



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: December 23, 2008
AGENDA DATE: January 8, 2009
PROJECT ADDRESS: 3885 and 3887 State Street (MST2008-00180)

TO: Planning Commission

FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Kathleen Kennedy, Associate Planner *KAH*

I. PROJECT DESCRIPTION

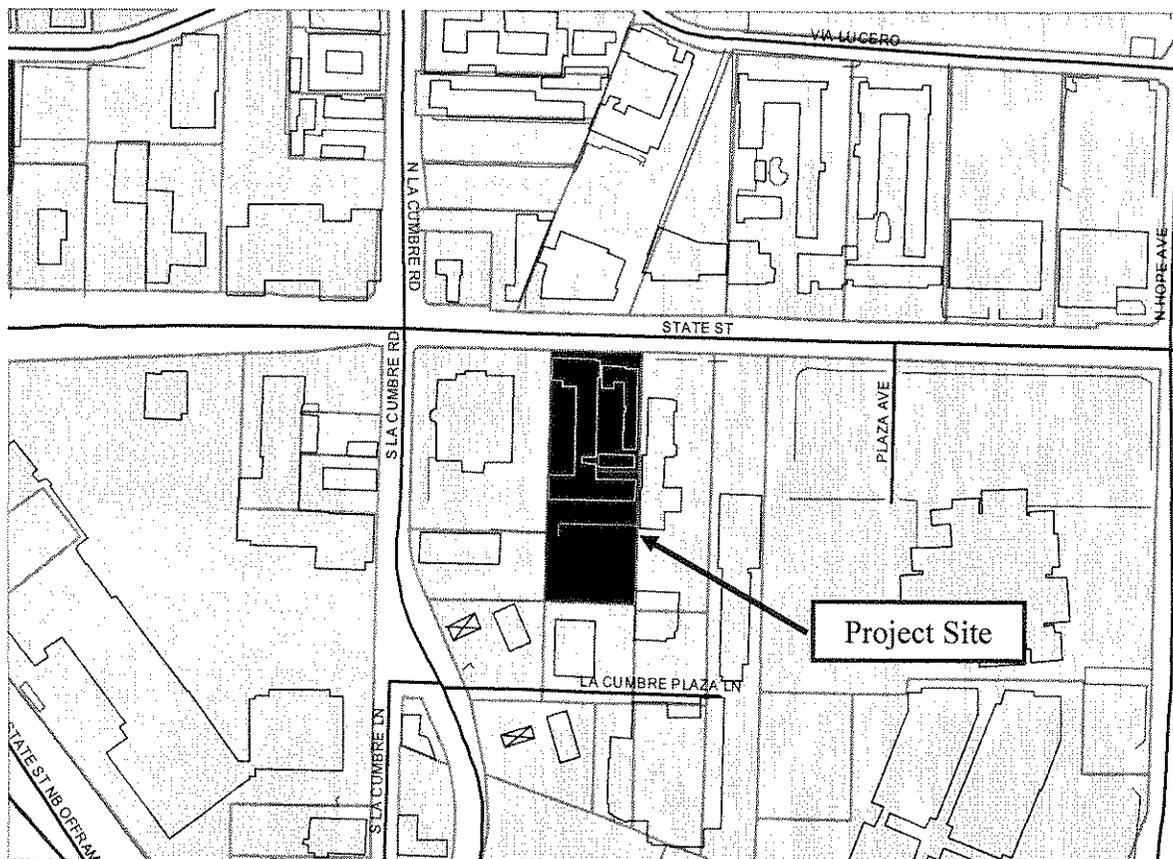
The project consists of the construction of a new, three-story, mixed-use development on a 61,802 square foot (net) lot. The residential portion consists of thirty (30) residential condominium units (26 market rate and 4 affordable units that are required per the Inclusionary Housing Ordinance). The market rate component consists of 23 two-bedroom and 3 three-bedroom units. The affordable component consists of 3 two-bedroom units and 1 three-bedroom unit, affordable to middle income buyers. In conformance with variable density, the 26 market rate units are allowed on the site. The commercial component consists of one 2,567 square foot unit located on the ground floor towards the front of the property. A total of 78 parking spaces are proposed (62 covered and 16 uncovered). Onsite amenities for the residents include a 3,863 sq. ft. recreation facility (exercise room, sun room, spa/hot tub, common dining room, kitchen, wine lockers, concierge service) and a 545 square foot crafts room. The existing 4,990 square foot, twelve room, Plaza Inn motel and 22,250 square foot office building would be demolished. The motel is currently vacant and is no longer in operation. The proposal also includes the merger of two parcels. Additional project details are provided below and in the applicant letter (see Exhibit C – Applicant’s Letter).

II. REQUIRED APPLICATIONS

The discretionary application required for this project is a Tentative Subdivision Map for a one-lot subdivision to create thirty (30) residential condominium units and one (1) commercial condominium unit (SBMC Chapters 27.07 and 27.13).

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.



Vicinity Map for 3885 and 3887 State Street

APPLICATION DEEMED COMPLETE: November 25, 2008
DATE ACTION REQUIRED PER MAP ACT: February 13, 2009

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Berkus Design Studio	Property Owner: Cleo M. Purdy and Michael G. Schmidtchen, Co-trustees	
Parcel Number: 051-022-012 and 051-022-033	Lot Area: 61,802 square feet (net)	
General Plan: General Commerce	Zoning: C-2/SD-2: Commercial, Upper State Street Area Zones	
Existing Use: Office/ Vacant Motel	Topography: approx. 3 %	
Adjacent Land Uses: North - Commercial Retail and Office East - Church South - Commercial Retail West - Commercial Retail and Office		

B. PROJECT STATISTICS

Commercial	Existing (net)	Proposed (net)
Office	22,250 square feet	N/A
Motel	4,990 square feet	N/A
Commercial Retail	N/A	2,567 square feet

Residential Units Type (# of units)	# of Bedrooms	Unit Size (net)	Private Outdoor Living Space
AF-1 (3)	2	852 sq. ft.	88 sq. ft. to 444 sq. ft.
AF-2 (1)	3	1,107 sq. ft.	96 sq. ft.
ST-1 (20)	2	1,193 sq. ft.	158 sq. ft. to 298 sq. ft.
ST-2 (1)	2	1,407 sq. ft.	108 sq. ft.
Carriage (1)	2	2,280 sq. ft.	879 sq. ft.
PH-1 (1)	2	2,067 sq. ft.	221 sq. ft.
PH-2 (1)	3	2,124 sq. ft.	192 sq. ft.
PH-3 (2)	3	2,217 sq. ft.	221 sq. ft.

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks -Front -Interior -Rear	20 feet N/A N/A	Varies (6 to 15 feet) Varies Varies	27 feet Varies, 10 feet min. 10 feet
Building Height	3 stories, 45 feet	2 stories, 21 feet	3 stories, 40 feet max.
Parking	Commercial: 1 space/ 250 sq. ft. = 10 Residential: 68 (2 per unit, 8 guest) Total required: 78	N/A	78 parking spaces (62 underground, 16 uncovered)
Lot Area Required for Each Unit (Variable Density)	2-bedrooms: 23 x 2,320 sq. ft. = 53,360 sq. ft.; 3-bedrooms: 3 x 2,800 sq. ft. = 8,400 sq. ft. 61,760 sq. ft. required for 26 units	N/A	Lot Area: 61,802 sq. ft.
Common Open Space	10 % of Lot Area = 6,180 sq. ft.; plus 15' x 15' common area	N/A	11,655 sq. ft. (19% of lot area); plus approx. 20' x 47' common area
Private Outdoor Living Space	Varies (see below)	N/A	Each unit either meets or exceeds the minimum requirement (see below)
Lot Coverage -Building -Paving/Driveway -Landscaping	N/A N/A N/A	N/A N/A N/A	27,101 sq. ft. 43.4 % 20,663 sq. ft. 33.3 % 14,567 sq. ft. 23.3 % 62,331 sq. ft. 100%

The proposed project would meet all of the requirements of the C-2 (Commercial) and SD-2 (Upper State Street Area overlay) zones.

Inclusionary Housing Ordinance: The project has also been reviewed for consistency with the Inclusionary Housing Ordinance requirements. Under the Inclusionary Housing Ordinance, all projects with 10 or more dwelling units require that 15% of the total units to be constructed and offered for sale as inclusionary units restricted for owner-occupancy by either Middle Income or Upper Middle Income Households. In this case, the requirement is being met by the provision of four additional Middle Income units. Applicants who propose inclusionary housing units as part of the project are entitled to a density bonus for the number of inclusionary units to be provided onsite. Also, the proposed project is consistent with the requirement that the affordable units be integrated into the development and that the affordable units equal or exceed the average number of bedrooms in the market rate units.

VI. DISCUSSION

A. PROJECT HISTORY

A previous project was proposed for the subject site in 2005. The project was reviewed by the Planning Commission on three occasions and approved on December 8, 2005. It was subsequently appealed to the City Council by a group of neighborhood organizations. The previous project consisted of fifty-five (55) one-bedroom condominium units and three commercial spaces (9,049 sq. ft. total). The residential condominium units consisted of 38 market rate units and 17 affordable units. The application included a modification to allow a ten foot front yard setback instead of the required twenty feet, a modification to allow less than the required number of parking spaces, and a modification of the lot area requirements to allow 21 bonus density residential units (5 market-rate and 17 affordable).

The basis for the appeal was that the project would be too large, too dense, have inadequate parking, be located too close to the street, and would increase traffic and air pollution in the area. On February 28, 2006, Council held an appeal hearing, expressed similar concerns regarding the encroachment into the front setback and the size of the project and voted to uphold the appeal, thereby denying the project. Given the community concerns about the proposed project, as well as other significant projects that were being proposed in the area at the same time, Council indicated that there needed to be comprehensive review of the Upper State Street area prior to the approval of any new development.

On April 25, 2006, Council initiated a focused planning study of the Upper State Street Study Area (between Highway 101/Calle Real and Calle Laureles) and on May 8, 2007, Council approved the *Upper State Street Study Report Improvement Measures Summary and Summary Diagrams* to provide interim guidance and direction for City review and permitting of development applications in the area.

Shortly thereafter, the applicant submitted a revised project that consisted of 44 residential units and 6,234 square feet of commercial space. On August 16, 2007, the Planning Commission held a concept review hearing on the project and stated that it was a significant improvement over the previous design and appreciated the elimination of most of the modifications but was still concerned with the size, bulk and scale (see Exhibit D – PC Minutes). On September 24, 2007, the Architectural Board of Review (ABR) reviewed the revised project and had similar concerns.

The applicant subsequently withdrew the revised project and in April of 2008 submitted the current proposal. A discussion regarding whether the current proposal is consistent with the direction given by the Upper State Street Study is provided below.

B. DESIGN REVIEW

The proposed project was reviewed by the Architectural Board of Review (ABR) on one occasion (see Exhibit E – ABR Minutes). On May 5, 2008, the ABR provided overall positive comments on the project stating that the massing and the size, bulk, and scale are appropriate. The ABR stated that the proposal was playful and visually interesting and appreciated the

proportions of the buildings, the landscaping and increased setback on State Street, and the underground parking. The Board suggested that the apparent mass of the bridge linking the rear carriage unit be reduced and that the pedestrian experience along the driveway be enhanced as much as possible. In response to the ABR comments, the applicant has removed the roof over the bridge to lessen the apparent mass and enhanced the pedestrian access at the south end of the main building.

C. UPPER STATE STREET STUDY

As stated previously, the *Upper State Street Study Report Improvement Measures Summary and Summary Diagrams* document was prepared to provide guidance and direction for new development applications in the area. It provides guidance statements with associated improvement measures that can be used as a checklist to determine whether a project would be consistent with the respective guidance statement.

One of the guidance statements for the Upper State Street Study Area is to maintain and enhance the character of Upper State Street, including the public streetscape, open space, creeks, views, site design, and building aesthetics. The proposed project would enhance the character of the area by providing a more contemporary style development that is compatible with the neighborhood and provide an enhanced pedestrian walkway within the project site that would assist in linking State Street to the La Cumbre Lane.

The proposed project would be consistent with a number of the public streetscape improvement measures. A 3.5 foot wide dedication is required to allow for the widening of the sidewalk, and street trees and other plantings would be provided within a four-foot wide parkway. Onsite landscaping would be substantially improved given the increase in setback from the existing two foot setback to the proposed 27 foot setback. Also, the project would provide most of the parking underground, which is preferred, and the uncovered parking spaces to be located near the front of the property would be screened by landscaping.

The project site is located on the south side of State Street, where new developments are to provide viewing locations for scenic mountain views. The proposed project includes open areas, walkways and a parking lot near the front of the property that would provide locations for viewing the mountains to the north.

The proposed project would be consistent with the SD-2 setbacks which require a 20 foot front setback for two and three story buildings. The proposed project would have a 27 foot front setback, measured from the back of the dedication for the sidewalk. No setback modifications are requested.

The proposed development includes a substantial amount of open space for the residents of the site. In addition to private outdoor living spaces, there would be a 907 square foot common area on the ground floor and a 615 square foot terrace on the second floor.

Another guidance statement for the Upper State Street Study Area is to improve traffic, circulation, pedestrian and bicycle connectivity, and parking. The proposed project would improve pedestrian connectivity by providing a pedestrian walkway within the development that would assist in connecting State Street to La Cumbre Lane. The walkway could be used by

onsite employees and residents, as well as the employees and residents in the surrounding areas. The proposed project is consistent with other improvement measures such as the widening of the sidewalk, installation of street trees, and the installation of onsite bicycle hitching posts.

Based on the above, Staff had determined that the proposed project would be consistent with the vision for the Upper State Street Area as provided in the Upper State Street Study.

D. COMPLIANCE WITH THE GENERAL PLAN

Before a tentative subdivision map can be approved for the condominium development, the project must be found to be consistent with the City's General Plan.

Land Use Element: The project site has a General Plan land use designation of General Commerce and is located in the North State Street neighborhood. The North State Street neighborhood is bounded on the north by the northern boundary of the commercial properties on the north side of State Street and by Via Lucero; on the south by Highway 101 and the southern boundary of the commercial property on State Street and De la Vina Street; on the east by Mission Creek; and on the west by San Marcos Pass Road. This area is an intensively developed commercial strip, with a scattering of multiple-family residential developments. The General Plan calls for a mix of office and hotel uses combined with general commercial uses, and a trend of such uses is expected to continue. Although the General Plan states that little or no residential growth is anticipated for this area, recent trends have shown that residential growth is currently the "highest and best use" in the City and more residential growth in the area is expected. The proposed mixed-use development is consistent with the allowable land uses in this area.

Housing Element: The City has made a commitment to address the City's housing problems to the extent feasible by implementing the policies and strategies of the Housing Element of the General Plan, which is the City's housing policy document and which sets forth the City's action program for housing. One of the central goals identified in the Housing Element is the availability of affordable housing for all social and economic segments of the community. The proposed project includes four affordable housing units as required by the Inclusionary Housing Ordinance and would be restricted under the City's Affordable Housing Program.

Another goal of the Housing Element is to protect existing neighborhood character while encouraging compatible infill development. One of the implementation strategies is to consider allowing increased densities along transit and transportation corridors, such as State Street. The project received generally favorable comments from the Architectural Board of Review, and Staff concurs that the project can be found compatible with the surrounding development in the Upper State Street area. In addition, the Housing Element encourages the development of mixed-use projects.

Circulation Element: The proposed project is consistent with Policy 13.2 of the Circulation Element which states that the City should allow more compact, pedestrian-oriented development along major transit corridors, because the project is located on State Street, a major transit corridor. It is also consistent with Implementation Strategy 13.1.1 which is to

“encourage the development of projects that combine and locate residential uses near areas of employment and services.” Finally, it appears to be consistent with Implementation Strategy 13.4.2 by “creating attractive, interesting, and pleasing building facades that are oriented toward paseos, streets and sidewalks” as well as by “placing parking lots underground”.

Pedestrian Master Plan: The project conforms to the purpose and intent of the City’s adopted Pedestrian Master Plan. The State Street frontage would provide the recommended eight feet of “Through Pedestrian Zone”, the area where pedestrian traffic is unencumbered by obstructions. To achieve the necessary pedestrian use area, the project requires a dedication of 3.5 feet of property. Frontage (building buffer) and Furnishings (parkway) Zones are also provided for the pedestrian corridor.

E. ENVIRONMENTAL REVIEW

The Guidelines of the California Environmental Quality Act (CEQA) include a number of types of projects that are generally exempt from environmental review. Staff and the Environmental Analyst have determined that the project qualifies for an exemption per CEQA Section 15332 which provides for in-fill development projects in urban areas where it is determined that there will be no significant effects as identified by the following criteria:

In-fill Development Project:

1. The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations. *The project is consistent with the General Plan designation (General Commerce), all applicable General Plan policies, the Zoning designation (C-2/SD-2: General Commercial/ Upper State Street Area) and regulations.*
2. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. *The project site consists of two existing parcels equaling 61,802 square feet (1.42 acres) within the City limits and is substantially surrounded by urban uses.*
3. The project site has no value as habitat for endangered, rare, or threatened species. *The existing use on the site is a motel and office building and it has no value as habitat for endangered, rare, or threatened species.*
4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Traffic: A Revised Phase 1 Traffic and Parking Assessment dated July 10, 2008 was prepared by Associated Transportation Engineers (see Exhibit F). Staff reviewed and accepted the analysis and conclusions in the report. The report includes a trip generation analysis to determine the level of traffic that would be generated by the proposed project compared to the baseline level of traffic that would be generated by the existing uses onsite. The proposed project was compared to a baseline level of traffic that included credits from the motel (which is currently vacant) and one that did not include the motel, to provide for the “worst-case” scenario. Results from both calculations indicate that the proposed project would result in a net decrease in average

daily trips, A.M. peak hour trips, P.M. peak hour trips and mid-day trips; therefore, the proposed project is not anticipated to have an adverse impact on adjacent streets or intersections.

Noise: According to the City's Master Environmental Assessment (MEA), the southern half of the project site is located within the 60-65 dBA (decibels) noise contour and the northern portion is located within the 65-70 dBA noise contour, with the primary noise source being traffic. During review of the project, an acoustical analysis was required to determine whether the outdoor noise levels for the required outdoor living areas associated with the residential units could be reduced to under 60 db(A).

Dudek and Associates prepared an Environmental Noise Study dated July 31, 2008 and an Addendum dated November 11, 2008 for the proposed project (see Exhibit G). The Study concluded that noise levels at the proposed private outdoor living spaces for three of the residential units (shown on the project plans) would exceed the City threshold of 60 dB CNEL. To achieve the required 60 dB CNEL, a minimum six foot high perimeter sound wall would be required for the second story units and a five foot high perimeter wall would be required for the third story unit. The Addendum to the noise study clarified that the sound wall could consist of masonry material, Plexiglass, tempered glass or a combination thereof. The applicant proposes to incorporate operable window elements to function as the sound walls for these units.

The Addendum also analyzed the required common open space area located on the ground floor and determined that the noise level in this area would not exceed the City threshold of 60 dB CNEL. Therefore, exterior noise impacts to the residential units are expected to be less than significant.

Air Quality: The City uses the Santa Barbara County Air Pollution Control District's (APCD) thresholds of significance for air quality impacts. Based on the APCD's Land Use Screening Table, a project of thirty (30) residential units and 2,567 square feet of commercial space would not result in significant air quality impacts. The project would involve grading, paving and landscaping activities that could result in short-term dust related impacts. Standard dust control measures are included in the conditions of approval; therefore, no significant air quality effects would result.

Water Quality: The project site is currently developed with urban uses and is subject to the City's Storm Water Management Plan. A condition of approval is included that requires that the first inch of runoff be treated on-site and that the runoff be directed into passive water treatment facilities, such as bioswales and landscape features. With the implementation of this condition, the proposed project would have less than significant impacts on water quality.

5. The site can be adequately served by all required utilities and public services. *All required utilities and public services are available to adequately serve the project.*

VII. FINDINGS

The Planning Commission finds the following:

A. **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.

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

1. There is compliance with all provisions of the City's Condominium Ordinance.

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.

2. The proposed development is consistent with the General Plan of the city of Santa Barbara.

The project is consistent with policies of the City's General Plan including the Land Use Element, Housing Element and Circulation Element.

3. 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.

The project is an infill residential and commercial mixed-use project proposed in an area where mixed-use 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 November 21, 2008
- D. Planning Commission Minutes dated August 16, 2007
- E. ABR Minutes dated May 5, 2008
- F. Revised Phase I Traffic and Parking Assessment dated July 10, 2008
- G. Environmental Noise Study dated July 31, 2008 and Addendum dated November 11, 2008

PLANNING COMMISSION CONDITIONS OF APPROVAL

3885 and 3887 STATE STREET
TENTATIVE SUBDIVISION MAP
JANUARY 8, 2009

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. **Design Review.** The project is 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 Planning Commission land use conditions have been satisfied.
 1. **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.

- B. **Recorded Conditions 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," 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. **Approved Development.** The development of the Real Property approved by the Planning Commission on January 8, 2009 is limited to the construction of a new, three-story mixed-use development. The commercial component consists of one 2,567 square foot unit. The residential component consists of thirty residential units (26 market rate and 4 affordable units). The market rate component consists of 23 two-bedroom and 3 three-bedroom units. The affordable component consists of 3 two-bedroom units and 1 three-bedroom unit. A total of 78 parking spaces are proposed (62 covered and 16 uncovered). Onsite amenities include a 3,863 sq. ft. recreation facility and a 545 sq. ft. crafts room. Additional improvements are shown on the project plans and the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
 2. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
 3. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
 4. **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.

5. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan prepared in accordance with the Storm Water Management Plan BMP Guidance Manual). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
6. **Ownership Unit Affordability Restrictions.** The three dwelling units designated as AF-1 units and the one dwelling unit designated an AF-2 unit on the project plans shall be designated as Affordable Middle Income Units and sold only to households who, at the time of their purchase, qualify as Middle Income Households as defined in the City's adopted Affordable Housing Policies and Procedures. The maximum sale prices upon initial sale shall not exceed the following:
 - a. Units No. AF-1 (2-bedroom units) = \$249,900
 - b. Units No. AF-2 (3-bedroom units) = \$283,300The Affordable Units shall be sold and occupied in conformance with the City's adopted Affordable Housing Policies and Procedures. The resale prices of the Affordable Units shall be controlled by means of a recorded affordability covenant executed by Owner and the City to assure continued affordability for at least ninety (90) years from the initial sale of the affordable unit. No affordable unit may be rented prior to its initial sale.
7. **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. **Gates.** Any gates that have the potential to block access to any designated commercial space shall be locked in the open position during business hours.
- f. **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.

C. **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 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 Final Map prepared by a licensed land surveyor or registered Civil Engineer. The Final Map shall conform to the requirements of the City Survey Control Ordinance.
- 2. **Dedication(s).** Easements as shown on the approved Tentative Subdivision Map and described as follows, subject to approval of the easement scope and location by the Public Works Department and/or the Building and Safety Division:
 - a. All street purposes along State Street in order to establish a eight-foot wide sidewalk and a four-foot wide parkway in the public right-of-way.
 - b. A Water Meter Reading Easement in Gross for maintenance and reading of City-owned water meters.

3. **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.
4. **Required Private Covenants.** The Owner shall submit a copy of the draft private covenants, reciprocal easement agreement, or similar private agreements required for the project.
5. **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.
6. **Drainage and Water Quality.** Project drainage shall be designed, installed, and maintained such that stormwater runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City’s NPDES Storm Water Management Program. Runoff should be directed into a passive water treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, stormwater treatment methods, and project development, shall be subject to review and approval by City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants or groundwater pollutants would result from the project. The Owner shall maintain the drainage system and storm water pollution control methods in a functioning state.
7. **State Street Public Improvement Plans.** The Owner shall submit building plans for construction of improvements along the property frontage on State Street. As determined by the Public Works Department, the improvements shall include the following: eight-foot (8’) wide sidewalk, four-foot (4’) wide parkway, driveway modified to meet Title 24 requirements, saw-cut and replace curb and gutter where damaged, crack seal to the centerline of the street along entire subject property frontage and slurry seal a minimum of 20 feet beyond the limit of all trenching, connection to City water and sewer mains and construction of private on-site utilities, public drainage improvements with supporting drainage calculations for installation of A470 curb drain outlets, replace any existing commercial standard street light(s) located along the project frontage on State Street with State Street style street lights or Dome style street lights as directed by the Architectural Board of Review, preserve and/reset survey monuments and contractor stamps, supply and install directional/regulatory traffic control signs per 2006 MUTCD with CA supplements, provide storm drain stenciling at drop inlets, install and supply new City designated street trees per SBMC§15.20 and 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.

8. **Land Development Agreement.** The Owner shall submit an executed *Agreement for Land Development Improvements*, prepared by the Engineering Division, an Engineer's Estimate, signed, and stamped by a registered civil engineer, and securities for construction of improvements prior to execution of the agreement.
 9. **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.
- 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 Final Map and 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.
 3. **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 Public Works Director/Transportation Manager. Construction and storage in the public right-of-way is prohibited during Fiesta in the affected areas (around McKenzie Park, Downtown and Waterfront) and during the Holiday Shopping Season (between Thanksgiving Day and New Years Day) in all commercial shopping areas, including but not limited to Upper State Street, the Mesa shopping area, Downtown and Coast Village Road.
- E. **Community Development Requirements with the Building or Public Works Permit Application.** The following shall be submitted with the application for any Building or Public Works permit:
1. **Neighborhood Notification Prior to Construction.** At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses, and residents within 300 feet of the project area. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, the name and phone number of the Contractor(s), site rules and Conditions of Approval pertaining to construction activities and any additional information that will assist the Building Inspectors, Police Officers and the public in addressing problems that may arise during construction. The language of the notice and the mailing list shall be reviewed and approved by the Planning Division prior to being distributed. An affidavit signed by the person(s) who compiled the mailing list shall be submitted to the Planning Division.

2. **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.
 3. **Recorded Affordability Covenant.** Submit to the Planning Division a copy of an affordability control covenant that has been approved as to form and content by the City Attorney and Community Development Director, and recorded in the Office of the County Recorder, which includes the following:
 - a. **Initial Sale Price Restrictions.** The four dwelling units designated as units AF-1 and AF-2 on the project plans shall be designated as Affordable Middle Income Units and sold only to households who, at the time of their purchase, qualify as Middle Income Households as defined in the City's adopted Affordable Housing Policies and Procedures. The maximum sale prices upon initial sale shall not exceed the following:
 - (1) Units No. AF-1 (2-bedroom units) = \$249,900
 - (2) Units No. AF-2 (3-bedroom units) = \$283,300
 - b. **Resale Restrictions.** The Affordable Units shall be sold and occupied in conformance with the City's adopted Affordable Housing Policies and Procedures. The resale prices of the Affordable Units shall be controlled by means of a recorded affordability covenant executed by Owner and the City to assure continued affordability for at least ninety (90) years from the initial sale of the affordable unit. No affordable unit may be rented prior to its initial sale.
- 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 A above.
 2. **Grading Plan Requirement for Archaeological Resources.** The following information shall be printed on the grading plans:

If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and 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 Planning Division 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 Planning Division grants authorization.

3. **Post-Construction Erosion Control and Water Quality Plan.** Provide an engineered drainage plan that addresses the existing drainage patterns and leads towards improvement of the quality and rate of water run-off conditions from the site by capturing, infiltrating, and/or treating drainage and preventing erosion. The Owner shall employ passive water quality methods, such as bioswales, catch basins, or storm drain on the Real Property, or other measures specified in the Erosion Control Plan, to intercept all sediment and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) from the parking lot areas and other improved, hard-surfaced areas prior to discharge into the public storm drain system, including any creeks. All proposed methods shall be reviewed and approved by the Public Works Department and the Community Development Department. Maintenance of these facilities shall be provided by the Owner, as outlined in Condition B.5, above, which shall include the regular sweeping and/or vacuuming of parking areas and drainage and storm water methods maintenance program.
4. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers (an area that allows for a minimum of 50 percent of the total capacity for recycling containers) shall be provided on the Real Property and screened from view from surrounding properties and the street.

Dumpsters and containers with a capacity of 1.5 cubic yards or more shall not be placed within five (5) feet of combustible walls, openings, or roofs, unless protected with fire sprinklers.
5. **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.

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.

1. **Pre-Construction Conference.** Not less than 10 days or more than 20 days prior to commencement of construction, a conference to review site conditions, construction schedule, and construction conditions, shall be held by the General Contractor. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, Building Division, Planning Division, the Property Owner (Architect, Landscape Architect, Project Engineer), Contractor and each Subcontractor.
2. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill. Indicate on the plans the location of a container of sufficient size to handle the materials, subject to review and approval by the City Solid Waste Specialist, for collection of demolition/construction materials. A minimum of 90% of demolition and construction materials shall be recycled or reused. Evidence shall be submitted at each inspection to show that recycling and/or reuse goals are being met.
3. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.
4. **Construction Related Traffic Routes.** The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods, subject to approval by the Transportation Manager.
5. **Haul Routes.** The haul route(s) for all construction-related trucks with a gross vehicle weight rating of three tons or more, entering or exiting the site, shall be approved by the Transportation Manager.

6. **Traffic Control Plan.** All elements of the approved Traffic Control Plan shall be carried out by the Contractor.
7. **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.

8. **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.

9. **Water Sprinkling During Grading.** The following dust control measures shall be required, and shall be accomplished using recycled water whenever the Public Works Director determines that it is reasonably available:
 - a. Site grading and transportation of fill materials.
 - b. Regular water sprinkling; during clearing, grading, earth moving or excavation.
 - c. Sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied on-site to prevent dust from leaving the site.
 - d. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
 - e. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement on-site damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
10. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used, as directed by the Building Inspector.
11. **Gravel Pads.** Gravel pads shall be installed at all access points to the project site to prevent tracking of mud on to public roads.
12. **Street Sweeping.** The property frontage and adjacent property frontages, and parking and staging areas at the construction site shall be swept daily to decrease sediment transport to the public storm drain system and dust.
13. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
14. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) telephone number(s), work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.
15. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.

16. **Graffiti Abatement Required.** Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed within 24 hours of notice by the Building and Safety Division may result in a Stop Work order being issued, or may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.
17. **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 building plans, including utility service undergrounding and installation of street trees.

3. **Cross-Connection Inspection.** The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist.
 4. **Fire Hydrant Replacement.** Replace existing nonconforming type fire hydrant(s) with commercial-type hydrant(s) described in Standard Detail 6-003.1 Paragraph 2 of the Public Works Department Standard Details.
 5. **Manholes.** Raise all sewer and water manholes on easement to final finished grade.
 6. **Noise Measurements.** Submit a final report from a licensed acoustical engineer, verifying that interior and exterior living area noise levels are within acceptable levels as specified in the Noise Element. In the event the noise is not mitigated to acceptable levels, additional mitigation measures shall be recommended by the noise specialist and implemented subject to the review and approval of the Building and Safety Division and the Architectural Board of Review (ABR).
 7. **Ownership Affordability Provisions Approval.** For all dwelling units subject to affordability conditions obtain from the Community Development Director, or Director's designee in the City's Housing Programs Division, written approval of the following: (a) the Marketing Plan as required by the City's Affordable Housing Policies and Procedures; (b) the initial sales prices and terms of sale (including financing); (c) the eligibility of the initial residents; and (d) the recorded affordability control covenants signed by the initial purchasers which assure continued compliance with the affordability conditions.
 8. **New Construction Photographs.** Photographs of the new construction, taken from the same locations as those taken of the story poles prior to project approval, shall be taken, attached to 8 ½ x 11" board and submitted to the Planning Division.
 9. **Evidence of Private CC&Rs Recordation.** Evidence shall be provided that the private CC&Rs required in Section B have been recorded.
- 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 APPROVAL TIME LIMITS:

The Planning Commission's action approving the Tentative Map shall expire twenty-four (24) months 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. Notwithstanding the limitation specified in S.B.M.C. § 27.07.110.D, pursuant to Government Code § 66452.6(e), the subdivider may request extensions for an aggregate of up to four (4) years beyond the twenty-four month period specified in S.B.M.C. § 27.07.110.A.

GENERAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
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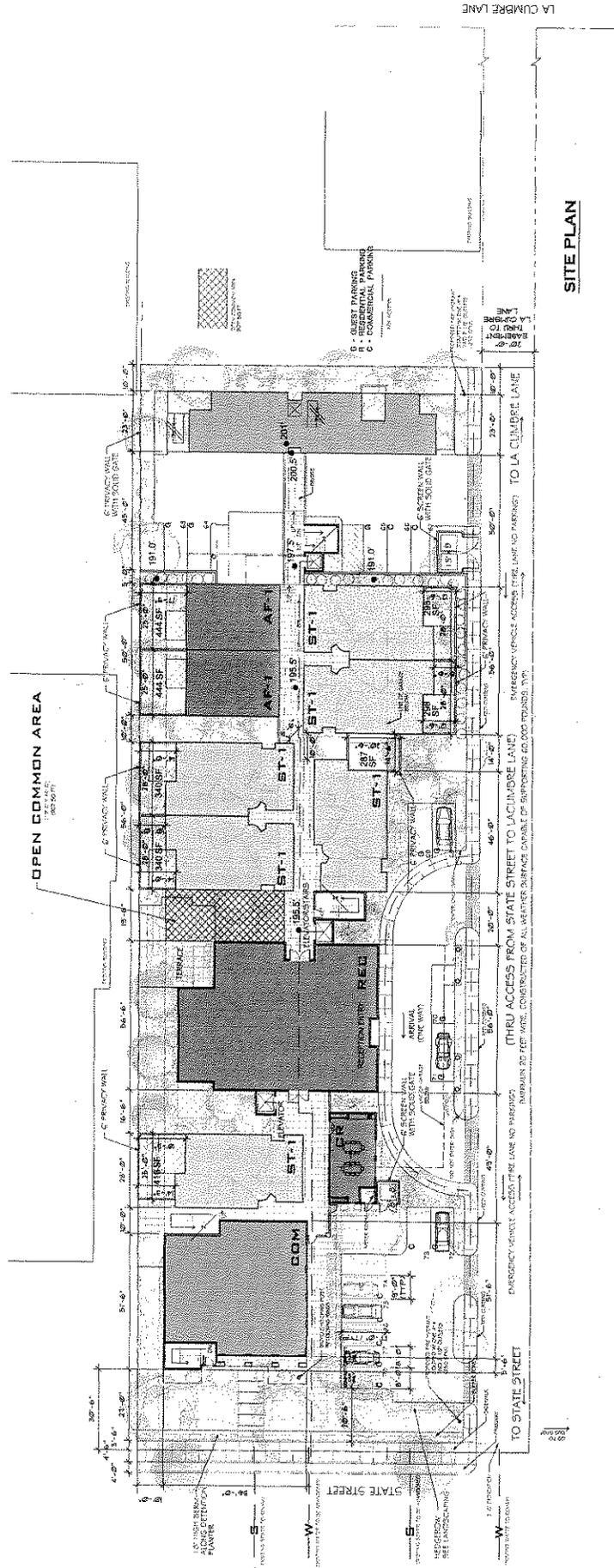
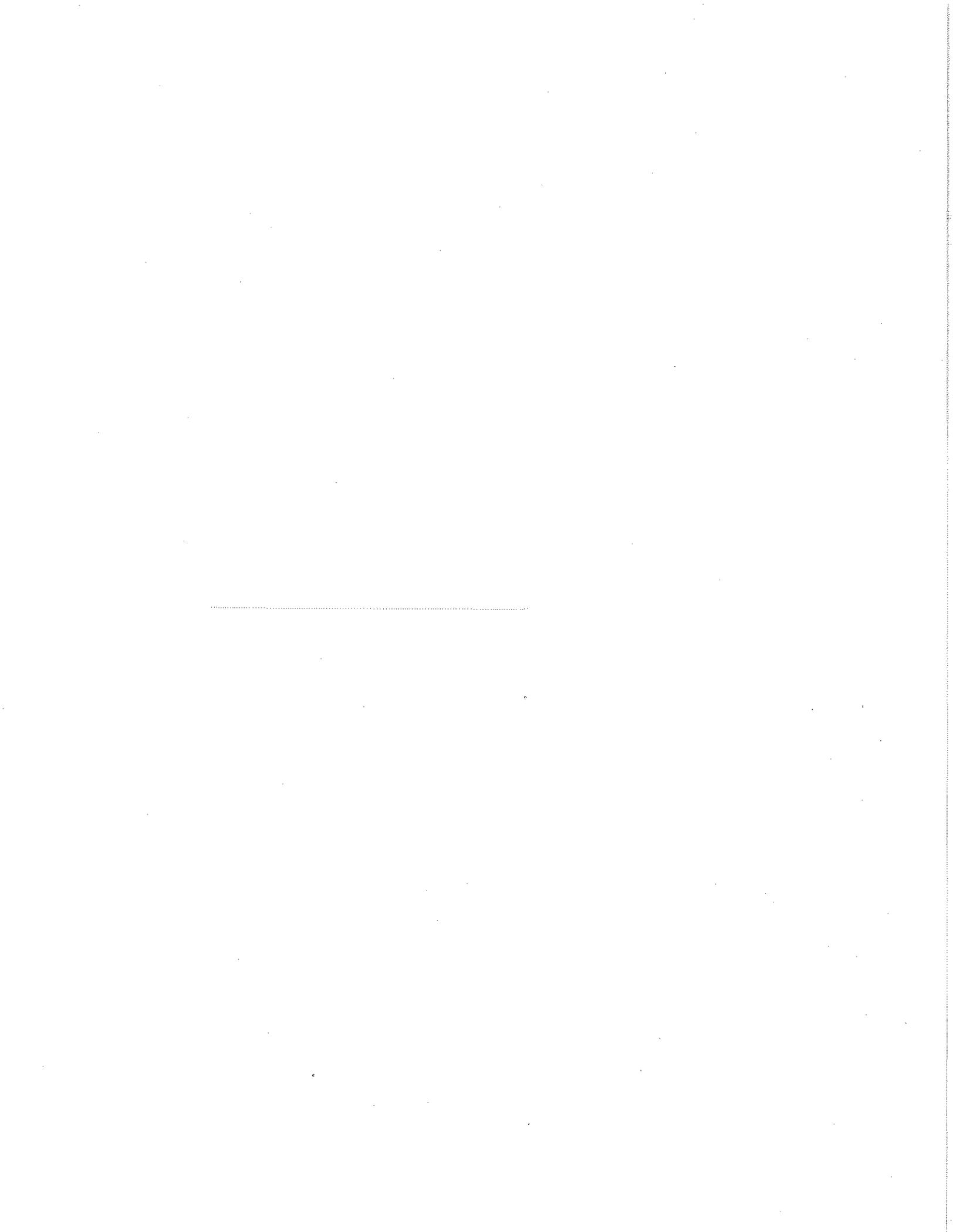


EXHIBIT B

Site Plan
State Street Enclave

Design Development
September 12, 2008



BERKUS
DESIGN STUDIO

November 21, 2008

Planning Commission
Community Development Department
City of Santa Barbara
630 Garden Street
Santa Barbara, California 93102

RECEIVED
NOV 21 2008

CITY OF SANTA BARBARA
PLANNING DIVISION

RE: 3885-3887 State Street, Santa Barbara DART Resubmittal
MST#2008-00180, APN 051-022-033, -012

Dear Members of the Planning Commission:

Berkus Design Studio is pleased to resubmit on behalf of the Cleo M. Purdy 2004 Charitable Trust a proposal for a mixed use project in the La Cumbre Mall area of Santa Barbara providing a pre-retirement lifestyle enclave of 22 two-bedroom flats, one three-bedroom and three two-bedroom affordable units, four penthouses and 2,567 square feet of commercial frontage, including ample on-site amenities such as a recreation facility, dining room and staging kitchen, concierge service and a "crafts room" for classes with residents. The State Street Enclave project, proposed for two parcels at 3885-3887 State Street, has been dramatically reduced from 55 units to enhance the upper State Street/La Cumbre neighborhood and maximize views while significantly reducing traffic and parking generation from their current levels.

This resubmittal is in response to the City Council's determination on February 28, 2006, that a prior design that proposed 38 market-rate lofts, 17 affordable units and 8,817 square feet of commercial space provided too much development intensity and raised concerns about increased traffic, setbacks, vehicular circulation patterns and adequate parking. The proposal was reduced to 34 market-rate units and ten affordable units, but the Architectural Board of Review found the project still too intense. The revised design, which received a sterling review from ABR with direction to proceed to Planning Commission, offers a new response to the need for downtown housing with a lifestyle enclave that addresses each of the concerns raised by the Council and the ABR as well as the issues voiced by community members during the recent Upper State Street Study process.

The new State Street Enclave proposal places particular importance on providing "empty nester" housing for those already living in Santa Barbara. The Enclave concept aims to encourage long-time Santa Barbara residents to stay in the city when it is time to move down to a smaller residence rather than seek pre-retirement living in another city with more housing alternatives. Offering the security, amenities and services that

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EXHIBIT C

empty nest buyers need, the Enclave fills a pre-retirement housing niche to make Santa Barbara a place where people can raise a family, eventually down size and someday retire without having to move away from relationships in our community.

I. A Scaled-Down Design To Respond To Community Concerns.

To address issues raised by the City Council, ABR and members of the community, the entirely redesigned project offers the neighborhood less development intensity and more community benefit.

Less Development Intensity:

Less residential density. The project is designed for *45% fewer* residential units, an overall reduction from 55 to 30.

Less bonus density for market-rate units. In fact, the new design seeks *no bonus density* for market-rate units; reducing to zero the number of bonus density market-rate units from the four allowed under the City's Housing Policies in the prior proposal.

Less commercial development. The revised plan reduces the amount of commercial area by 70% from 8,817 square feet to 2,567 square feet, yet still maintains a significant commercial presence on State Street.

Less building area. The new project shows a net reduction in the size of the building of 26% from 62,482 conditioned square feet to 46,810 square feet.

Less building length. The building has been shortened by more than 100 feet, overall, and the eastern building elevation has been broken into five distinct building forms to create an enclave of smaller buildings and a carriage building at the rear of the project. The western building elevation along the private easement is reduced an additional 50' to further break down the scale of the longitudinal elevation.

Less traffic. The smaller project generates not only less traffic than the prior proposal, *but less traffic than the existing office use alone.* The proposed project generates 250 fewer Average Daily Trips than the existing improvements and 354 fewer than the prior submittal. Significantly, the proposed project generates *40 fewer A.M. Peak Hour Trips, 34 fewer P.M. Peak Hour Trips and 134 fewer Average Daily Trips than the current fully-occupied office building, alone.*

Less parking demand. The elimination of 25 residential units and 6,250 square feet of commercial space in the new proposal results in a 51% reduction in parking demand from 94 spaces to 48 spaces. It also reduces the number of spaces required under the zoning ordinance by more than 50 spaces.

More Community Benefit:

More building setback on State Street. The revised project increases the minimum State Street setback threefold from 10' from the property line in the original submittal to more than 30' on grade, providing more opportunities for pedestrian spaces and enhancing public views.

More building separations. Although the initial design showed three building forms along the western elevation it had only two building forms on the eastern side. The second design broke up the eastern elevation massing into four distinct building forms while still preserving three distinct forms on the west. The current design breaks the building massing into five distinct building forms. Importantly, no building form in the new plan is longer than 126 feet.

More pedestrian access along the secondary project "frontage". The Council urged the Applicant to make the private easement along the western property line read as inviting frontage with improved pedestrian linkages from State Street to La Cumbre Plaza. The revised project increases pedestrian circulation along the western building frontage and adds a new walkway element to create a visual connection for pedestrians from State Street back to La Cumbre Lane south of the property.

More parking off the easement to enhance circulation and building appearance. The Council also urged the Applicant to change the parking configuration to eliminate cars backing out of parking onto the private easement. The current proposal locates all parking in parking pods situated off the easement with landscaping and walkway acting to shield the cars from view.

More side yard setback. The western side yard setback has increased from a minimum of 26 feet to a 30-foot minimum with other areas recessed more than 80 feet from the property line.

More view opportunities. The increased building setbacks and separated building forms allow for more public view opportunities over and across the site.

More residential amenities. The prior submittals offered open space and gathering areas on site, but did not propose a residential amenity facility. The current lifestyle enclave has a recreation facility with exercise room, sun room, formal dining with wine storage, staging kitchen and concierge. The current plan also proposes a unique "crafts room" which offers a place for enrichment classes for residents, afterschool programming for resident children, art programs or a place for families to stage special events.

More on-site storm water retention. The Applicant proposes demolition of the existing improvements—nearly all of which are impervious surfaces such as buildings and parking lots. Instead, the proposal replaces the existing less than 500 sf of landscape with more than 13,000sf of planted area, much of which is

on natural grade, a 3rd story garden and planters over structure. Retention areas are proposed at the northern and southern ends of the site with pervious interlocking pavers in all parking areas. Best management practices will be employed to appropriately treat on-site runoff. The proposed project provides significantly more retention than the current improvements and will retain volume from a 1-inch 24 hour event in appropriate surface retention or cisterns, as necessary.

II. A Sustainable Lifestyle Enclave.

The proposal creates a lifestyle enclave that is ideal for Santa Barbara's pre-retirement empty-nesters and families, too. The unique mixed use project brings together attainable workforce housing, two- and three-bedroom flats with elevator access, appropriate on-site recreational amenities, a crafts room for residents and commercial space in a new design with ample open space and parking. The project optimizes the opportunity for the old and young to live in an appealing pedestrian-oriented environment by reducing traffic from its present levels, encouraging the use of public transportation, enhancing pedestrian spaces and improving pedestrian connections between State Street and La Cumbre Plaza.

A. Lifestyle Enclave. Though not age-restricted, the Applicant believes the proposed lifestyle enclave will appeal to pre-retirement age couples and singles who value high quality architecture, ample amenities and on-site concierge service set within a walkable urban environment with access to shopping, dining and neighborhood services. The concierge assists residents with their daily routine, including mail, messages and deliveries, as well as special services such as making arrangements for doctor's appointments, airport drop-offs and theatre tickets. The concierge also assures proper operation of the building. Importantly, the concierge and night security guard provide residences with a sense that their home is secure whether they are there or not.

The 3,863 square foot recreation amenity includes a lobby area, concierge office, private dining room and staging kitchen, wine storage, sun room, lounge and exercise room. A patio area for outdoor recreation is located adjacent to the sunroom. A second patio area is provided on the second floor over the multipurpose room. This rooftop deck has ample westward exposure and a fireplace to enjoy evening sunsets.

A covered vehicular arrival area is provided at the recreation amenity. This arrival feature establishes a main entrance for the residential portion of the building and a focal point guiding guests to the main lobby area and concierge. Vehicular traffic at the arrival area is one-way in a northerly direction with adjacent guest parking. Valet service is not anticipated since ample guest parking is readily available close to the residential lobby entrance.

Basic services, such as mail, message and drop-off will be available to all residents, including those in the price-restricted units. Monthly dues of the market-rate units are expected to cover the expense to operate and maintain the recreation amenity and those owners will have unrestricted access to the facilities. The recreation facilities

will be available to the affordable units on a fee-for-service basis, so they are not charged for the cost to maintain those on-site amenities they do not use.

The classroom/craft room facility would be available to all residents with a rental charge only to defer building expenses associated with the specific classroom event (e.g., air conditioning, cleaning, etc.). Programming for this space would be coordinated with the concierge and the association. The room would not be available for rental to non-residents.

B. Attainable Housing. With the site's desirable location, just a walk from stores, restaurants and offices, the project offers a rare opportunity for a zero-commute lifestyle in the upper State Street area.

1. Middle income housing. The proposal includes three two-bedroom units and one three-bedroom unit attainable to middle income buyers. These affordable residences are designed to emulate the market-rate units in their design and function. At approximately 852 net square feet for the two bedroom units and 1,107 net square feet for the three bedroom unit, each affordable residence has elevated ceiling planes and glazing in the same vernacular as the market rate units. Each affordable unit also provides a great room and outdoor living complemented by the common exterior living areas provided on site.

The below-market benefit to the community of these affordable units is approximately over \$1.4 million. The applicant does not seek any developer subsidies for this affordable housing, but asks only for down payment assistance for the work force housing buyers, if needed.

Prior to the application for building permits, the Applicant will submit a Marketing Plan as required by the City's Affordable Housing Policies and Procedures. Such Plan will list the type of advertising the applicant will use to assure that the availability of the affordable units is adequately noticed within the South Coast of Santa Barbara County.

The Applicant will accept applications for the affordable units and pre-screen them for preliminary financial eligibility, and, for applicants for 3-bedroom units, for the required minimum household size of 3 persons. The Applicant will also confirm the current residence address using utility bills. Preference will be given to prospective buyers who live or work in the South Coast area of Santa Barbara County. No preference will be given to employees or referrals of the owner, Applicant or Applicant's team.

The order for processing applications will be determined by a noticed lottery to be conducted by City staff and open to the public. The lottery will be done using two random drawings. Prospective buyers who live or work in the South Coast area will be placed in the first lottery pool, and all of those names will drawn and be assigned a processing number before the non-preference lottery numbers are drawn.

2. Two-Bedroom Units. The project proposes a total of 23 two-bedroom units in four floor plan configurations ranging in size from 1,193 square feet to 2,280 square feet. All units have elevator access to the recreation area and garage as a convenience to pre-retirement buyers.

The typical floor plan (20 units) is 1,193 square feet with a more spacious variant at 1,407 square feet on the third floor (one unit). One of the penthouse units is a double master two bedroom unit 2,067 square feet in size. Connected to the other units via a foot bridge over the rear parking area is a 2,280 square foot two-story carriage unit with large roof-top deck and two levels of living.

Each unit maximizes light and air with ample glazing and elevated ceiling planes. Each unit offers a great room with living, dining and media center, entry foyer, a galley kitchen, walk-in closets, two bathrooms and private outdoor living.

3. Penthouse Units. The project has four penthouse units ranging in size from 2,124 square feet to 2,217 square feet. As indicated above, one penthouse unit has two bedrooms and three have three-bedrooms. Each penthouse unit features an open floor plan with living area, dining area, an office/library area, three bathrooms and a powder room. The penthouse units are oriented to private balconies to maximize light and views within the unit.

C. Net Reduction in Traffic and Parking. The revised proposal is designed to significantly reduce traffic from existing levels and provide ample on-site parking. Assuming retail use along the commercial frontage, the project will reduce daily traffic counts from the existing uses by *134 trips less than the existing office building alone*. Compared to the existing uses on site, morning peak hour traffic will be reduced by 49 trips and afternoon trips will be reduced by 42 trips. Overall, the proposed project reduces traffic generation by 45%.

The project also reduces parking, generating a mixed-use parking demand of less than 50 spaces. Nonetheless, 78 parking spaces are provided on site (down from 102 spaces currently) in compliance with the Zoning Ordinance.

The applicant believes that this significant reduction in vehicular intensity on site from the current uses is a responsible enhancement for the Upper State Street neighborhood and responds to public concerns about vehicular circulation.

D. Increased and Improved Open Space. The newly-designed project provides enhanced open space opportunities. The design maximizes the amount of community space by providing landscape on grade and over the subterranean parking garage while also offering a 615 square foot second-floor private community deck to be enjoyed by residents of the project and their guests. The open spaces include a terrace area, private gardens on grade and gathering areas. The unique open space configuration allows the project to utilize outdoor landscaped spaces with multiple characters to engender a peaceful oasis in the project's urban environment.

E. Maximizing Transportation Opportunities. The new project concept encourages businesses and residents to use nearby public transportation. Located on several bus routes, the project provides access to metropolitan bus service from Santa Barbara to Goleta as well as easy 101 freeway access. With an increased front setback from the property line, the design allows room for expansion of a mass transit lane or bus pocket on State Street in the future. The project also has immediate bike lane access on State Street. Situated adjacent to La Cumbre Plaza, the concept makes walking and cycling to the mall easier than driving. Moreover, the mixed-use character of the building encourages zero commuting to reduce traffic even further.

F. Increased Setback And Paseos. The revised project provides more building setback than required by the S-D-2 overlay zone. While a 20-foot setback is required, the building footprint is set back at least 30 feet from the property line along the State Street frontage. Importantly, *the proposed building footprint is set back 27 feet more than the current office building.* This enhancement helps achieve the City's goal of improving the pedestrian experience along Outer State Street while adding more human scale to the project. It also provides flexibility to expand MTD access along the street frontage.

A parkway walking system along the project's easement drive invites residents, those who work on site and patrons to easily and safely traverse the site connecting the project to neighboring parcels.

The new design affords three gathering places for residents at grade level with additional open space on a sunny 615 square foot second-floor community patio area. This amenity provides an ideal configuration for residents to enjoy open space and westerly views in a secluded urban setting.

G. Appropriate Building Massing and Separations. The new design is sensitive to neighbor concerns about building mass and form. The Applicant was careful in redesigning the project to address the Council's concern about building length and separations between building elements. The new design is more than 100 feet shorter overall. The eastern elevation has been divided into five building forms, the longest of which is only 90 feet. The western elevation has five building forms that create a streetscape along the private easement area.

The architectural design has been studied to soften the building edges, break up massing and allow the building to step back at the upper levels. Building corners at second and third levels are stepped back to preserve and enhance viewing corridors throughout the project. Significantly, *the overall building height has been reduced to 40 feet or less at all locations.*

In response to comments by the ABR, the bridge form connecting the Carriage Unit with the other units has been modified to eliminate the roof form, thereby reducing the apparent mass. Likewise, pedestrian access has been enhanced at the south end of the main building with the addition of an elevator and ADA access to grade. As urged by the ABR, ADA access is provided from the subterranean garage.

H. Enhancing Public Views. The project provides more public viewing opportunities than the existing buildings allow. The current office building is 27 feet closer to the State Street Right of Way than the proposed building. Opportunities for view corridors through the project occur at several locations where the building is separated into its various building forms. The proposed design creates a view corridor along the private easement on the western property line by eliminating the second-story offices that span the easement at two locations. The new building is only 107 feet wide at its widest point, compared to the old building which was 146 feet wide or the current buildings which span from property line to property line along State Street.

I. The Project Proposes Significantly Less Three-Story Building Area Than Allowed Under the S-D-2 Overlay Zone. The S-D-2 overlay zone prohibits three-story buildings which have more floor area than a two-story building that complies with all applicable ordinances. The proposed design meets this requirement. For example, the ordinance permits a surface-parked two-story mixed use building with 10,000 square feet of commercial space and 22 three-bedroom units with a typical size of less than 2,200 square feet, each. This hypothetical building would require 90 parking spaces. After deducting parking areas, setbacks and open space, this footprint of this hypothetical building is 29,090 square feet and the two-story structure would be 58,180 square feet in size. However, the Applicant requests only 46,810 square feet of habitable space for the proposed project, significantly less than a hypothetical two story building allowed under the ordinance.

J. Sustainable Design and Construction. The project is designed to be a proud example of sustainable design in the City of Santa Barbara. The project will incorporate green building materials, sustainable planning principles and environment-friendly design concepts from LEED.

III. Relocation of Plaza Inn Residents.

At the time the City Council considered the 55-unit proposal in 2006, the property owner had allowed people to temporarily reside in the guest rooms at the Plaza Inn. The Applicant prepared a relocation plan for the residents as an integral part of the development proposal. The plan included relocation assistance such as identifying new housing, coordinating moving and a payment to be applied toward rent for each tenant's new housing. This relocation plan was eliminated with the Council's vote to reject the proposed project.

Nonetheless, the Applicant continued to work with the residents of the Plaza Inn to find suitable permanent homes. The property owner was able to coordinate with each resident to find new housing, though one resident abruptly moved out of state without accepting the Applicant's assistance. In addition to a relocation payment of \$3,000 for each resident, the Applicant assisted residents in identifying housing opportunities, applying for housing and even moving. At this time the Plaza Inn is vacant and all residents have been successfully relocated to better, permanent housing.

IV. Description of Existing and Proposed Uses.

Existing Site Information. The existing improvements are as follows:

Assessor's Parcel Numbers: 051-022-033; 051-022-012
Site square footage: 62,331sf (1.43 ac.)
Net square footage: 61,802sf (1.42 ac.)
Existing uses: Plaza Motel (12 rooms) and office
Square footages of improvements: Motel: 4,990sf (approx.)
Office: 22,250sf (approx.)

Landscape: Minimal landscape pockets with eleven mature palms, two mature Cyprus trees and other mature vegetation.

Drainage: The front third of the site drains to the State Street frontage. The rear two-thirds of the site drains to the private road (La Cumbre Lane) near the rear of the site. The drainage over private parcels is permitted by drainage easements and accommodated in the improvements of the La Cumbre Plaza.

Parking: 102 spaces
Adjacent zoning: North: C2/SD2
South: C2/SD2
East: C2/SD2
West: C2/SD2

Proposed Project Information. A summary of the proposed uses and improvements includes:

Proposed use: Mixed use—commercial and residential
Improvements: 26 market-rate residential units (1,391 sf ave.)
4 middle-income restricted units (916 sf ea.)
Commercial space (2,567 net sf)
Recreation amenity (3,863 sf)
Crafts Room amenity (545 sf)
78 parking spaces
Square footages: Market rate residential: 36,172 sf, total
Affordable: 3,663 sf, total
Commercial: 2,567 sf, total
Common Amenities: 4,408 sf, total
Parking Garage (53 spaces): 25,066 sf
Landscape area on grade: 14,567 sf
Open Space on grade: 11,655 sf

Open Space including space over structure: 19,053 sf

Demolition and removal of all existing structures and paving.

Remove and replant mature Queen Palms and mature landscaping, if possible, however two Cyprus trees will not be reused. Privacy/screen walls not exceeding six feet in height will enclose on-grade patio areas and trash/recycling bins. Security gates will be adequate in height to secure non-public areas of the project and be subject to Architectural Board of Review approval.

Drainage: Proposed drainage is similar to existing drainage in that approximately one-third of the project drains to the State Street frontage and the rear two-thirds drains to La Cumbre Lane at the rear of the property. Storm drainage connections will be tied in to existing system at La Cumbre Lane. The increased open space will enhance on-site retention with retention areas at roof downspout locations, bioswales and retention areas shown in the landscape design. The project will be design for on-site retention for a 24-hour 1" storm event.

Grading: Finish grades will be similar to existing; however, subterranean parking will require approximately 10,713 cubic yards of cut and approximately 304 cubic yards of fill. Cut may be removed to the site of the proposed Children's Museum at 125 State Street, Santa Barbara.

An Appropriate Concept for the Neighborhood. The proposed project concept integrates commercial and residential uses in a harmonious Hispanic architectural style in the Santa Barbara vernacular.

Mixed Use: The site is located in an exceptional mixed use location northwest of Santa Barbara's central business district with access to public transportation. On upper State Street, adjacent to La Cumbre Mall, near the Five Points Shopping Center, close to offices, restaurants and health clubs, the site offers ample opportunity to walk to work, eat, shop and entertainment. Its proximity to bus stops and the 101 Freeway make the project readily accessible.

Within this context, the project promotes a mix of office on grade, workforce housing and pre-retirement living. The office space is a desirable size for Santa Barbara small businesses and provides appealing State Street frontage. The project also encourages on-site employee housing, by providing four worker housing units. The appeal of the project to pre-retirement residents fosters sustainability by providing empty nesters living in Santa Barbara an opportunity to move down without moving out of town.

Size, Bulk and Scale: The project is carefully designed to be consistent with the scale of its neighborhood. The project fits between the Galleria project on one side and Grace Lutheran Church on the other. The Galleria stands 45 feet over the adjacent grade and the sanctuary of the Church rises 37 feet above grade;

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the project is 40 feet tall or less at all locations. The building massing is divided into several distinct buildings with varied fenestration and building/plate heights. The proposed front elevation references Santa Barbara style in the upper State Street architectural context.

Reduction in Peak Time Trips Per Day: The project was redesigned with careful consideration of traffic concerns on upper State Street. While the zoning would permit uses and densities that could increase traffic counts, the project is designed to reduce traffic from its present levels and to encourage vehicular circulation patterns that avoid State Street entirely. Assuming all of the proposed building commercial frontage was used for high-intensity retail, average daily trips would fall by 250 from their current levels. Even more significant, the proposed project reduces morning peak hour trips cut by 40 and evening peak hour trips by 34 from the level produced by the existing fully-occupied office building alone. The Applicant believes that this reduction in traffic is a socially responsible step in the development of the site and responsive to community concerns.

Zoning Modifications. The project is designed to comply with applicable zoning requirements. However, the project offers more work force housing than the zoning permits. Thus, the project requires a modification for residential density to provide four price-restricted units. No density bonus is requested for the market-rate units.

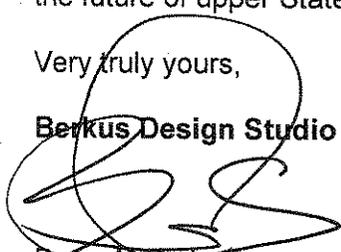
Approvals Sought. The applicant seeks approval of a lot merger and tentative map, with conditions, by the Planning Commission.

The Cleo M. Purdy 2004 Charitable Trust and Berkus Design Studio believe that the proposed mixed use project provides much-needed pre-retirement living, fulfills the housing objectives of the City of Santa Barbara for the upper State Street core, providing unique affordable and market residences in a mixed-use zero commute lifestyle. Sensitive to neighborhood concerns and the results of the City's Upper State Street Study, the project reduces traffic, enhances public and private views, increases setbacks 50% beyond those required and provides ample on-site parking.

We look forward to working with the members of the Planning Commission to create a project that helps achieve the objectives articulated in the community dialogue about the future of upper State Street.

Very truly yours,

Berkus Design Studio



Barry A. Berkus
President

Planning Commission
Re: 3885-3887 State Street, Santa Barbara
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Encl.

ADDITIONAL INFORMATION

Answers to Applicant Letter Questions:

- i. Does the proposed project include added exterior lighting? *No, just landscape lighting.*
- ii. Would the proposed project involve the creation of smoke or odors? *No.*
- iii. Would the proposed project involve the creation of new noise sources? *No.*
- iv. Have geotechnical studies (e.g., soils reports, earthquake fault location studies, geology reports, etc.) previously been prepared for the project site? *Yes, a soils report and geology report have been provided to staff.*
- v. Have resource or constraint studies (e.g., biological assessment reports, archaeological reports, historic structures reports, etc.) previously been prepared for the project site? *No. Staff has determined that such reports are not required for this application.*
- vi. Are there any existing or proposed designed recreational trails or easements traversing the project site? *A 20' easement exists along the western property line providing private access from State Street to La Cumbre Lane.*

Answers to Demolition and Construction Activity Questions:

- i. Identify the estimated duration of demolition. *4-6 weeks.*
- ii. Identify the estimated duration of grading. *8+ weeks.*
- iii. Identify the estimated duration of construction activity. *20 months.*
- iv. Identify the number of workers and number and type of equipment necessary for each phase of demolition, grading, and construction. *Demolition: 3-10 workers with demolition equipment; Grading: 3-10 workers with grading equipment; Construction 10-30 workers with construction equipment.*
- v. Identify equipment and construction materials staging areas. *Staging will take place in the proposed parking area at the south end of the site.*

Answer to Hazardous Materials Question:

- 1) Would the proposed project involve use or disposal of hazardous materials? *No. Is there any known site contamination from hazardous materials? No. Are there any abandoned oil wells in the area? Not that the Applicant is aware.*



Ms. Weinheimer responded to the Commission's questions regarding the eucalyptus trees and agreed to accept a condition of approval with regard to compliance with the Wildland Fire Plan and a Fuels Management Plan for the entire project site to be collaboratively reviewed and approved by both Montecito Fire District and the City of Santa Barbara. Staff responded that a specific condition had been prepared with regard to the Wildland Fire issue stating that the area from the southerly edge of the driveway to the property line and area within 100 feet of adjacent structures be limbed, thinned, and pruned to remove all flammable vegetation; and that within 10 feet of either side of the driveway must be cleared to meet Fire Department Road Clearance Standards.

MOTION: White/Jostes

Assigned Resolution No. 031-07

Make the findings and approve the Tentative Subdivision Map, the Public Road Waiver, and modification with the conditions of approval in Staff Report, Exhibit A, and the additional condition that a fuel modification and hazard management program be shown, approved, and implemented on the property, as reviewed by Montecito Fire Department and the Santa Barbara City Wildland Fire Specialist.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Jacobs, Bartlett)

Chair Myers announced the ten calendar day appeal period.

III. NEW ITEM:

ACTUAL TIME: 1:22 P.M.

APPLICATION OF B3 ARCHITECTS, AGENT FOR CLEO M. PURDY AND MICHAEL G. SCHMIDTCHEN, CO-TRUSTEES, 3885 AND 3887 STATE STREET, APN 051-022-012 AND 051-022-033, C-2/SD-2: COMMERCIAL AND UPPER STATE STREET AREA OVERLAY ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2004-00801)

This is a revised project. The project consists of a merger of two parcels and construction of a new mixed-use three-story building with underground parking. The project includes three commercial spaces (6,234 sq. ft. total net), 33 market rate one-bedroom units, one market rate studio unit, nine middle-income and one upper-middle income affordable one-bedroom units and 109 parking spaces (82 underground and 27 surface spaces). The existing 12 room motel and the 22,250 square foot office building would be demolished.

The purpose of the concept review is to allow the Planning Commission and the public an opportunity to review the proposed project design at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the proposed land use and design. **No formal action on the development proposal will be taken at the concept review, nor**

will any determination be made regarding environmental review of the proposed project.

Upon review and formal action on the application for the development proposal, the proposed project will require the following discretionary applications:

1. Modification of lot area requirements to allow ten (10) bonus density residential condominium units (SBMC§28.21.080.G); and
2. Tentative Subdivision Map for a one-lot subdivision to create forty-four (44) residential condominium units and three (3) commercial condominium units (SBMC§27.07 and 27.13).

Case Planner: Kathleen Kennedy, Associate Planner
Email: kkennedy@SantaBarbaraCA.gov

Kathleen Kennedy, Associate Planner, gave the Staff presentation.

John Rosenfeld and Doug Singletary, B3 Architects, gave the applicant presentation.

Staff answered Planning Commission questions about the rear yard setbacks stating that they are 0 feet.

Mr. Rosenfeld and Mr. Singletary answered Planning Commission questions about use of the third floor common area stating that it is an open gathering area, possibly with a fireplace; explained the best way to walk to La Cumbre Plaza as a pedestrian; that the development of a public plaza would be within the front 30' setback; and that the project would use green building techniques and photo-voltaics. The applicant also explained the concept of the live/work units; floor plan design; tandem parking; consideration for separation of unit and parking space ownership; and the accessibility design of all units.

Greg Christman, B3 Architects, clarified the uses of various units as seen on the plans, as well as the questions about the project's plate heights.

Chair Myers opened the public hearing at 1:58 P.M.

The following people spoke in support of the project, but with concerns:

1. Naomi Kovacs, Citizens Planning Commission (CPA): revised project addresses most of their concerns, but concerned with bonus density modification.
2. Paul Hernadi: concurs with CPA; expressed concern regarding amount of commercial space.

The following people spoke in opposition to the project or with concerns:

1. James Kahan: request for EIR, density, traffic counts, bus pocket inadequacy
2. Paula Westbury: preservation of existing structures; against additional development

With no one else wishing to speak, the public hearing was closed at 2:10 P.M.

Commissioner's Comments:

1. Many Commissioners felt that the revised project was a significant improvement over the previous design and the elimination of most modifications is a real improvement, but are still concerned with the size, bulk, and scale and will look to the Upper State Street Study (USSS) and Urban Design Guidelines for guidance. Would like Staff to provide more detail about how this project addresses USSS and Urban Design Guidelines.
2. The pedestrian linkages in this area are extremely important to this area. Would like to see the dedication of an access way for pedestrians, as opposed to vehicles, reviewed. Would like to see more detail in the next presentation.
3. This project warrants greater discussion in the consideration of tandem parking use on the site. This is a reduction of the standard normally required. Tandem parking can work but is not optimum. In favor of tandem parking only if the area that was gained on ground floor can be used for landscaping.
4. Concerned that the 8,800 square feet of the driveway easement area is used in calculating the allowed density.
5. Three Commissioners questioned having two bathrooms proposed for studios and one-bedroom units.
6. Concerned about surface parking in rear and suggest either removing some to allow for more open space or stretching building towards rear to gain more open space through out.
7. One Commissioner was not supportive of live/work units being located on the second floor. Suggested moving the live/work unites to the ground floor. Suggested moving the affordable units to the second floor.
8. Would like to see more fairness given to affordable unit size, when compared to market units.
9. One Commissioner revisited an earlier Commissioner's request for consideration of eliminating the center commercial space in favor of more open space.
10. Two Commissioners would like to see more accommodation given to laundry amenities in floor plan.
11. Two Commissioners would like to see provision for a community rolling cart that could be used by project residents for grocery use, as previously discussed.
12. One Commissioner expressed appreciation for the smaller units.
13. Liked the massing being broken up by landscaping.
14. Traffic analysis should include site ingress and egress impacts on State Street traffic.
15. Agreed to consideration being given to building green and use of photo voltaics.
16. Project is three to five spaces over the parking demand; reduce spaces to provide additional open space.

17. This project is significant in that it will set the standard for Upper State Street.
18. Appreciated third floor open space for the residents.
19. More creativity is needed in the rear surface parking lot area. Consider photo-voltaics or a pocket park.
20. Concerned with pedestrian circulation down the private drive easement which is almost a street, with a lot of traffic use. Staff should review closely.
21. One Commissioner thought the project proposes several exceptions to standard practice which are equivalent to modifications: tandem parking on unprecedented scale, counting private street as land area in density calculation, live-work areas which likely would be used as additional bedrooms, over-sized units, and excessive bathrooms for studios and one bedroom units.

Mr. Rosenfeld thanked the Commission for the feedback.

IV. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

None were given.

B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.

None were requested.

C. Review and consideration of the following Planning Commission Resolutions made July 12, 2007:

1. Resolution 028-07
1400 Rogers Court
2. Resolution 029-07
00 Cabrillo Boulevard

MOTION: Thompson/Larson

Approve the resolutions as amended.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: As noted. Absent: 2 (Jacobs, Bartlett)

Commissioner Myers abstained from Resolutions 028-07 and 029-07.

Commissioner Jostes abstained from Resolution 029-07.

(PROJECT REQUIRES COMPLIANCE WITH PLANNING COMMISSION RESOLUTION NO. 034-07.)

This item was reviewed out of order.

Present: Bob Price and Andy Roteman, Architects.

Motion: Continued indefinitely with the following comments: 1) The south elevation gable roof extension on the master bedroom is supportable. 2) Extend the one story element at the garage to the left to help breakup the massing on that side, and to help reduce the scale as apparent on the north elevation. The Board expects that one story element plane to be a minimum of one foot out of plane with the second story wall above. 3) The storage closets as added to the design shown on the north and east elevations do not have any apparent detriment to the aesthetic impact of the home or its size, bulk and scale; nor do the various other windows added on the south elevation. 4) Utilize darker materials to minimize glare. 5) In order to address the concerns of the northern neighbor, the applicant should attempt to minimize the effect of night glare from the windows, especially from the second floor entry glazing, by utilizing low levels of lighting in those areas or by altering the exposure of the interior lighting. 6) Provide exterior lighting fixtures and location details. 7) Return to the previous design of the entry doors and side lights, including the second story windows above, which had horizontal rectangular divisions.

Action: Aurell/Mosel, 4/0/3. (Manson-Hing/Sherry/Zink abstained.) Motion carried.

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING**5. 3885 STATE ST****C-2/SD-2 Zone**

Assessor's Parcel Number: 051-022-012

Application Number: MST2008-00180

Owner: George Armstrong for Cleo Purdy Trust

Architect: Barry Berkus

(This is a new proposal for the project site. The proposal includes the construction of a new, three-story mixed-use development on a 1.43 acre lot. The project consists of the demolition of an existing 4,990 square foot motel and 22,250 square foot office building. The proposed commercial component consists of one 2,605 square foot unit. The residential component consists of thirty residential units [22 two-bedroom flats, 4 three-bedroom penthouse units, and 4 two-bedroom affordable units. The units range in size from 780 square feet for the affordable units to 2,226 square feet for the three-bedroom penthouse units]. Per zoning the project requires a minimum of 65 parking spaces. A total of 79 parking spaces are proposed [23 on grade and 56 underground]. Onsite amenities include a 3,300 square foot recreation facility [exercise room, sun room, spa/hot tub, dining room, staging kitchen, wine lockers, concierge service] and a 540 square foot community-serving crafts room. The proposal includes 15,900 cubic yards of cut and 100 cubic yards of fill. The project requires Planning Commission review of a Tentative Subdivision Map, modifications, and a voluntary lot merger of two parcels.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION REVIEW OF A TENTATIVE SUBDIVISION MAP, MODIFICATIONS, AND A LOT MERGER.)

This item was reviewed out of order.

Present: Barry Berkus and Micah Winkelstein, Architects
Kathleen Kennedy, City Associate Planner

Public comment opened at 7:17 p.m. and, as no one wished to speak, it was closed.

Paul Hernadi, representing Citizens Planning Association, expressed opposition to the project with the following concerns and comments: 1) Decrease in number of proposed residential units versus increase in number of bedrooms; 2) decrease in number of market rate units; 3) base density calculation; 4) setback measurements; 5) reduction of traffic impact and parking demand; 6) request for new traffic and parking study; 7) upgrade of environmental noise study mitigation measures; 8) safe distance of units from State Street and air quality measurements; and 9) onsite storm-water retention.

Chair Wienke read into the record a letter from Judy Orias, President of the Allied Neighborhood Association, expressing opposition to certain aspects of the project (as also mentioned by Mr. Hernadi).

Public comment closed at 7:23 p.m.

Motion: Continued indefinitely to the Planning Commission with the following comments: 1) The massing and the size, bulk, and scale are appropriate. 2) The articulation of the different buildings as far as their open spaces and proportions are welcomed. 3) The greenery and the use of setbacks, specially the enlarged setback off of State Street, are appreciated. 4) The connection of the roof covering area of the bridge to the rear carriage unit is supportable, but the massing seems a bit superfluous to the design, especially the roof area over it. Reduce the apparent mass of the bridge link to the rear carriage unit. 5) The Board appreciates that the proposal is playful and visually interesting. The main circulation area connecting the buildings being central to the site works well. 6) The generous State Street setback that offers a commercial component to the public at that area is greatly appreciated. 7) The underground parking is appreciated as well as the on grade, though minimal, commercial parking off of State Street for that commercial zone. 8) The Board looks forward to the furthering of the architectural detailing in the massing, the bridges, guard rails, and various elements; and likes, to a greater degree, the spirit of the architecture and looks forward to its further refinement. 9) The Board looks forward to the refinement of the basement garage access and the resolution of dead end corridors. 10) The fact that there will be no fence between the site and the property to the west that it will be articulated as a sidewalk or walking area with landscaping as opposed to a fence or a wall is an asset to both parcels and to the city in general. Enhance the pedestrian walk through experience along the drive as much as possible. 11) It is expected that the applicant will provide a green sustainable design, utilizing methods such as solar panels whenever possible on the flat roofs. 12) Further the development of the perimeter fencing and provide elements of high standard and detailing.

Action: Manson-Hing/Sherry, 7/0/0. Motion carried.



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John Rosenfeld
B3 Architects
2020 Alameda Padre Serra, Suite 133
Santa Barbara, CA 93101

REVISED PHASE I TRAFFIC AND PARKING ASSESSMENT FOR THE STATE STREET MIXED USE PROJECT - CITY OF SANTA BARBARA

Associated Transportation Engineers (ATE) has completed the following Phase I traffic and parking assessment for the State Street Mixed-Use Project, located at 3885-3887 State Street in the Outer State Street area of the City of Santa Barbara. It is our understanding that this study will be submitted to the City of Santa Barbara to assist City staff in their review of the traffic and parking issues associated with the project.

PROJECT DESCRIPTION

The project site is located on the south side of State Street, west of the La Cumbre Road intersection. A retail building is located west of the site and a church is located east of the site. The site consists of two parcels that currently contain a 22,250 square-foot office building and a 12-room motel with a manager's apartment. These existing facilities would be demolished and replaced with three buildings containing 2,605 SF of retail/office space and 30 residential condominium units (26 market-rate units and 4 affordable units). A 3,300 SF recreation area consisting of a reception lobby, dining room, gym, and reading/study area, as well as a 540 SF classroom are also proposed on-site. The recreation area and the classroom would be for resident uses only. A total of 78 parking spaces would be provided for the project, with 53 spaces located within an underground garage and 25 spaces in a surface lot.

Access to the existing site is provided via two driveways; one for the motel and one for the office building. Access to the proposed project would be provided via a single driveway connection to State Street on the north and an easement connecting to La Cumbre Lane on the south. The project site plan and parking garage layout are shown in a figure attached to this letter.

PROJECT TRIP GENERATION

A trip generation analysis was completed to determine the level of traffic that would be generated by the proposed mixed-use development compared to the baseline level of traffic that would be generated by the existing on-site uses. It is noted that the motel site is currently closed. This analysis is intended to provide City staff with the traffic data needed to determine the level of environmental review required for the project. The trip generation rates and assumptions used to determine the trip estimates for the existing and proposed site uses are listed below.

Existing Site Uses

The trip generation analysis completed for the existing uses assumes full utilization of the existing buildings as required under the California Environmental Quality Act (CEQA).

Office Building. The trip rates presented in the ITE Trip Generation Report¹ (7th Edition and 5th Edition) for General Office (Land Use Code #710) were used for this component of the project. The equation rates from the 7th Edition ITE report were used to estimate average daily and A.M. peak hour trips. The equation rates from the 5th Edition ITE report were used to estimate P.M. peak hour trips. The P.M. peak hour equations from the 5th Edition were used because the equations contained in the 7th Edition report are faulty for small size office projects.

Motel. The ITE Motel rates (Land Use Code #330) were used for the existing motel.

Apartment. The ITE Apartment rates were used for the existing manager's unit located within the motel (Land Use Code #330).

Proposed Project

Condominium Units. The ITE Condominium rates (Land Use Code #230) were used for the market rate and affordable condominium units. No adjustments were made to the ITE rates to account for the mixed-use nature of the site, thus presenting a "worst-case" analysis.

Commercial Space. Since retail uses have a higher traffic generation rate than office uses, the ITE rates for Specialty Retail (Land Use Code #814) were used for this component of the project, thus presenting a "worst-case" analysis. The trip rates were developed assuming a 10,000 square-foot retail center, and then applied to the proposed project retail area. This step was completed because the equation rates produced by the ITE formulas are faulty for small size retail centers (less than 10,000 square feet in size). Because no A.M. peak data is available in the ITE Trip Generation manual, 3% of the ADT was assumed per the San Diego Association of Governments (SANDAG) Trip Generation Manual². A 10% "pass-by" adjustment, from the SANDAG manual, was applied to the retail trips to account for the project's location on State Street.

¹ Trip Generation, Institute of Transportation Engineers, 5th and 7th Editions, 1997 and 2003.

² Traffic Generators, San Diego Association of Governments, 2002

Table 1 compares the trip generation estimates developed for the existing and proposed site uses.

**Table 1
Existing and Proposed Land Uses Trip Generation Comparison**

Land Use	Size	Pass-By	Average Daily		A.M. Peak Hour		P.M. Peak Hour		Mid-Day
			Rate	Trips	Rate	Trips	Rate	Trips	Trips
Proposed Uses									
Condominiums	30 Units		5.86	176	0.44	13	0.52	16	8
Retail ^(a)	2,605 SF	10%	46.55	109	1.40	3	4.55	11	8
Subtotal				<u>285</u>		<u>16</u>		<u>27</u>	<u>16</u>
Existing Uses									
Office	22.25 KSF		18.85	419	2.53	56	2.76	61	42
Apartment	1 Unit		6.72	7	0.51	1	0.62	1	0
Motel	12 Rooms		9.11	109	0.64	8	0.58	7	10
Subtotal				<u>535</u>		<u>65</u>		<u>69</u>	<u>52</u>
Net Change				-250		-49		-42	-36

KSF = 1,000 square feet.

(a) Trip generation analysis assumes as 10% pass-by factor for the retail uses.

The data presented in Table 1 show that the proposed project would result in a net decrease of 250 ADT, 49 A.M. peak hour trips, 42 P.M. peak hour trips, and 36 mid-day trips. Because the project results in a reduction in traffic generated at the site during both the morning and afternoon peak hour periods, no traffic impacts would be generated based on City impact thresholds.

A trip generation analysis was also completed assuming no credit for the existing motel site that is currently closed. Table 2 compares the trip generation estimates developed for the existing and proposed site uses with no credit for the existing motel.

**Table 2
Existing and Proposed Land Uses Trip Generation Comparison
No Credit for Existing Motel**

Land Use	Average Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips	Mid-Day Trips
Proposed Uses	285	16	27	16
Existing Uses (No Motel Credit)	419	56	61	42
Net Change	-134	-40	-34	-26

The data presented in Table 2 show that the proposed project would result in a net decrease of 134 ADT, 40 A.M. peak hour trips, 34 P.M. peak hour trips, and 26 mid-day trips, assuming no credit for the existing motel. Since the trip generation analysis with no credit for the existing motel results in a reduction in traffic during both the morning and afternoon peak hour periods, no traffic impacts would be generated based on City impact thresholds.

PARKING ANALYSIS

Parking Supply

The project is proposing to provide 78 parking spaces for the project, with 53 spaces located within an underground garage and 25 spaces located in surface parking areas.

City Zoning Ordinance Requirements

The City's Zoning Ordinance parking requirement ratios for each of the project components are summarized below:

2-3 Bedroom Condominiums	Residents	2 Spaces /Unit
	Visitors	1 Space/4 Units
Office and Retail Buildings		1 Space/250 Net SF

Based on these ratios, the project's Zoning Ordinance parking requirements were calculated as shown below in Table 3.

**Table 3
City of Santa Barbara Zoning Ordinance Parking Requirements**

Land Use	Size	City Parking Ratio	Parking Space Requirement
Condominiums			
Residents	30 Units	2 space/unit	60 spaces
Visitors	30 Units	1 space/4 units	8 spaces
Office/Retail Space	2,567 net SF	1 space/250 SF	10 spaces
Total Requirement			78 Spaces

The data presented in Table 3 show that the Zoning Ordinance requirement for the project is 78 parking spaces. The proposed supply of 78 spaces would satisfy this requirement; therefore no further parking analysis is required.

This concludes our Phase I trip generation and parking analysis for the State Street Mixed-Use Project.

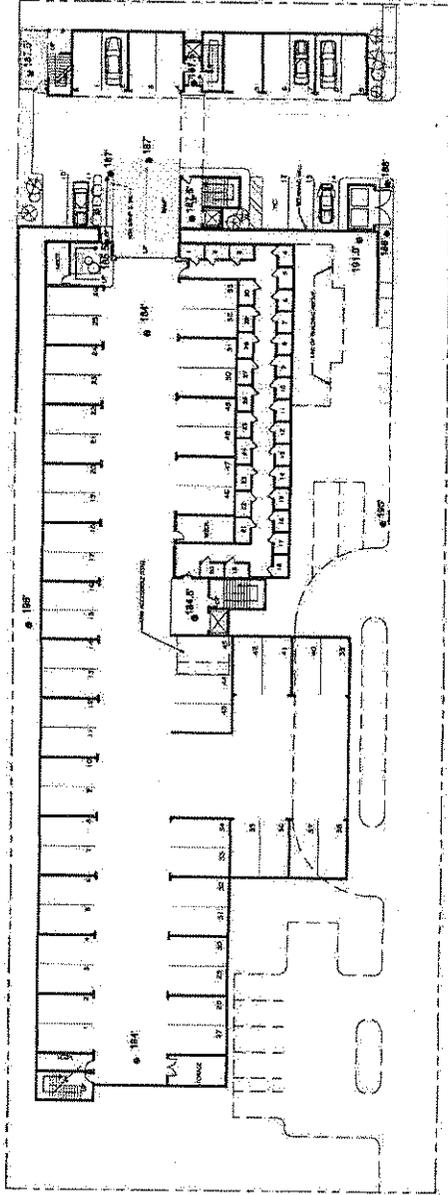
Associated Transportation Engineers

A handwritten signature in black ink, appearing to read 'SAS', written over a horizontal line.

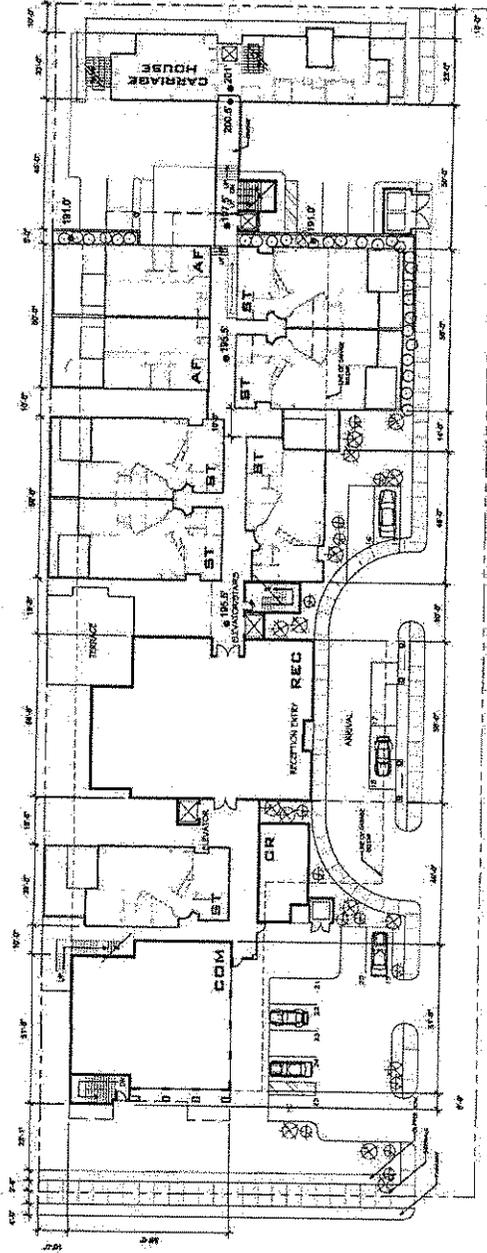
Scott A. Schell, AICP, PTP
Principal Transportation Planner

SAS/MMF

Attachments: Project Site Plan



GARAGE LEVEL



SITE PLAN



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July 31, 2008

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**CITY OF SANTA BARBARA
PLANNING DIVISION**

**PROJECT: State Street Enclave Mixed Use Condominiums
MST#2008-00180, APN # 051-022-033, -012
(Redevelopment of 3885-3887 State Street, Santa Barbara)**
RE: Updated Environmental Noise Study

Dear Mr. Rosenfeld:

Dudek has provided noise evaluations for your two earlier development proposals located at the subject property, and formerly known as "State Street Enclave". This updated report contains our assessment of the future traffic-related noise environment at your currently proposed State Street Enclave mixed residential and commercial condominium development to be located at 3885-3887 State Street within the City of Santa Barbara. The assessment has been conducted in conformance with the City of Santa Barbara's requirement that the Community Noise Equivalent Level (CNEL) not exceed 60 dB within any required exterior living spaces of the project¹. The report also contains a preliminary analysis of residential condominium interior noise levels based upon the conceptual building designs, for comparison with the 45 dB CNEL residential interior noise criterion.

In summary, the predicted noise levels from Year 2025 traffic volumes on State Street are calculated to range from 45 to 59 dB CNEL within the proposed outdoor living areas for all but three (3) residential units, which is within the acceptable 60 dB CNEL criterion.

¹ According to the City of Santa Barbara 15 May 2008, 30-Day Development Application Review for 3885-3887 State Street, MST#2008-00180, the proposed project would be subject to the "Multiple Family Residential" land use requirements under the City of Santa Barbara General Plan, Noise Element.

Environmental Noise Study 3885-3887 State Street, Santa Barbara

The proposed private outdoor living spaces for three residential units would require noise mitigation. In the proposed balcony/terrace areas immediately adjacent to State Street (the three units proposed to face State Street), the future unmitigated sound levels from year 2025 traffic volumes on State Street would range up to 64 dB CNEL; these levels would exceed the 60 dB CNEL noise criterion. To achieve 60 dB CNEL in these balcony/terrace areas would require the construction of individual soundwalls. The soundwalls for the second-level unit terraces immediately adjacent to State Street would be a minimum of six feet in height. The soundwalls for the third-level unit terraces immediately adjacent to State Street would be a minimum of five feet in height. The architect has designed the outdoor living space for the penthouse unit facing State Street such that only one balcony/terrace area is necessary to meet the minimum outdoor living area requirement, with a separate terrace area of "surplus outdoor living space". Mitigation has been specified for the "required" outdoor living area for the penthouse (third level) residential unit facing State Street.

With the exception of the three residential units just described, the predicted noise levels from Year 2025 traffic volumes on State Street are calculated not to exceed 59 dB CNEL within the proposed individual private outdoor living spaces of the residences.

To comply with the City and State's 45 dB CNEL interior noise standard, an interior noise analysis will be required for the project prior to issuance of building permits. The three dwelling units facing State Street may require sound-rated windows. Also, the units facing State Street would require air conditioning or mechanical ventilation system so that the windows may be closed at the occupants' discretion to meet the interior noise standard.

1.0 BACKGROUND

1.1 Project Setting

The proposed State Street Enclave mixed residential and commercial condominium project is located at 3885-3887 State Street. The property is currently developed with a motel (3885 State Street) and an office building (3887 State Street). The proposed project would entail demolition of the existing uses and site improvements followed by redevelopment with the new mixed use structures.

The project site is located approximately mid-block between La Cumbre Road and Plaza Drive on the southerly side of State Street. The regional location and project vicinity are depicted in

Environmental Noise Study 3885-3887 State Street, Santa Barbara

Figures 1 and 2. The proposed mixed use project would include one level of sub-grade parking beneath the structures and three floors or levels above grade. The parking garage and site plan/first floor for the subject property are depicted on *Figure 3*. As illustrated on *Figure 3*, the first level contains both commercial condominiums (depicted as "COM" or "CR") and residential condominiums. The floor plans for the second level and third levels are illustrated on *Figure 4*.

The City of Santa Barbara Zoning Ordinance (Section 28.21.081) stipulates the minimum mandatory outdoor living space to be provided per each residence in a multi-family residential project. The requirement can be met through the provision of a private outdoor space per condominium, or via common outdoor living spaces available for use by the residents. The architect has elected to meet the exterior living space requirement via provision of a private outdoor living space with each proposed residential unit.

As part of the application review process by the City of Santa Barbara, an acoustical study is required. Direction provided by the City in their December 23, 2004 30-Day Development Application Review for 3885-3887 State Street, MST#2004-00801 (DART Letter) forms the basis for the analysis requirements employed for this acoustical study. This analysis is based on the Preliminary Site Plan, Floor Plan, and Elevations, June 16, 2008, by B3 Architects.

1.2 City Noise Criteria

The City of Santa Barbara requires that the noise level within required outdoor living spaces for new single family and multiple family residential development not exceed 60 dB CNEL and the interior noise levels not exceed 45 dB CNEL (City of Santa Barbara General Plan, Noise Element, 1979). Also, Title 24 of the California Administrative Code requires interior noise levels not to exceed 45 dB CNEL. The December 23, 2004 DART Letter indicates the proposed project would be subject to the above-referenced noise criteria for new residential development. All sound levels discussed in this report are A-weighted. The acoustical terminology used in this report is defined in *Attachment 1*.

2.0 EXISTING CONDITIONS

The project site is exposed to traffic noise from State Street, and to a much lesser extent to traffic noise on La Cumbre Road and noise from vehicles entering and exiting La Cumbre Plaza shopping center via Plaza Drive. The parcel immediately adjacent to the east of the project is developed with a church structure which parallels the property line for approximately 215 feet

Environmental Noise Study 3885-3887 State Street, Santa Barbara

back from State Street; this structure shields much of the eastern exposure of the parcel from direct traffic noise along State Street and Plaza Drive. The parcel immediately west of the subject property is developed with the Galleria enclosed shopping mall, which parallels the property line approximately 140 feet back from State Street; this structure shields much of the western exposure of the parcel from direct traffic noise along State Street and La Cumbre Avenue.

State Street south of La Cumbre Road currently carries approximately 25,800 Average Daily Trips (ADT) (ATE 2005).

Ambient Noise Monitoring

A noise measurement was conducted within the subject property boundaries and adjacent to State Street to determine the existing noise level associated with State Street. The measurement was made using a calibrated Larson-Davis Laboratories Model 700 (S.N. 2132) integrating sound level meter equipped with a Type 2551 1/2-inch pre-polarized condenser microphone with pre-amplifier. When equipped with this microphone, the sound level meter meets the current American National Standards Institute standard for a Type 1 precision sound level meter. The sound level meter was positioned at a height of approximately five feet above the ground.

The noise measurement location is depicted as Site 1 on *Figure 5*. Site 1 is approximately 33 feet from the center line of State Street and is at approximately the same elevation as the roadway surface (six inches higher, on the sidewalk). Site 1 is approximately 10 feet north of the southerly property boundary for the subject property. The measured average noise level was 66 dB. *Table 1* shows the measured noise level and concurrent traffic volumes.

Environmental Noise Study
3885-3887 State Street, Santa Barbara

Table 1
Measured Average Sound Level

Site	Description	Date/Time	L_{eq}¹	Cars	MT²	HT³
1	Approximately 33 feet to center line of State Street	02/15/05 1:20 to 1:40 p.m..	66 dB	536	6	0

- Notes:
- ¹ Equivalent Continuous Sound Level (Time-Average Sound Level)
 - ² Medium Trucks
 - ³ Heavy Trucks

General Notes: Temperature 65 degrees, cloudy sky, 5 mph northerly wind.

Traffic Noise Modeling

The existing CNEL was calculated for Site 1 based on the current traffic volumes along State Street and utilizing Caltrans' Sound 32 Traffic Noise Prediction Model (Caltrans 1983) with California noise emission factors (Caltrans 1987). The same traffic volume and vehicle composition ratios counted during the noise measurements were used to calibrate the model and verify the input used in the noise model. The modeled existing traffic speed was 30 mph along State Street. No heavy trucks were noted during the field measurements, while medium trucks accounted for approximately 1 percent of the traffic volume. Based upon information regarding the average percentage composition of vehicle types for State Street as provided by the project transportation engineer (ATE 2005), a vehicle mix of 3 percent medium trucks and 2 percent heavy trucks was employed in the model for evaluation of existing and future anticipated noise levels associated with this segment of State Street.

The modeled L_{eq} value for Site 1 is within one dB of the measured noise level. This result generally confirms the assumptions used in the noise model.

The modeled existing community noise level is 72 dB CNEL at Site 1. It should be noted that this noise level is in terms of the CNEL and not the L_{eq} as shown in Table 1.

Environmental Noise Study 3885-3887 State Street, Santa Barbara

3.0 ANALYSIS

State Street is classified as a Major Arterial in the City's General Plan and would be the primary noise source at the site in the future. In the year 2025 State Street south of La Cumbre Road would carry approximately 27,100 ADT (ATE 2005).

Exterior Noise

The future noise level from Year 2025 traffic immediately adjacent to State Street is calculated to be 72 dB CNEL (at Site 1). Site 1 is at ground level with direct, unobstructed exposure to traffic noise sources along State Street. Future sound exposure levels within the proposed exterior living areas of the project would be influenced by distance from State Street traffic sources and shielding characteristics of the proposed structural development.

Table 2 (on the following page) provides the results of exterior noise modeling conducted to assess future noise levels within proposed exterior living areas of the project.

Environmental Noise Study
3885-3887 State Street, Santa Barbara

Table 2
Calculated Future Exterior Sound Exposure Levels

Exterior Space Reference	Calculated Future Noise Level (dB CNEL)
First Level	
ST #1	45
REC – Northern Patio	45
REC – Spa Terrace	51
ST #2	51
ST #3	51
AF #1	52
AF #2	56
ST #4	57
ST #5	57
ST #6	54
Second Level	
ST #1	64
ST #2	64
ST #3	45
ST #4	53
ST #5	52
ST #6	53
AF #1	53
AF #2	56
Carriage House Terrace	57
ST #7	57
ST #8	57
ST #9	55
ST #10	56
ST #11	58
Third Level	
PH-2	63
ST #1	58
ST #2	58
PH #1	58
ST - 2	57
PH #2	57
ST #2	56
PH #3	59

Environmental Noise Study **3885-3887 State Street, Santa Barbara**

With respect to Table 2, an arbitrary unit reference has been used to identify each exterior living space. For each floor level of the project, the space reference begins with the unit closest to State Street, on the eastern side of the project (the La Cumbre Shopping Center side of the project). The numbering then proceeds in a clockwise manner for the units on that level. For example, on the first level of the project, ST #1 is the unit labeled "ST" on the site plan / first floor plan, and closest to State Street on the eastern side of the project.

To summarize the results presented in Table 2, the future exterior noise level from Year 2025 State Street traffic within the exterior living areas associated with all but three (3) residential units of the proposed project would range from 45 to 59 dB CNEL. Thus, predicted noise levels within exterior living areas for all but three of the proposed residential units would comply with the City's 60 dB CNEL exterior noise criteria, without the need for any mitigation. The 3 residential condominiums with future noise levels predicted to exceed 60 dB CNEL are described below.

The three proposed residential units with exterior living area calculated to have future noise exposure level above 60 dB CNEL include the following. The balcony or terrace area for the two "ST" units immediately adjacent to State Street on level 2 of the project would have a future noise level of **64 dB CNEL**, which exceeds the City criterion of 60 dB CNEL within required exterior living areas. The balconies or terrace areas of the "PH-2" unit immediately adjacent to State Street on level 3 of the project would have a future noise level of **63 dB CNEL**, which exceeds the City criterion of 60 dB CNEL within required exterior living areas. Therefore, mitigation would need to be provided in order to achieve compliance with the 60 dB CNEL criterion, for any portion of these proposed exterior living areas which is necessary to meet the minimum exterior living space requirements under City of Santa Barbara Zoning Ordinance (Section 28.21.081).

Interior Noise

A detailed interior noise analysis was not conducted at this preliminary project design phase. However, the following conceptual discussion is provided for interior noise concerns.

Standard construction materials and techniques for a multiple family development normally result in a minimum exterior to interior noise attenuation of 15 dB. Therefore, an exterior noise exposure not exceeding 60 dB CNEL would result in interior noise levels of 45 dB CNEL or less. The majority of the proposed project would be exposed to exterior ambient noise levels of 60

Environmental Noise Study 3885-3887 State Street, Santa Barbara

dB CNEL or less and therefore standard construction techniques should be adequate to achieve compliance with the 45 dB interior noise criterion.

The future noise level at the front facades of the residential units adjacent to State Street would range up to 64 dB CNEL. With the windows open or closed, the interior noise level at the dwelling units facing State Street would exceed the City and State's interior noise standard of 45 dB CNEL unless mitigation measures are provided.

4.0 MITIGATION

Exterior Noise

Noise levels within the proposed private exterior living spaces for all but three of the residential units would meet the 60 dB CNEL criterion; no mitigation is necessary for units aside from the three residences specifically addressed below.

For any portion(s) determined necessary to meet City of Santa Barbara Zoning Ordinance (Section 28.21.081), the terrace areas directly facing State Street would require a minimum six foot high perimeter soundwall on level 2, and a minimum five foot high perimeter soundwall on level 3. The height requirement is relative to the patio floor elevation. The prescribed soundwall treatment for these three exterior living areas would attenuate the noise level to 60 dB CNEL or less.

The architect has designed the penthouse (level 3) residential unit which faces State Street to have two separate terrace/balcony areas. The terrace area at the northwest corner of the unit measures 192 square feet, and would evidently satisfy the minimum outdoor living space requirement of Section 28.21.081 of the Santa Barbara Municipal Code. The balcony/terrace in the middle of the unit's State Street façade may therefore be deemed "surplus." We have specified appropriate mitigation to address compliance with the 60 dBA CNEL limit within the required outdoor living area for this level 3 residence.

Figure 6 illustrates the exterior living areas which require mitigation via soundwalls. We have illustrated a perimeter soundwall which encloses the entire proposed exterior living area for the terraces which would exceed the 60 dB CNEL criterion. *However, if only a portion of the proposed exterior living area is necessary to meet the City of Santa Barbara Zoning Ordinance*

Environmental Noise Study
3885-3887 State Street, Santa Barbara

(Section 28.21.081) exterior living space requirements, any such area can be protected with a perimeter soundwall of the height prescribed.

The materials used in the construction of the sound wall are required to have a minimum surface density of 3.5 pounds per square foot. They may consist of masonry material, plexiglass, tempered glass, or a combination of these materials. The barriers must be designed so there are no openings or cracks.

Interior Noise

The windows and doors must be closed in order to achieve the interior noise criteria for the three residences directly facing State Street. The design for the residential units must include the means by which adequate ventilation can be provided with the windows and doors closed, i.e., mechanical ventilation and/or air-conditioning. Therefore, these dwelling units would require mechanical ventilation and/or air-conditioning and could require sound-rated windows. An interior acoustical analysis will be required prior to the issuance of building permits to ensure that the interior CNEL would not exceed 45 dB.

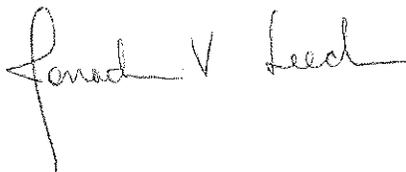
This concludes our noise assessment, if you have any questions please do not hesitate to call call Jonathan at 805-963-0651, x-3527.

Respectfully submitted,

DUDEK



Cornelis H. Overweg, PE, INCE
Senior Acoustician



Jonathan V. Leech, AICP
Acoustician / Environmental Analyst

att.: Figures 1-6

DUDEK

4562-02

Environmental Noise Study
3885-3887 State Street, Santa Barbara

REFERENCES

Associated Transportation Engineers (ATE), January 19, 2005, *Traffic Volume Data for the Montecito Del Mar Project - City of Santa Barbara.*

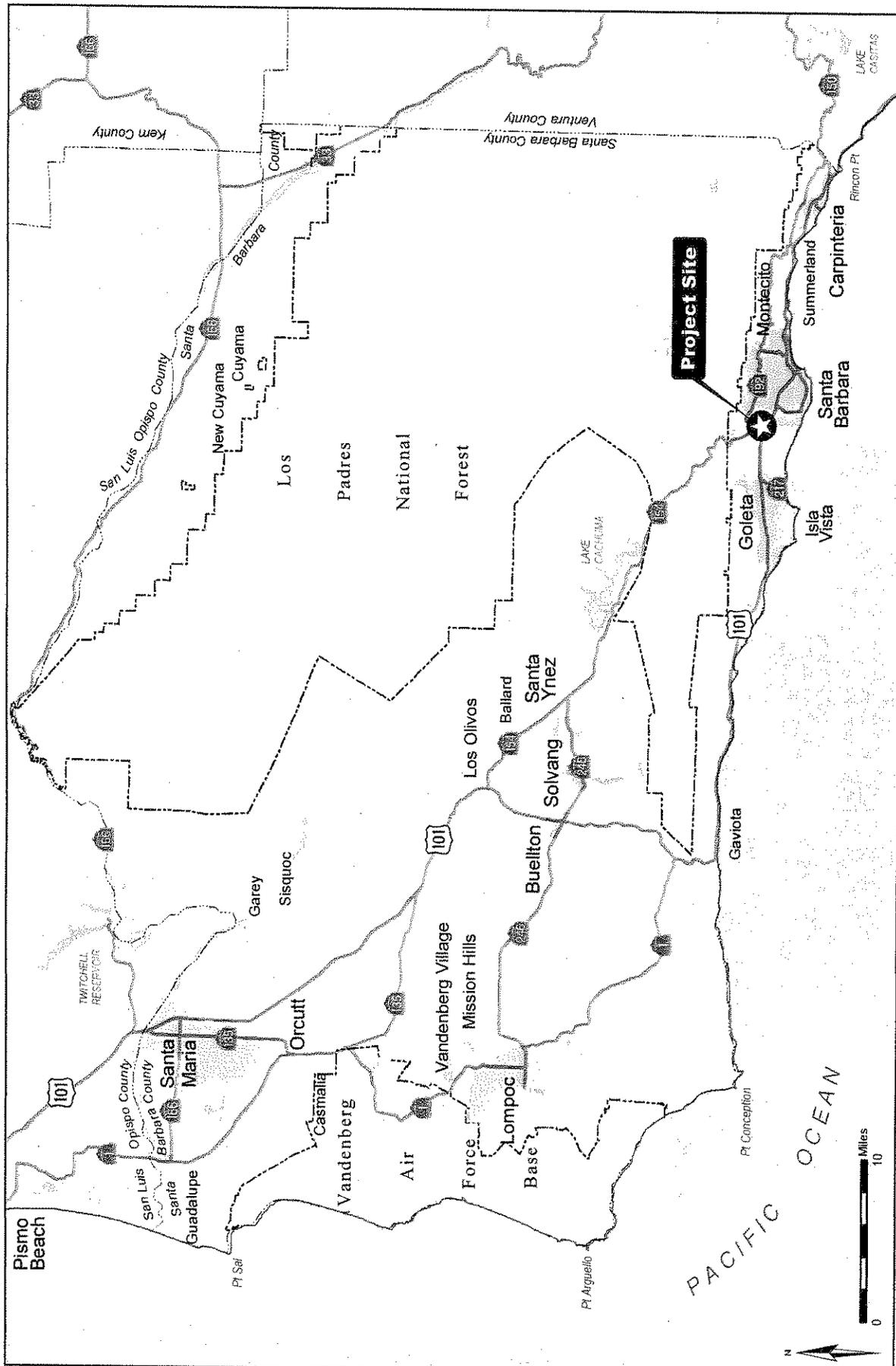
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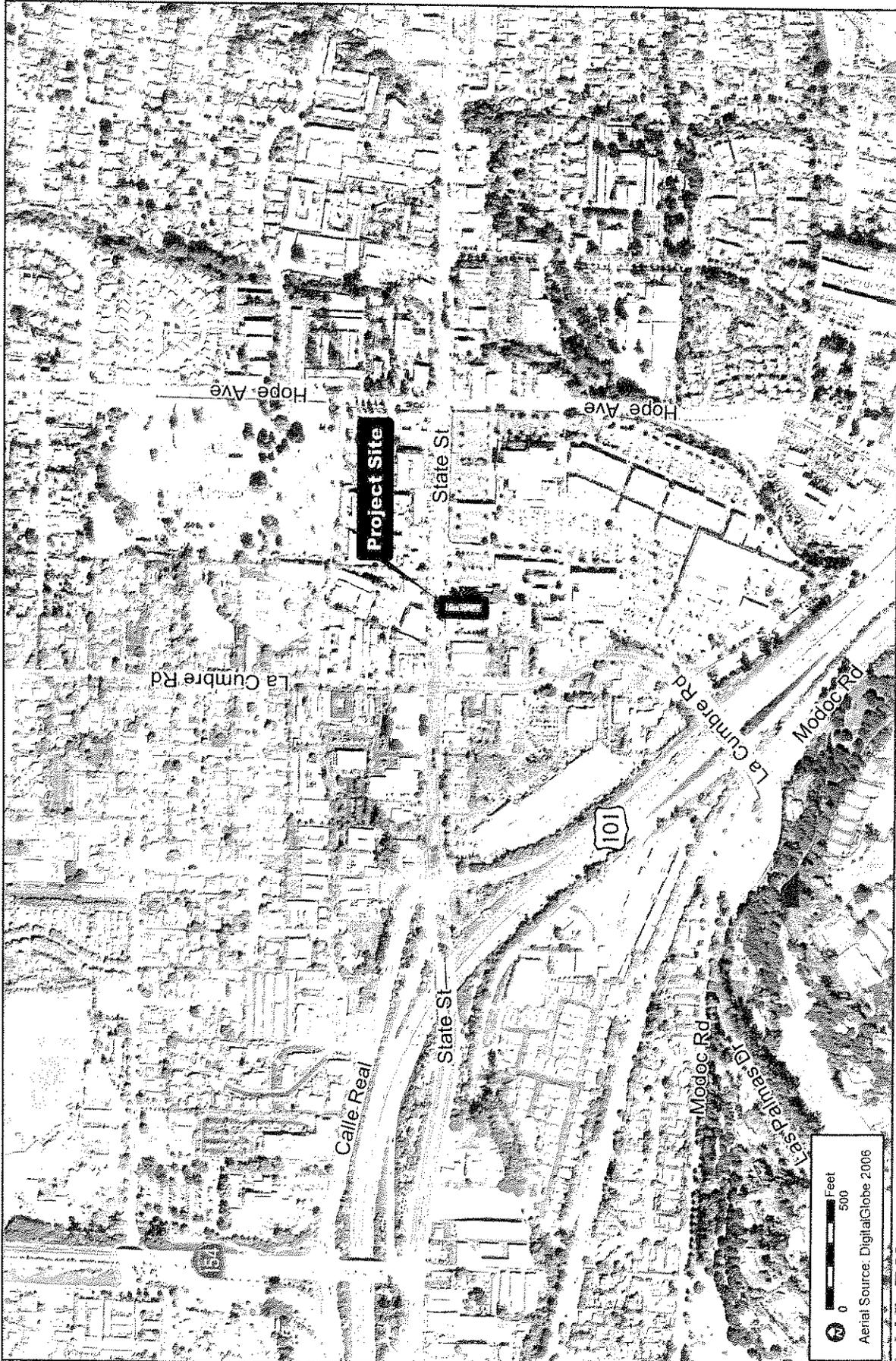
City of Santa Barbara, August 1979. *City of Santa Barbara General Plan Noise Element.*



State Street Enclave
Regional Setting
 FIGURE 1

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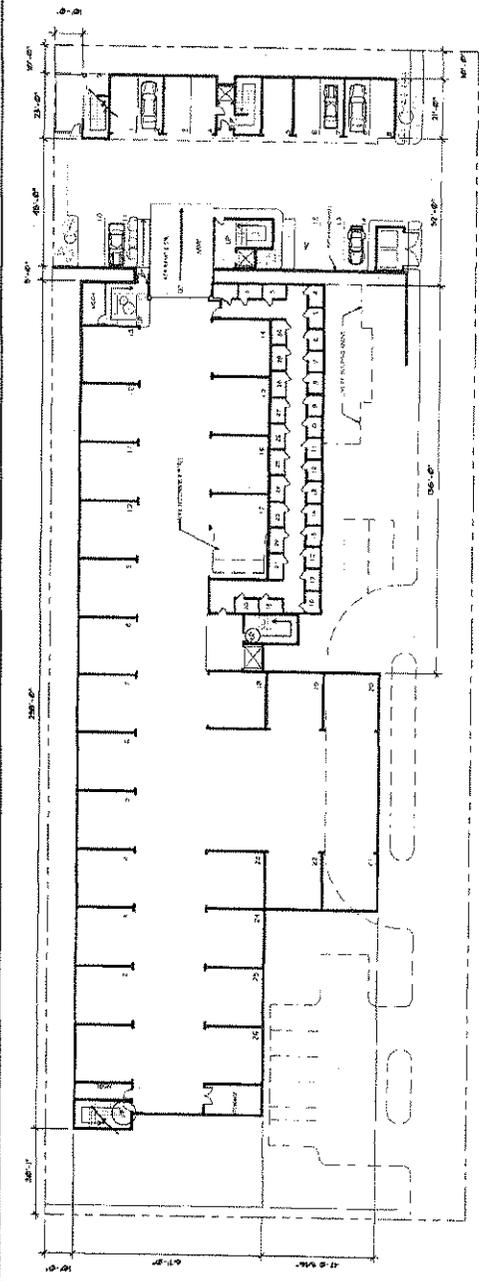
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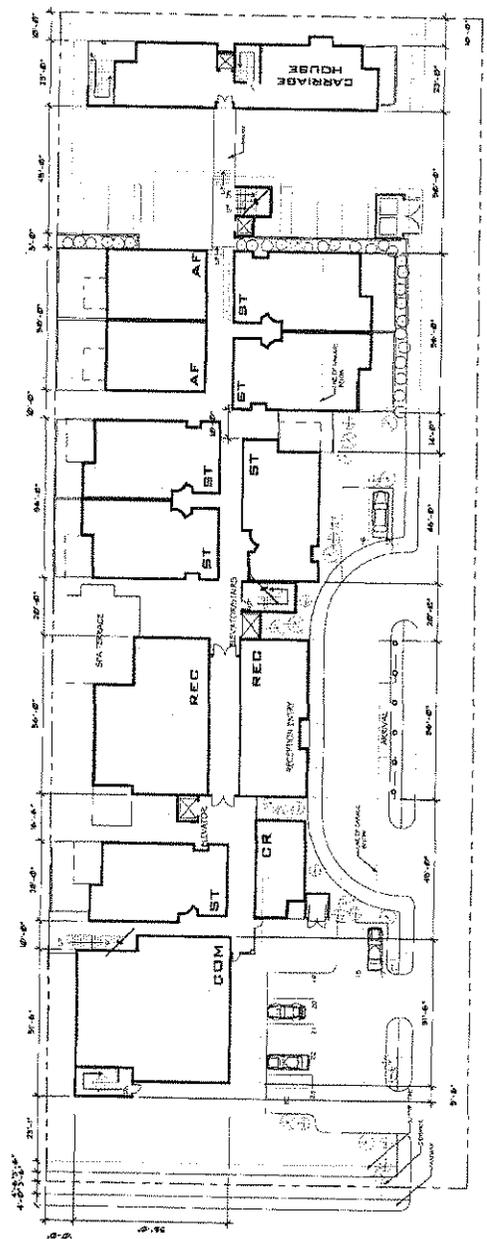
State Street Enclave
Project Vicinity

FIGURE
2

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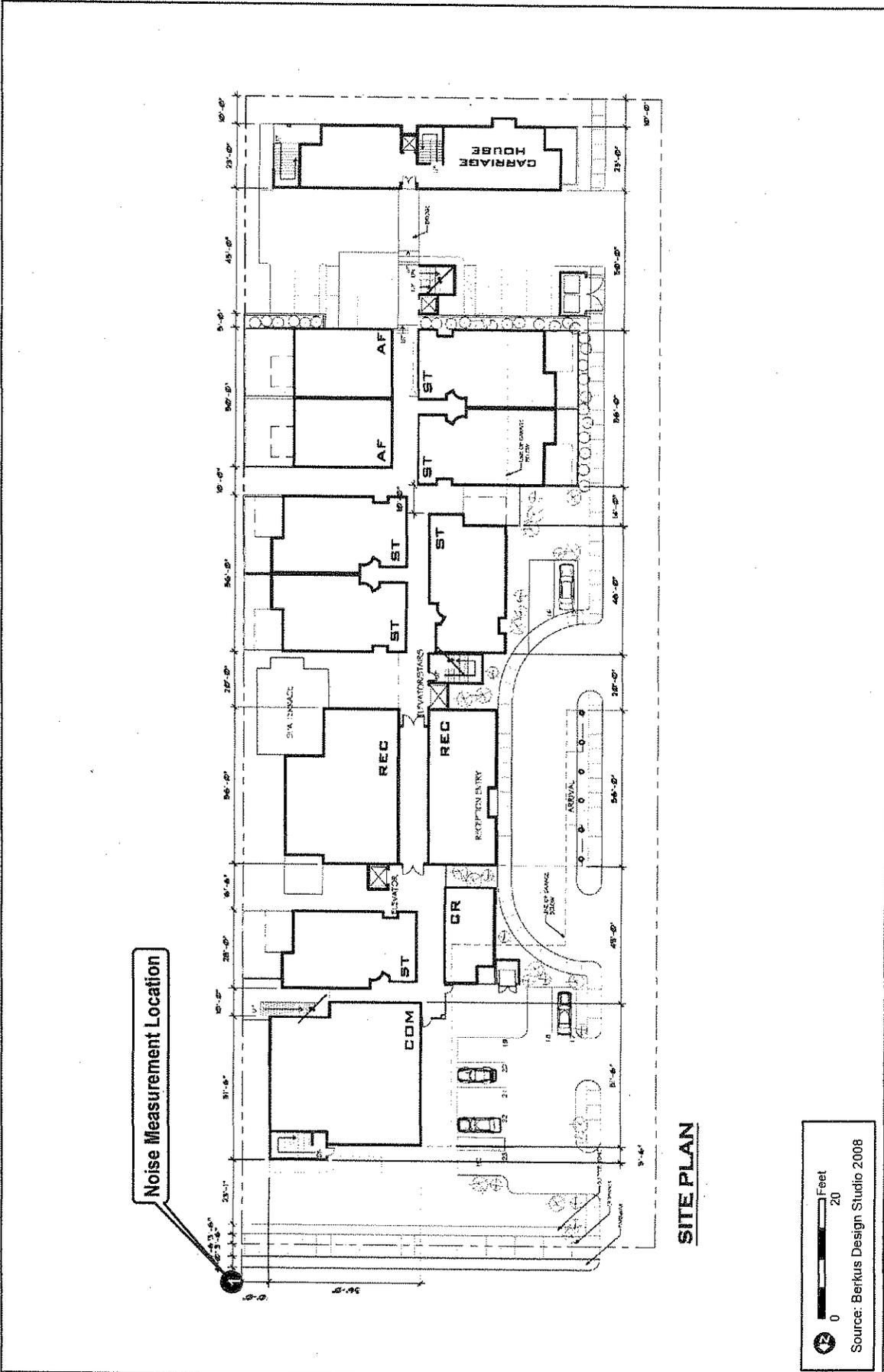
GARAGE LEVEL



SITE PLAN


 0 Feet
 20
 Source: Barbara Design Studio, 2008

DUDEK



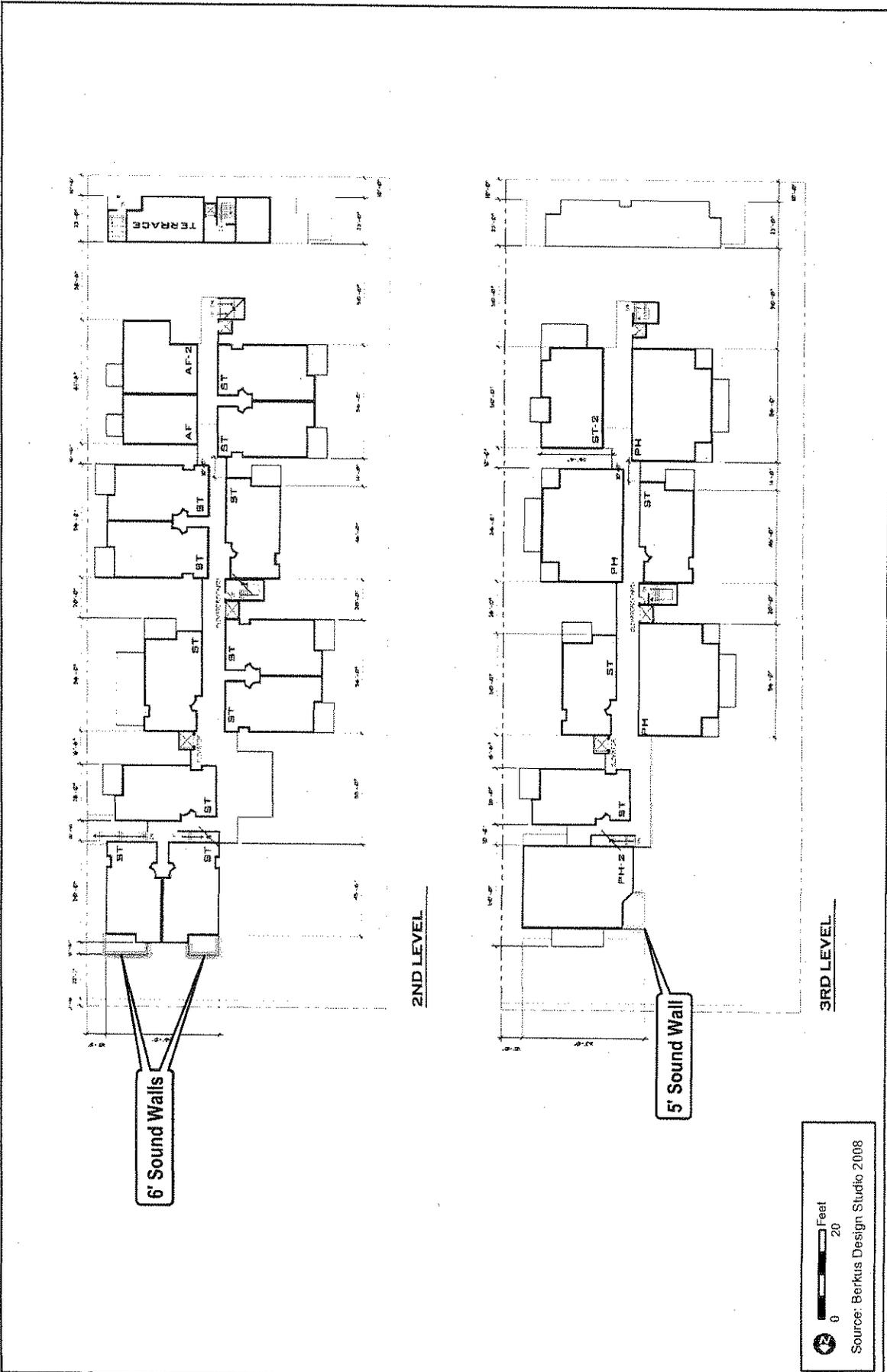
SITE PLAN

0 20 Feet
 Source: Berkus Design Studio 2008

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State Street Enclave
Noise Measurement Location
 FIGURE 5

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State Street Enclave
Noise Wall Locations
FIGURE 6

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Environmental Noise Study
3885-3887 State Street, Santa Barbara

ATTACHMENT 1
DEFINITIONS

<u>Term</u>	<u>Definition</u>
Ambient Noise Level	The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.
A-Weighted Sound Level, (dB[A])	The sound pressure level in decibels as measured on a sound level meter using the A-weighted filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise.
Community Noise Equivalent Level, (CNEL)	CNEL is the A-weighted equivalent continuous sound exposure level for a 24-hour period with a ten dB adjustment added to sound levels occurring during nighttime hours (10 pm to 7 am) and a five dB adjustment added to the sound levels occurring during the evening hours (7 pm to 10 pm).
Decibel, (dB)	A unit for measuring sound pressure level, equal to 10 times the logarithm to the base 10 of the ratio of the measured sound pressure squared to a reference pressure, which is 20 micropascals.
Time-Average Sound Level, (TAV)	The sound level corresponding to a steady state sound level and containing the same total energy as a time varying signal over a given sample period. TAV is designed to average all of the loud and quiet sound levels occurring over a specific time period.
Sound Transmission Class, (STC)	A single number rating of the noise reduction of a building element.

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November 11, 2008

4562-01

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2020 Alameda Padre Serra #133
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PROJECT: State Street Enclave Mixed Use Condominiums
MST#2008-00180, APN # 051-022-033, -012
(Redevelopment of 3885-3887 State Street, Santa Barbara)
RE: Environmental Noise Study - ADDENDUM

Dear Mr. Rosenfeld:

Dudek prepared a July 2008 Report (*State Street Enclave Mixed Use Condominiums MST#2008-00180, APN # 051-022-033, -012, Redevelopment of 3885-3887 State Street, Santa Barbara, Updated Environmental Noise Study*) containing our assessment of the future traffic-related noise environment at your currently proposed State Street Enclave mixed residential and commercial condominium development to be located at 3885-3887 State Street, within the City of Santa Barbara.

It is our understanding, since the time of our July 2008 Noise Report, the City of Santa Barbara has determined the project would be required to provide a Common Open Area measuring a minimum of 15 feet x 15 feet, and accessible to all units on the lot. The City has indicated this Common Open Area would be subject to the City of Santa Barbara's 60 dB Community Noise Equivalent Level (CNEL) criterion for required outdoor living space. This addendum to our original report addresses the future noise levels within the newly added Common Open Area.

Your office has provided Dudek with an exhibit indicating the location of the proposed Common Open Area (please refer to the attached exhibit). The proposed area is generally between the recreation (REC) building and an adjacent studio (ST-1). For the July 2008 analysis, Dudek modeled the future noise level for the "Spa Terrace". The proposed Common Open Area

encompasses a portion of the Spa Terrace, and also extends toward the central corridor area of the ground level of the project. The 51 dB CNEL calculated future noise level Dudek identified for the Spa Terrace would represent the maximum CNEL exposure level for the entire proposed Common Open Area. This conclusion is valid because the receptor location used for the noise modeling was placed in the most exposed portion of the spa terrace, at an area that protrudes beyond the Recreation Building east façade. Most of the proposed Common Open Area would be further shielded by the ground floor building massing of your proposed project, as compared to the modeled receptor site.

Therefore, within the Common Open Area as proposed, the predicted noise levels from Year 2025 traffic volumes on State Street are calculated not to exceed 51 dB CNEL. As such, the area would comply with the City's 60 dB CNEL criterion for exterior living areas.

July 2008 Noise Study - Mitigation Clarification

The July 2008 Dudek report provided the following specification for required sound walls:

The materials used in the construction of the sound wall are required to have a minimum surface density of 3.5 pounds per square foot. They may consist of masonry material, Plexiglas, tempered glass, or a combination of these materials. The barriers must be designed so there are no openings or cracks.

While the term sound wall was used in the description, a barrier constructed primarily of glass would achieve the necessary attenuation (as indicated in the acceptable materials list). A door wall or properly glazed window panels could be used to construct the required sound barrier and meet the necessary attenuation performance. The barrier (door or window) can be designed as an open-able element, as long as there are no gaps present when the barrier is in the "closed" position. The height of the required barrier would not be affected with composition of the materials used to implement the barrier.

It is our understanding you are proposing to incorporate open-able window elements to function as the 'sound walls' identified as necessary in our July 2008 Report. This approach would be acceptable from an acoustical perspective.

John Rosenfeld
Noise Report Addendum, State Street Enclave
November 11, 2008
Page 3

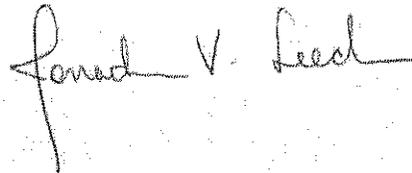
This concludes our noise assessment, if you have any questions please do not hesitate to call Jonathan at 805-963-0651, x-3527.

Respectfully submitted,

DUDEK



Cornelis H. Overweg, PE, INCE
Senior Acoustician

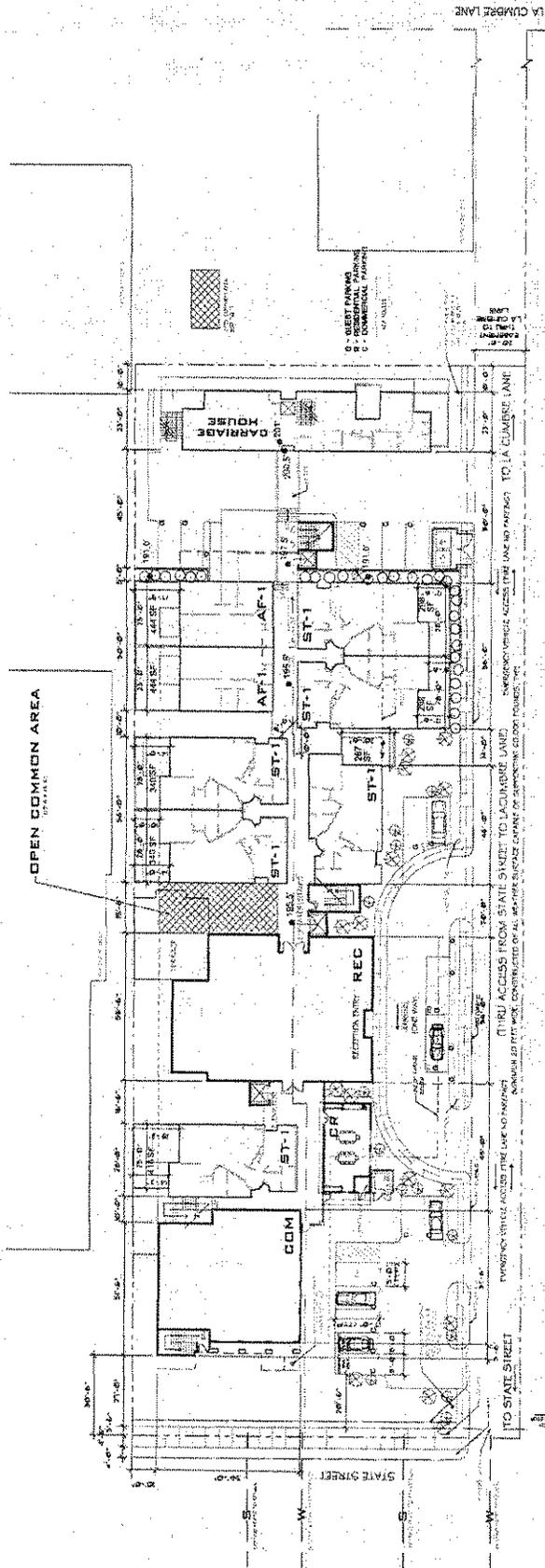


Jonathan V. Leech, AICP
Acoustician / Environmental Analyst

att.: Site Plan, State Street Enclave, Proposed Open Common Area Highlighted

GENERAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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SITE PLAN

**Site Plan
State Street Enclave**

Design Development
-05-24-2018

