	3
0	2





**Licensed Transmit & receive antennas**

Call Sign	Function	Antenna
KML45, WGV743, & KPQ21	Studio-Transmitter-Link	One 6' Dish on roof (in doghouse)
KSBB	LPTV service	Panel antenna on mast at south end of building
K04448	2-way mobile base station	Vertical loop on mast at south end of building
KPJ743	2-way mobile base station	Yaggi on mast at south end of building
WPTD790	Microwave Relay to/from Oxnard News Bureau	One 6' Dish on roof (in doghouse)
WNEK419	Microwave Relay from Hemic downlink	3' Dish on mast as south end of building
WNEK420	Microwave Relay from Hemic downlink	3' Dish on mast as south end of building
NA	Verison Cellular Site	3 wip antennas on masta at south end of building

**Unlicensed receive only**

	Function	Antenna
	KEYT, KEYT-DT off-air reception for monitoring.	3 rooftop TV receive antennas
	Monitoring of KABC Los Angeles	1 rooftop TV receive antenna
	Scanner receiver in Newsroom	Small Yagi on roof
	Satellite Receive	two fixed 3.8 Meter Dish (Sat Yard)
	Satellite Receive	one agile 3 Meter Dish (Sat Yard)
	Satellite Receive	two fixed 1.5 Meter Dish (Sat Yard)
	Satellite Receive	two fixed 1 Meter dish on roof
	Satellite Receive	1 4 Meter dish on patio
	Microwave Receive	1 Meter agile dish on roof (over doghouse)

