



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** January 24, 2007  
**AGENDA DATE:** January 31, 2007  
**PROJECT ADDRESS:** 320 E. Victoria Street (MST2004-00511)

**TO:** Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Jan Hubbell, AICP, Senior Planner  
 Chelsey Swanson, Assistant Planner

### I. PROJECT DESCRIPTION

The project consists of demolishing a portion of an existing house, storage shed, and six-car garage, restoring and adding onto the existing house, and constructing a three-story, three-unit condominium building at the rear of the property, for a total of four condominium units. The front house would be a two-story, three-bedroom, 2,426 square foot unit. The rear building would include a 1,750 square foot, three-bedroom unit on the ground floor, a 1,700 square foot, two-bedroom unit on the second floor, and a 1,010 square foot, two-bedroom unit on the third floor. There would be a shared cellar for storage totaling approximately 1,785 square feet and a shared lobby area of 446 square feet. Parking would be provided within one garage that accommodates eight vehicles by including hydraulic lifts to allow a total of two cars in each space to be stacked. The project requires staff approval of a tandem parking design waiver.

### II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. A Modification to allow building elements to encroach into the eastern interior yard setback (SBMC §28.21.060 and §28.92.110.2);
2. A Modification to allow a building encroachment into the western interior yard setback (SBMC §28.21.060 and §28.92.110.2);
3. A Modification to allow a second story deck to encroach into the rear yard setback (SBMC §28.21.060 and §28.92.110.2); and
4. A Tentative Subdivision Map for a one-lot subdivision to create four (4) residential condominium units (SBMC §27.07 and §27.13).

**III. RECOMMENDATION**

Staff recommends that the Staff Hearing Officer approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A. Staff supports portions of the interior yard modification requests, but not all of the elements proposed to be within the setbacks, and recommends the Staff Hearing Officer approve only the recommended portions of the modifications.



Vicinity Map - 320 E. Victoria Street

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

December 18, 2006  
March 7, 2007

**IV. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant: Dennis Thompson, Architect	Property Owner: Victoria Garden Mews
Parcel Number: 029-131-005	Lot Area: 11,271 sq. ft.
General Plan: Residential, 12 units/ acre	Zoning: R-3, Multiple-Family Residence Zone
Existing Use: Residential	Topography: ~3%
Adjacent Land Uses: North - Residential South - First Methodist Church East - Residential West - Residential	

**B. PROJECT STATISTICS**

	Existing	Proposed Unit 1	Proposed Unit 2	Proposed Unit 3	Proposed Unit 4
Living Area	2,336	2,426	1,750	1,700	1,010
Bedrooms	3	3	3	2	2
Garage	6 covered spaces	2 covered tandem spaces			

**V. ZONING ORDINANCE CONSISTENCY**

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks -Front -Interior -Rear	10' 6', 10'-3 <sup>rd</sup> story 6', 10' - 2 <sup>nd</sup> & 3 <sup>rd</sup> stories	36' 5'-9" ~120'	Front bldg: no change New bldg: Interior - 0' Rear - 6', 10', 16.5'
Building Height	45'	26'	26' (Unit 1) 38' (rear building)
Parking	4 covered, 4 uncovered	6 covered	8 covered
Lot Area Required for Each Unit (Variable Density)	2-Bdrm = 2,320 sq. ft. 3-Bdrm = 2,800 sq. ft.	2,800 sq. ft.	(2) 2,320 sq. ft. (2) 2,800 sq. ft. Min Rqd: 10,240 sq. ft.
15% Common Open Yard Area	1,690 sq. ft.	>15%	2,092 sq. ft.
Private Outdoor Living Space	N/A when 15% common open space is provided	N/A	N/A
Lot Coverage -Building -Paving/Driveway -Landscaping	N/A N/A N/A	3,526 sq. ft. 31.3% 791 sq. ft. 7.0% 6,954 sq. ft. 61.7%	4,829 sq. ft. 42.6% 677 sq. ft. 6.0% 5,765 sq. ft. 51.2%

The proposed project would meet the requirements of the R-3, Multiple-Family Residence Zone, with the exception of interior yard and rear yard setbacks, which require modifications and are discussed in the following section.

## **VI. ISSUES**

### **A. PHYSICAL STANDARDS FOR NEW CONDOMINIUMS**

In addition to the requirements of the zone in which a project is located, physical standards are required for all new condominium projects per SBMC §27.13.060. With approval of the tandem parking waiver, the project would meet the parking standards. A minimum of 300 cubic yards of private storage space would be provided for each unit within the proposed cellar. The Ordinance allows for an exception to requiring separate utility metering when solar energy is utilized, which the project includes. Separate water meters would be provided; however, one meter for each building would be provided for gas and electricity. The project also meets the minimum requirements for density, laundry facilities, unit size, and outdoor living space.

### **B. DESIGN REVIEW**

The project site is located within El Pueblo Viejo (EPV); therefore, the project is subject to the review of the Historic Landmarks Commission (HLC). This project was reviewed by the HLC on five separate occasions (meeting minutes are attached as Exhibit D). At the most recent review on April 5, 2006, the HLC made the following comments: the building's mass, bulk, and scale are heading in the right direction; the courtyard between the two units is shaping-up nicely; restudy the material of the walkway going from Victoria Street to the rear unit; study breaking up the vertical massing; the long ridge line should be broken; front lawn should be less formal/classical, perhaps more Victorian; at least one commissioner does not agree with the Spanish-colonial style; restudy breakup of garage doors; visible solar panels are not acceptable. During a previous conceptual review, the HLC also stated that they were supportive of the modification for the garage to encroach into the interior yard setback. The minutes do not clearly indicate whether or not the HLC was supportive of the entry porch to encroach into the interior yard setback; however, the Commission did request that they wanted an identification of entry for the building and the applicant designed the entry porch as a response to this comment. The HLC did not comment on the second story deck encroaching into the rear yard setback, because the modification was not recognized at that time.

Since the HLC last reviewed the project, the garage doors have been broken up into two doors rather than four separate doors. No other changes have been made to the project design since the last HLC review and the project will require preliminary and final approval by the HLC. Staff is supportive, however, of the location of the proposed solar panels, which were determined in a Historic Structures Report to not have a negative impact on the historic value of the existing structure or site.

**C. SETBACK MODIFICATIONS**

*Eastern Interior Yard* – The interior yard setbacks are six feet (6') for the first and second stories and 10' for the third story. Three elements of the project would encroach into the eastern interior yard setback. An addition at the rear of the existing house would encroach approximately three inches (3") into the interior yard setback so that the addition may line up with the existing house wall, which staff supports. A third-story element on the new building would encroach approximately one foot (1') into the 10' setback, and does not provide any additional habitable space within the setback, only an indoor stairwell, which staff supports. Finally, an entry porch on the new building is proposed to extend to the property line. Staff is not supportive of the entrance porch extending to the property line, however, because this area will be heavily utilized by the residents and could result in negative impacts associated with privacy and noise to the neighboring property. Staff also believes this encroachment cannot be found consistent with the intent of the interior yard setback.

*Western Interior Yard* – The garage for the new building would encroach up to the property line adjacent to the First Methodist Church parking lot. Staff is supportive of this encroachment because it allows for the tandem parking design to function at a unique location at the end of an alley. However, staff is not supportive of the proposed planter on the second story extending to the property line. The planter was proposed because staff indicated that the second story deck could not extend into the setback. Staff believes that the planter could easily be turned back into deck space and that it does not meet the intent of the setback, which is the separation of people and improvements from the adjacent property. A condition of approval has been included that would require a design revision so that the deck and planter to stop 6' from the property line and not extend into the interior yard setback.

*Rear Yard Setback* – The project site is located adjacent to a public street and also an unnamed public alley. The City applies interior or rear yard setbacks to properties located along unnamed public alleys with more than one street frontage. In this case, the rear yard setback would apply, which requires that second and third stories be setback 10'. A second story deck would be approximately 6' from the property line instead of 10'. Because the rear yard abuts an alley, which is 20' wide, staff is supportive of the deck encroaching up to 6' from the property line because there is more than adequate separation from the property located across the alley.

With the exception of the entrance porch and planter proposed within the interior yard setbacks, staff can also support the modifications because the site is constrained by the preservation of the potential Structure of Merit at the front of the property. The building is setback 36 feet from the front lot line, which reduces the developable area of the site.

**D. TANDEM PARKING DESIGN**

The project includes eight covered parking spaces located in a garage that would utilize four hydraulic lifts so that two cars in each space would be stacked vertically. The lifts require a tandem parking design because in order to access the vehicle on the upper lift, the lower vehicle would need to be backed out first. The Planning Commission reviewed the conceptual parking proposal at a lunch meeting on March 16, 2006, and provided positive feedback and support for the tandem configuration and mechanical parking lift system, largely due to the location of the project being at the end of an alley where there would be little traffic that would be affected by the additional maneuvering necessary to maneuver vehicles in and out of the tandem spaces. They also suggested that long-term maintenance of the lifts be a condition of approval to ensure the lifts remain permanent and utilized. Transportation Staff was also supportive of the conceptual design and tandem parking waiver because there would be a community benefit in removing the existing curb cut located at Victoria Street. Further, the design implements some of the goals expressed in Section 7.4.1 of the Circulation Element, which call for incorporating innovative design standards, such as tandem parking, stacked parking, and valet parking in projects.

After the conceptual review of the parking design, the applicant submitted their formal application and Transportation Staff reviewed the proposed parking lift system in accordance with the purpose and intent of the parking standards. In particular, staff looked at vehicular maneuverability requirements and also how the lifts would allow for pedestrian maneuvering within the garages (getting in and out of the vehicle). Staff determined that the minimum vehicular maneuvering depth required for accessing these lifts is 31' from the face of the garage to the edge of the garage approach. This depth is necessary for two reasons: 1) The platform will require the wheels to be in a near straight alignment requiring all of the maneuvering to be accomplished prior to mounting the platform. Therefore the edge of the platform was used as the point at which the turn must be completed; and 2) Since the conflict between the driver's door and the arm of the lift will require many vehicles to back onto the upper lift, the backing in maneuver was examined as well as the pulling in maneuver.

The applicant is proposing to obtain a 6' reciprocal access easement with the property owners of the parcel across the alley, 319 E. Anapamu (APN 029-131-016) so that vehicles will have the appropriate maneuvering depth (see Exhibit E). A 6' easement would also be located at the project site so that future residents at 319 E. Anapamu could utilize the area for maneuvering if necessary. The project has been conditioned to require recordation of an access easement prior to building permit issuance and map recordation.

It should be noted that the tandem lift design is not in keeping with the minimum standards set forth by the City in the Parking Design Standards for pedestrian access to vehicles for loading and unloading purposes. The garage with the lifts inside does not duplicate the conventional garage design which provides for an unobstructed 2' 4" pedestrian aisle on each side of the vehicle. Staff believes the pedestrian aisles will be

inconvenient and may result in loading activities occurring within the public alley. However, staff believes that the loading and unloading activities will not significantly increase the activity that will already be occurring in the alley. A condition of approval has been added that requires the parking lifts to be kept in good operating condition, and be available for the parking of vehicles owned by the residents of the property.

In conclusion, the tandem parking waiver has been approved by Transportation Staff per SBMC §28.90.045.2, and would be effectuated by the Staff Hearing Officer's approval of the project.

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

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

*Land Use Element:* The project is located within the Laguna neighborhood, as described in the Land Use Element of the General Plan. This neighborhood is developed in its eastern and northern portions with single-family dwellings, duplexes, and higher-density multiple-residential units interspersed throughout the neighborhood, and more mixed residential and commercial uses are located in the western portion closer to the downtown. The General Plan recognizes that, because this neighborhood is within walking distance to the downtown and other employment areas, the neighborhood's conversion into duplex and multiple dwellings is appropriate. To enable such development, the General Plan calls for 12 dwelling units per acre throughout the neighborhood. The project would result in a density of approximately 15.5 units per acre. The General Plan recognizes that, in multiple family residential zones where variable density standards apply, development may be allowed that exceeds the limits of the 12 units per acre General Plan designation without causing an inappropriate increase in the intensity of development. Therefore, the project's proposed use and residential density is consistent with the General Plan.

*Housing Element:* Santa Barbara has very little vacant or available land for new residential development and, therefore, City housing policies support build out of infill housing units in the City's urban areas. A goal of the Housing Element is to assist in the production of new housing opportunities, through the public and private sector, which vary sufficiently in type and affordability to meet the needs of all economic and social groups. The proposed project contains a mix of unit sizes, which would not be restricted to low- or moderate-income households. The City provisions for inclusionary zoning only apply to projects that involve ten or more units.

#### **F. ENVIRONMENTAL REVIEW**

*Archaeological Resources:* The project site is located within four Cultural Resource Sensitivity Zones: Spanish/ Mexican Period, Hispanic-American Transition Period 1850-1870, American Period 1870-1900, and Early 20<sup>th</sup> Century 1900-1920. A Phase I Archaeological Resources Report was prepared by Stone Archaeological Consulting and dated July 2006; and was accepted by the HLC on August 23, 2006. The report

found that there is some potential for unknown, subsurface trash pits along the project site periphery; however, in the unlikely event that historic trash remains were to exist, they would be considered to be less than significant historical resources under state and local criteria. Further, the report stated that the potential for the encounter of potentially significant subsurface prehistoric resources is considered very unlikely as a result of the proposed project.

*Historic Resources:* A Historic Structures Report (HSR) was prepared and accepted by the HLC on May 25, 2005. At that time the proposed project was simply to demolish and replace the house's front porch and construct a new foundation. The report found that the existing residence is potentially eligible for designation as a City of Santa Barbara Structure of Merit since it contributes to the integrity of the surrounding streetscape. After an application was submitted for the current project, including the addition of the new building at the rear and solar panels on the existing building and the new building, staff requested that a letter addendum to the HSR be prepared to analyze the current project. The letter addendum to the HSR was accepted by the HLC on August 9, 2006 and included mitigation measures to be incorporated into the project design in order to lessen impacts to a level of less than significant. The mitigation has been included in the conditions of approval to ensure the measures are incorporated into the final design (see Exhibit F).

*Conclusion:* Staff has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15303 for new construction of small structures and Section 15315, for minor land divisions.

## **VII. FINDINGS**

The Staff Hearing Officer finds the following:

### **A. INTERIOR YARD MODIFICATION (§28.92.110.2)**

The Staff Hearing Officer must find that the requested interior yard setback modification along the eastern portion of the project is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on the lot, prevent unreasonable hardship, or promote uniformity of improvement. The encroachment of the addition to the existing residence would be minor (3") and would allow for an appropriate improvement on the lot that is consistent with the existing walls of the structure. The 1' encroachment of a third story element on the new building does not include habitable space, and would allow for an appropriate improvement on the lot that is consistent with the Zoning Ordinance.

The entrance porch would encroach up to the eastern property line and staff finds that this element would not be consistent with the intent of the Zoning Ordinance because this area within the setback would be routinely utilized by residents and could negatively impact the neighboring property.

**B. INTERIOR YARD MODIFICATION (§28.92.110.2)**

The Staff Hearing Officer must find that the requested interior yard setback modification along the western portion of the project is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on the lot, prevent unreasonable hardship, or promote uniformity of improvement. The encroachment of the garage would allow for a unique parking design that is located at the end of an alley and adjacent to a church parking lot. The encroachment does not include habitable space within the interior yard setback and would allow for an appropriate improvement on the lot.

The second story planter located above the garage, which is part of a larger deck, is not supported by staff to encroach into the interior yard setback as it would not meet the intent of the Zoning Ordinance to maintain a buffer between areas where people will congregate and adjacent properties.

**C. REAR YARD MODIFICATION (§28.92.110.2)**

The Staff Hearing Officer must find that the requested rear yard setback modification is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on the lot, prevent unreasonable hardship, or promote uniformity of improvement. The rear yard modification would allow a second story deck to encroach 4' into the required second story 10' rear yard setback. The rear yard abuts a 20' wide public alley and the deck would be setback a more than adequate distance from the property across the alley. The modification would meet the intent of the Zoning Ordinance (separation of people and improvements) and would allow for an appropriate improvement on the lot.

**D. 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.

**E. 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 the physical standards for condominiums related to parking, private storage space, utility metering, laundry facilities, density, and outdoor living space requirements.*
2. The proposed development is consistent with the General Plan of the City of Santa Barbara.

*The project can be found consistent with policies of the City's General Plan including the Housing Element and Land Use Element. The project will provide infill residential development that is compatible with the surrounding neighborhood.*

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 project proposed in an area where residential development is a permitted use. The project is adequately served by public streets, will provide adequate parking to meet the demands of the project and will not result in traffic impacts. The design has been reviewed by the City's design review board, which found the architecture and site design appropriate.*

Exhibits:

- A. Conditions of Approval
- B. Reduced set of plans
- C. Applicant's letter, dated December 28, 2006
- D. HLC Minutes
- E. Letter from First Methodist Church regarding proposed mutual access easement
- F. Letter Addendum to Historic Structures Report, dated July 27, 2006
- G. Project vicinity photos and site three-dimensional drawings

## STAFF HEARING OFFICER CONDITIONS OF APPROVAL

320 E. VICTORIA STREET  
TENTATIVE SUBDIVISION MAP AND INTERIOR AND REAR YARD MODIFICATIONS  
JANUARY 31, 2007

- I. In consideration of the project approval granted by the Staff Hearing Officer and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession and enjoyment of the Real Property:
- A. **Recorded Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property", which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. 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.
  2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property.
  3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Historic Landmarks Commission. 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.
  4. **Maintenance of Drainage System.** Owner shall be responsible for maintaining the drainage system in a functioning state. Should any of the project's surface or subsurface drainage structures fail 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.
  5. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on January 31, 2007 is limited to four dwelling units and the improvements shown on the plans signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
  6. **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 parcels.
  - 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 Accessibility.** Trash and Recycling Containers shall contain equal volume, 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 offsite by the landscaping maintenance company. If no containers are used for multi-unit residential developments, include an item in the CC&R stating that the green waste will be hauled offsite.
  - e. **Parking Lifts.** The four parking lifts shall be maintained in good operating condition and remain available for the parking of vehicles owned by the residents of the property in the manner for which the parking lifts were designed and permitted.
  - 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.
7. **Storm Water Pollution Control Systems Maintenance.** The Owner(s) shall maintain the drainage system, storm drain water interceptor and other storm water pollution control devices in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official and/or the Public Works Director.
- B. Design Review.** The following is subject to the review and approval of the Historic Landmarks Commission (HLC):
1. **Second Story Deck/ Planter for Unit 3.** No portion of the second story deck or planter for Unit 3 shall encroach into the 6-foot interior yard setback.
  2. **Entrance Porch.** The entrance porch to the new building shall not be located within the 6-foot interior yard setback.

3. **Historic Structures Report.** The following mitigation measures as stated in the Historic Structures Report for the front house shall be implemented:
  - a. Final plans delineating the amount of wood to be removed, the design of the chimney, the porch columns and porch and deck railing, and the roofing material for the Victoria house shall be reviewed by an architectural historian and a letter addendum prepared prior to work taking place.
  - b. The proposed exterior chimney shall be made as slender a profile to the street elevation as possible to be compatible with the Italianate style.
  - c. The main residence shall be documented according to the City's "Required Documentation of Buildings Prior to Demolition" prior to the demolition. Two copies of the archival photographs and plans shall be prepared, one for the City archives and one for the Gledhill Library.

**C. Public Works Submittal Prior to Parcel 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 Parcel Map for the project:

1. **Parcel Map.** The Owner shall submit to the Public Works Department for approval, Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance.
2. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property. Said agreement will be prepared by Engineering Division Staff for the Owner's signature.
3. **Off-Site Public Street Improvement Plans.**
  - a. The Owner shall submit building plans for construction of improvements along the property frontage on East Victoria Street. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: remove one(1) driveway apron on East Victoria Street, remove concrete in parkway, replace sandstone curb to replace driveway apron at frontage, supply and install 1 (residential) standard street light, style to be determined by the Public Works Department and the ABR, crack seal to the centerline of the street along entire subject property frontage, underground service utilities, connection to City water and sewer mains, preserve and/or reset survey monuments and contractor stamps. The building plans shall be prepared by a registered civil engineer or licensed architect. Any work in the public right of way requires a public works permit.
  - b. The Owner shall submit building plans for construction of improvements along the subject property frontage on Alley 1200 Block Laguna Street. As determined by the Public Works Department, the improvements shall

include City standard alley style driveway apron, overlay the entire width of public alley, underground utilities, connect to City water and sewer mains, on-site detention and biofilter/swales to treat runoff, preserve and/or reset contractor stamp and/or survey monuments, and provide adequate positive drainage. Where tree roots are the cause of the damage, the roots are to be pruned under the direction of the City Arborist. The building plans shall be prepared by a registered civil engineer or licensed architect and reviewed by the City Engineer. Any work in the public right of way requires a public works permit.

4. **Private Access Easement.** Subject to approval by Transportation Planning Staff/ Public Works Department:
    - a. A reciprocal access easement six feet in width for vehicles on APN 029-131-016 in favor of APN 029-131-005.
  5. **Required Private Covenants.** The Owner shall submit a copy of the recorded private covenants, reciprocal easement agreement, or similar private agreements required for the project.
  6. **Drainage Calculations.** The Owner shall submit drainage calculations justifying that the existing on-site and proposed on-site drainage system adequately conveys a minimum of a 25-year storm event.
- 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 or Public Works Permit for the project.
1. **Recordation of Parcel 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.
- E. 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 and landscape elements, as approved by the HLC, outlined in Section B above.
  2. **Water-Conserving Fixtures.** All plumbing fixtures shall be water-conserving devices in new construction, subject to the approval of the Water Resources Management Staff.
  3. **Conditions on Plans/Signatures.** The final Staff Hearing Officer 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.

**F. Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field for the duration of the project construction.

1. **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.
2. **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.
3. **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.

4. **Construction Parking/Storage.** 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.
  - b. Storage or staging of construction materials and equipment within the public right-of-way is prohibited.
5. **Water Sprinkling During Grading.** During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
  - a. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement 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.
6. **Covered Truck Loads.** Trucks transporting fill material to and from the site shall be covered from the point of origin.
7. **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.
8. **Gravel Pads.** Gravel pads shall be installed at all access points to the project site to prevent tracking of mud on to public roads.

9. **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.
10. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
11. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractors name, contractors telephone number, work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval.
12. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
13. **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.
14. **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 an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. 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.

**G. 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, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
2. **Complete Public Improvements.** Public improvements, as shown in the improvement/building plans, including utility undergrounding and installation of street trees.

**H. Litigation Indemnification Agreement.** In the event the Staff Hearing Officer 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 Staff Hearing Officer’s action approving the Modifications shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. The parcel map is approved and recorded. An extension may be granted by the Community Development Director.
2. The project also includes approval of a Development Plan, Tentative Subdivision Map or a Coastal Development Permit, in which case the longer approval period shall prevail.

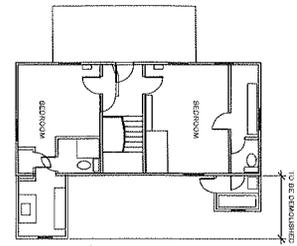
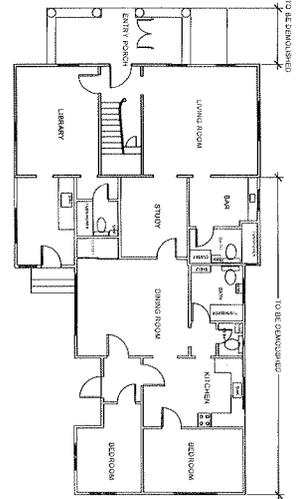
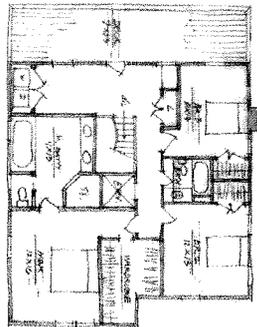
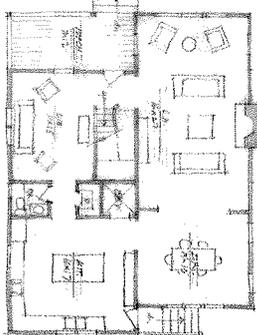
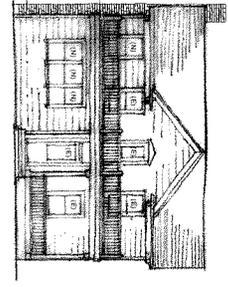
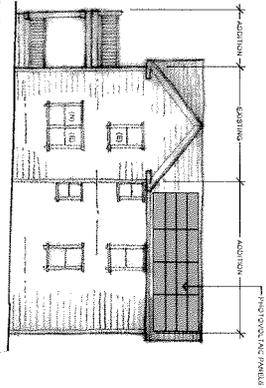
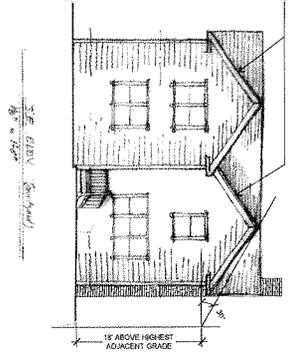
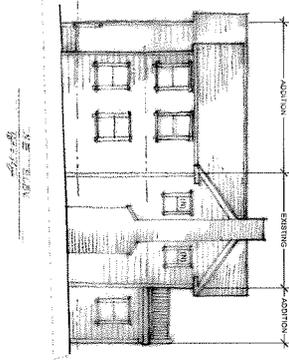
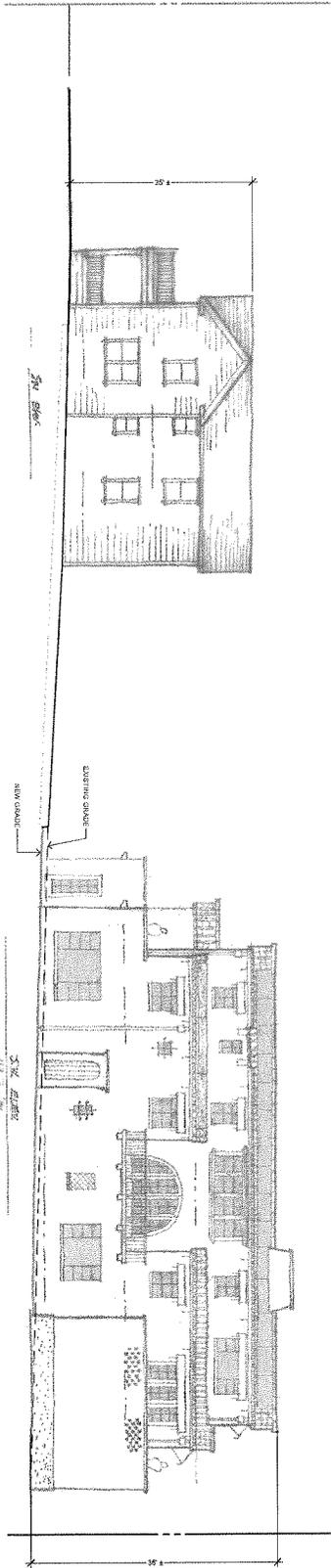
STAFF HEARING OFFICER CONDITIONS OF APPROVAL  
320 E. VICTORIA STREET  
JANUARY 31, 2007  
PAGE 9 OF 9

**NOTICE OF TENTATIVE SUBDIVISION MAP TIME LIMITS:**

The Staff Hearing Officer's action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110 or the provisions of the California Subdivision Map Act.



**SITE SECTION**  
SCALE: 1/8" = 1'-0"



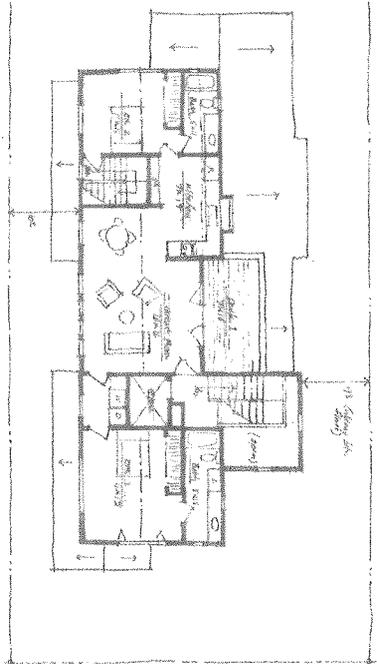
PROPOSED RESIDENTIAL CONDOMINIUMS  
**VICTORIA GARDEN MEWS**  
 320 E. VICTORIA ST.  
 SANTA BARBARA, CA.

SHEET TITLE  
**UNIT 1:  
 PLANS  
 ELEVATIONS  
 SITE SECT.**

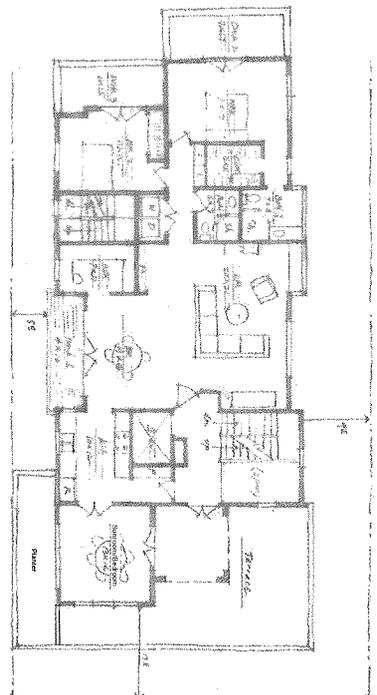
DATE  
 10 OCTOBER 2006

Job Number  
 06110  
 Sheet Number

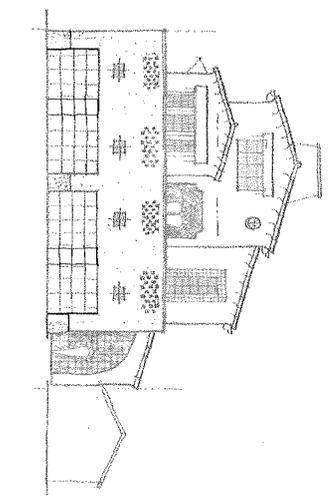
**A2**



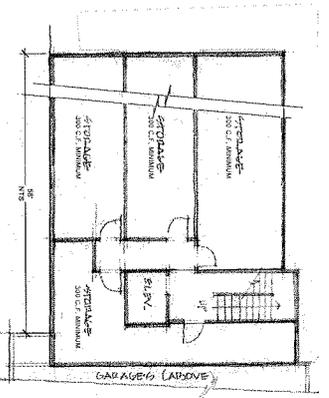
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SCALE: 1/8" = 1'-0"



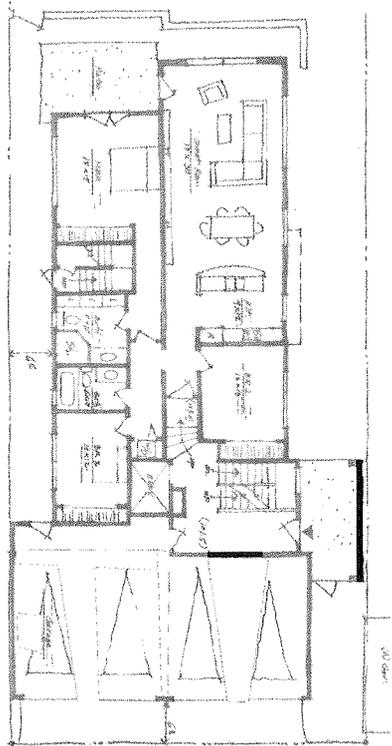
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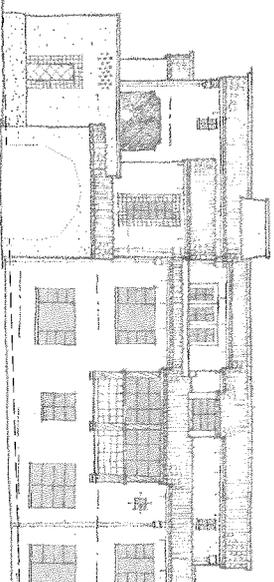
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SCALE: 1/8" = 1'-0"



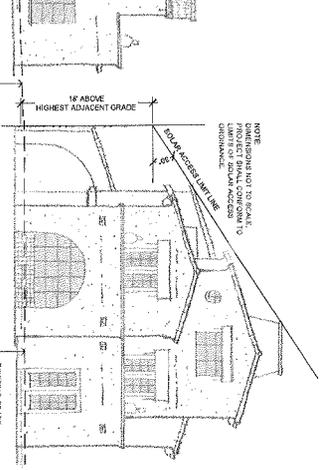
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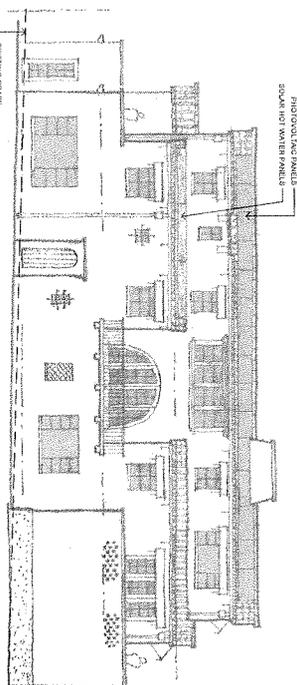
4 FIRST FLOOR PLAN  
SCALE: 1/8" = 1'-0"



3 NORTHEAST ELEVATION  
SCALE: 1/8" = 1'-0"



2 NORTHWEST ELEVATION  
SCALE: 1/8" = 1'-0"



1 SOUTHWEST ELEVATION  
SCALE: 1/8" = 1'-0"

NOTE: DIMENSIONS NOT TO SCALE. POINTS OF SCALE ACCESS TO BE INDICATED.

1/2\"/>

EXISTING GRADE

EXISTING GRADE

EXISTING GRADE

PHOTOVOLTAIC PANELS  
SOUTH HOT WATER PANELS

SHEET TITLE

PROPOSED RESIDENTIAL CONDOMINIUMS  
**VICTORIA GARDEN MEWS**  
320 E. VICTORIA ST.  
SANTA BARBARA, CA

UNITS 2, 3, 4  
PLANS  
ELEVATIONS

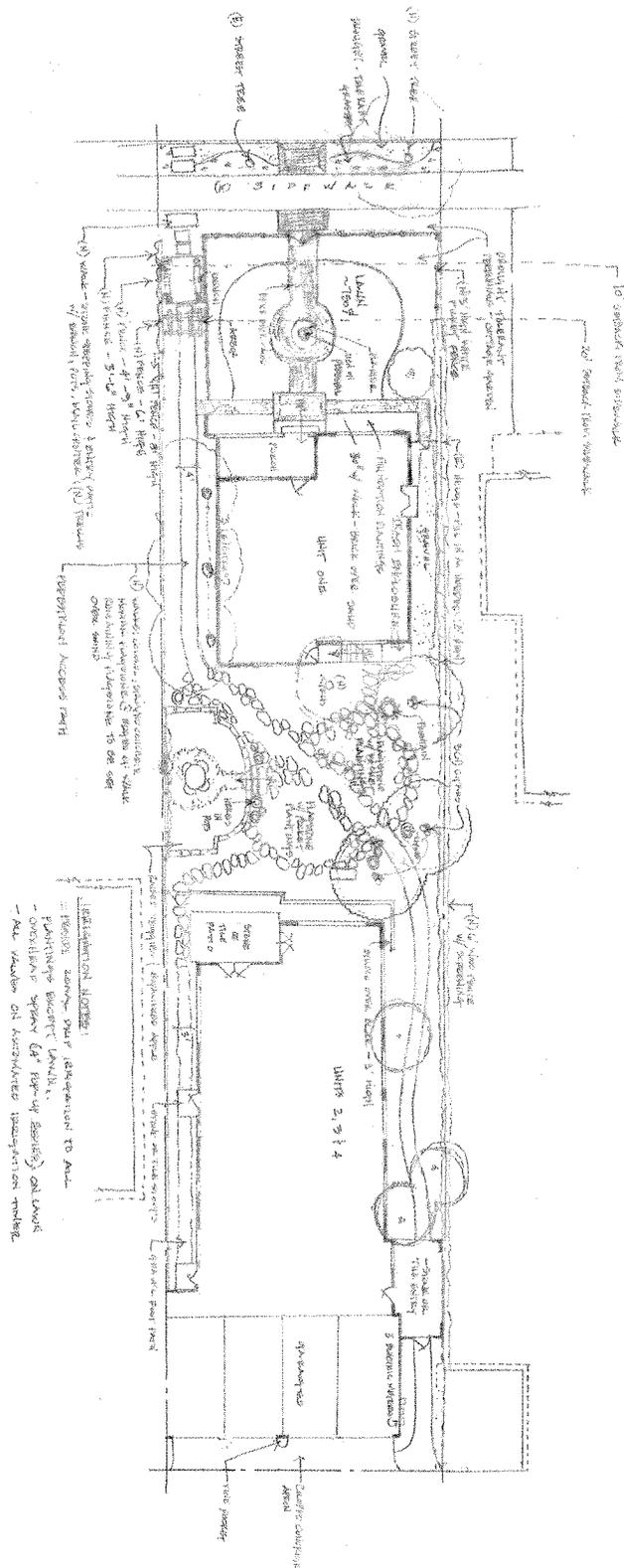
DATE  
10 OCTOBER 2008

Job Number  
08110  
SHEET NUMBER

**A3**

THOMPSON  NAYLOR architects  
144 MELINDA AVENUE, SANTA BARBARA, CA 93101  
805.966.9877 (801) 342.1290 FAX  
www.thompsonnaylor.com

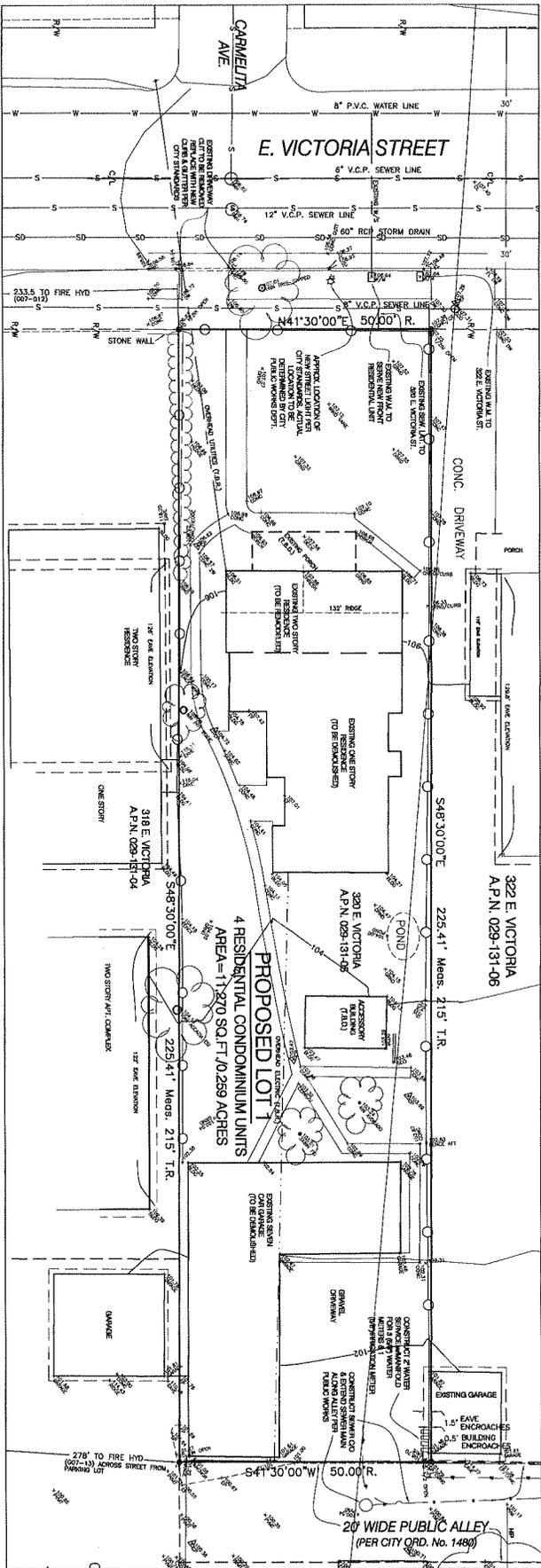




IRRIGATION NOTES:  
 - IRRIGATION SYSTEM TO BE INSTALLED  
 - IRRIGATION SYSTEM TO BE INSTALLED  
 - ALL VARIATION ON IRRIGATION TO BE INSTALLED

SCALE 1" = 10'-0" SHEET L-1		DATE 04-04-06	REVISIONS 1. 04-04-06	PLAN DESCRIPTION CONCEPTUAL LANDSCAPE	PROJECT VICTORIA GARDEN MEWS 320 E VICTORIA ST SANTA BARBARA, CA 93101
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*Grace Design*  
 ASSOCIATES INC  
 300 New Trancento Santa Barbara, CA 93105  
 TEL: 805-963-8888 FAX: 805-963-8888  
 License No. 28965



**MAPPING INFORMATION:**

1. THE PROPOSED LOTS AND CONDOMINIUM UNITS ARE SHOWN IN RED ON THIS MAP.
2. THE PROPOSED LOTS AND CONDOMINIUM UNITS ARE SHOWN IN RED ON THIS MAP.
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19. THE PROPOSED LOTS AND CONDOMINIUM UNITS ARE SHOWN IN RED ON THIS MAP.
20. THE PROPOSED LOTS AND CONDOMINIUM UNITS ARE SHOWN IN RED ON THIS MAP.

**AGENTS CERTIFICATE:**

I, the undersigned, being a duly qualified and licensed Surveyor in the State of California, do hereby certify that the foregoing is a true and correct copy of the original map as shown to me by the applicant and that the same conforms to the requirements of the laws of the State of California.

SIGNED:   
 L. JAMES WATERS, Surveyor  
 500 PULFORD AVE.  
 SANTA ANA, CALIFORNIA 92705

**TENTATIVE MAP**

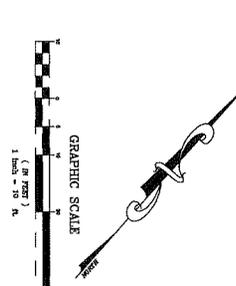
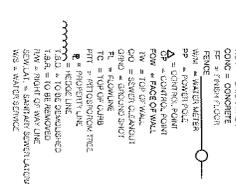
SHEET TM-1  
 SHEET 1 OF 3 SHEETS

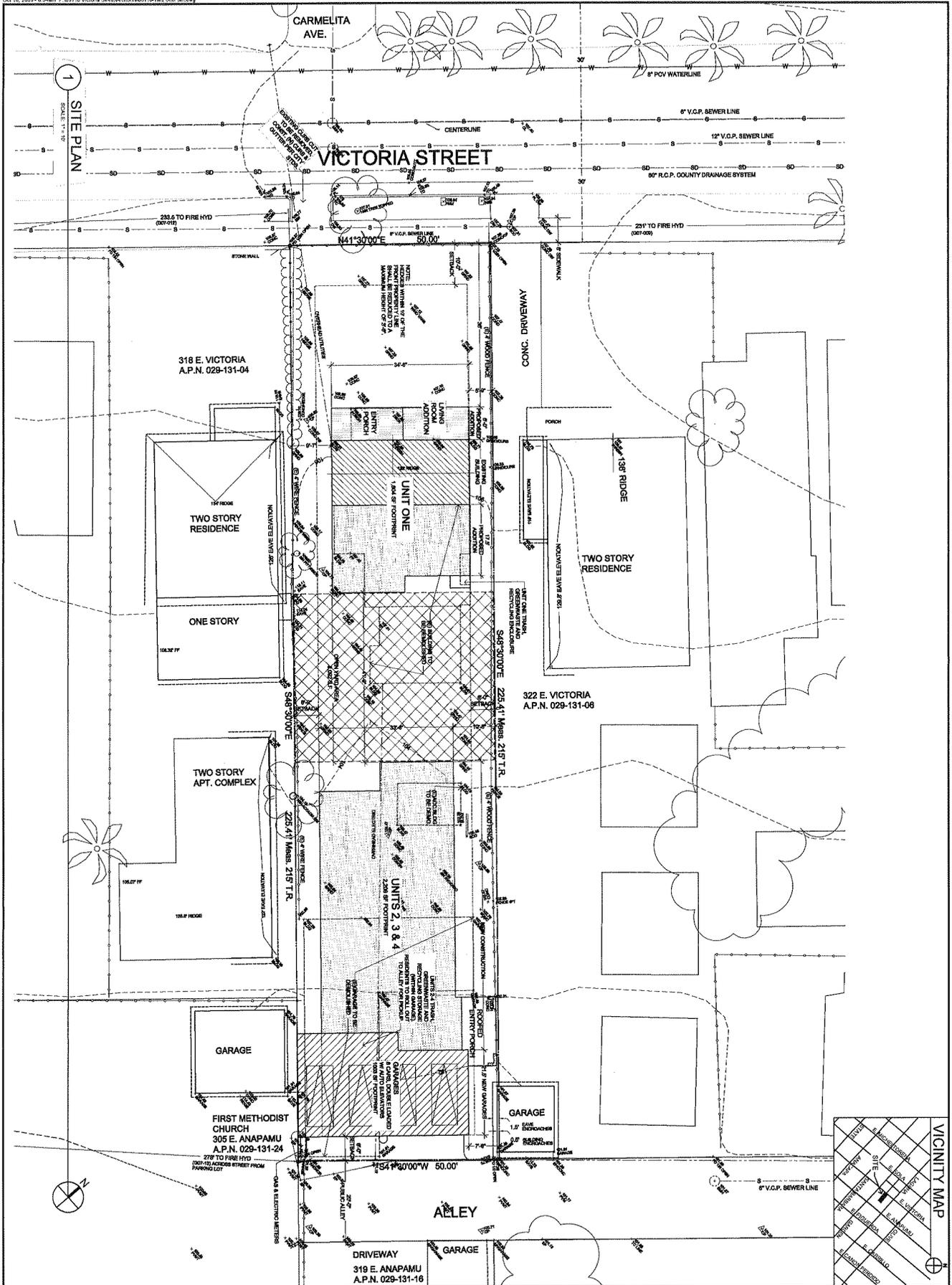
PREPARED BY: **WATERS LAND SURVEYING, INC.**  
 500 PULFORD AVE.  
 SANTA ANA, CALIFORNIA 92705  
 PHONE: (714) 241-1111  
 FAX: (714) 241-1112



**NOTES:**

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO CENTER OF LINE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO FACE OF WALL UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO FACE OF DRIVEWAY UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO FACE OF SIDEWALK UNLESS OTHERWISE NOTED.
7. ALL DIMENSIONS ARE TO FACE OF PAVEMENT UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS ARE TO FACE OF GRADE UNLESS OTHERWISE NOTED.
9. ALL DIMENSIONS ARE TO FACE OF FINISH GRADE UNLESS OTHERWISE NOTED.
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20. ALL DIMENSIONS ARE TO FACE OF PROPOSED FINISH GRADE UNLESS OTHERWISE NOTED.





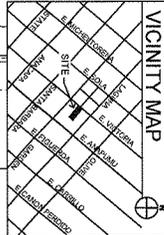
1 SITE PLAN  
SCALE: 1/4" = 1'-0"

318 E. VICTORIA  
A.P.N. 029-131-04

322 E. VICTORIA  
A.P.N. 029-131-06

FIRST METHODIST  
CHURCH  
305 E. ANAPAMU  
A.P.N. 029-131-24

DRIVEWAY  
319 E. ANAPAMU  
A.P.N. 029-131-16



TM-2

Job Number  
08110  
Sheet Number

DATE  
10 OCTOBER 2006  
Revision

TENTATIVE  
SITE PLAN

PROPOSED RESIDENTIAL CONDOMINIUMS  
**VICTORIA GARDEN MEWS**  
320 E. VICTORIA ST.  
SANTA BARBARA, CA

THOMPSON  NAYLOR architects  
188 WILKELAND AVENUE, SANTA BARBARA, CA 93101  
805.966.2172 805.966.2300 FAX  
www.thompsonnaylor.com



December 28, 2006

*(changes from previous letter in italics)*

Bettie Weiss, Staff Hearing Officer  
Community Development Department  
City of Santa Barbara

Dear Ms. Weiss,

We are seeking approval for a new four-unit condominium at 320 East Victoria Street *(please be advised that the owners are considering changing ownership to "Tenants in Common")*. This project has been reviewed by the Pre-Application Review Team (copy of report attached) and the Historic Landmarks Commission (March 8 & 22, April 5, 2006). The parking proposal has been informally reviewed by the Planning Commission (March 16, 2006) and extensively reviewed by the Transportation Division.

### **Goals**

The goal of this infill project is to create a mini-community that is linked to an active downtown neighborhood. Three of the four units will be occupied by project owners, two of whom are long-time residents of Santa Barbara who want to move closer to downtown to enjoy a more pedestrian-friendly life style and to contribute their energies to further enhancing the humanness and sustainability of our lovely city.

A second major goal is to make this as sustainable a development as possible. Features that promote this vision are restoring the historic existing front dwelling while making it highly energy-efficient and more structurally sound; maximizing open space in the center of the property, both for recreation and food production; creating a building in the rear that uses less than half the fossil fuel of a comparable new, title-24 compliant building; minimizing driveway and parking space by the innovative use of vertical tandem parking located in garages off the rear alley; crafting a state of the art "green" structure incorporating universal design and health promoting interiors; retention of most, if not all, major storm runoff on site, and harnessing the sun to produce all of the electricity used on site and most of the hot water.

### **Modifications**

*We are requesting three modifications for this project. These are: 1) to allow one of the new parking garages (and a planter above) to be placed on one side property line; 2) to allow the new entry porch cover for the rear building to extend to the other side property line, and to allow an addition to the existing house to line up with the existing house wall and encroach into the same setback by 3"; and, 3) to allow a deck to encroach 3'-6" into the rear yard setback.*

*The first modification will allow this project to exist in this form, with 8 cars accessed directly from the alley, with a minimum of area given to driveways and a maximum of common open space. The planter above (with a floor raised above deck level) will allow a location for lush planting to be seen from the inside and the outside of the building and will allow a uniform treatment of the deck wall above the garages.*

*The second modification will provide a covered porch and a strong signal of the entry to the rear building, as requested by HLC. It will also allow an appropriate and attractive improvement to the front house.*

*The third modification will allow a generous south-facing open space for the second floor unit. The building masses of this floor will be held 13' to 16' from the property line, instead of the required 10'; only the useful outdoor Terrace will encroach on the 10' setback. (Normally, decks are not allowed in this setback area out of concern for noise between neighbors' back yards. In the case, the deck faces a 20' wide alley, and the nearest building across the alley should be at least 32' away.)*

### **Issues**

The HLC made very positive comments about the proposal at their 4-5-06 meeting, and there have been no public comments or objections to the project. The one exception is the HLC's concern about having solar thermal collectors and photovoltaic panels visible "from a horizontal plane". Since we are trying to make this a model green project, we have shown solar panels on a large portion of the sloping roofs of the southwest elevations of both buildings. As the new building will be located in the middle of the block, we believe that these will not be visible from any public street, with the exception of a narrow view through the First Methodist Church parking lot on Garden Street. The only practical way to make the panels invisible from a horizontal plane is to put them on a flat roof with parapet walls; such a design might appear non-residential and could violate the solar access for the northerly neighbor.

### **Project Description**

The lot is 11,271 square feet, with frontage on Victoria Street and a public alley. The zoning in this block is R3, and land uses include single- and multi-family residences and a church.

The existing structures on the site are a single-family residence of approximately 2336 s.f., a 144 s.f. storage building, and a 6-car garage of about 1500 s.f., accessed from the public alley. A Historic Structures Report has been prepared, and its recommendations will be followed.

This proposal would remove the storage building and the garages, as well as the poorly built and insignificant portions of the residence (approximately half the building). No significant trees would be removed.

The historic core of the residence would be restored, and space would be added to make it into a 2426 s.f. 2-story, 3-bedroom Victorian house, with porches on both floors. The new structure in the rear would be a 3-story Spanish Colonial building, with 3 single-level residences served by stairs and elevator. The ground floor unit would be an 1809 s.f. 3-bedroom, the second floor unit would be an 1811 s.f. 3-bedroom, and the third floor would be a 1070 s.f. 2-bedroom. There would be a shared basement for storage of approximately 1913 s.f. and shared lobby/circulation area of about 480 s.f. Each of the units would have private decks in addition to the public common space. There would also be a garage for 8 cars of 1033 s.f., with a height of 11'-6", to allow four cars to be stacked over four others with four hydraulic lifts (each owner would have their own lift).

The deep front yard would be landscaped and fenced with low fences for the private use of the front residence. The public entry to the back units would be through a trellis and gateway on Victoria Street, past the side of the front house, through a multi-use landscaped and hardscaped common open space, to a covered porch at the north side of the rear building (one of the modifications requested is to allow this porch cover to extend to the property line, to help it be more visible to visitors, as suggested by HLC). There will also be gated access to the property from the alley.

The project is designed to minimize grading and honor existing neighborhood drainage patterns. There will be less than 75 cubic yards of cut outside the building footprint and 566 cubic yards of cut for a basement; the soil will be exported offsite. Top soil will be stockpiled and saved. Storm water will be captured in a cistern within the Cellar and used for irrigation. A storm water management system will direct additional water into an underground chamber system that will allow it to percolate into the ground. Post development storm runoff will not exceed predevelopment runoff.

All utilities will be placed underground. There will be five water meters for the property. Due to the use of solar hot water heating, we are proposing two gas meters, one to each building. Due to the use of solar electric generation, we are proposing two electric meters, one for the back building and site, and the other for the front building.

The project will not create any new noise or odor sources, other than normal residential uses. The exterior lighting will be low-energy, residential lighting, reviewed by HLC. A soils report is being prepared for the project.

Demolition of the rear half of the front house is anticipated to take a week. Excavation is estimated to take 1-1 1/2 weeks. The estimated duration of all construction activity is 12 months. Equipment and materials will be stored on site; staging will be from the end of the alley that abuts the rear of the property. Grading and demolition will involve 3-4 workers each. It is estimated that the average number of construction workers on weekdays will be 10 over the entire 12 months of the project. No work is scheduled for weekends.

### **PRT Issues**

The Pre-Application Review Team looked at a different proposal for this property in 2004. We believe that the current proposal has addressed all of the Planning Division comments, in particular neighborhood compatibility, mix of unit sizes, solar access, open space, and condominium physical standards. Engineering Division comments have been addressed.



Dennis W. Allen

For the Owners:

Dennis W. Allen and Jenny Cushnie

W. Joe and Kathy Lee Bush

Devon Hartman and Mary Beierle

Historic Landmarks Commission  
Conceptual Review Meeting Minutes  
320 E. Victoria Street

11/30/2005

Staff comment: Jake Jacobus, Urban Historian, suggested a mitigation measure be added that the existing porch be photographed before it is removed.

Motion: Continued indefinitely with the comment to restudy both the porch addition and the overall site plan for the project.

Motion: Hsu/Rager, 7/0/1. Naylor stepped down.

1/25/2006

Motion: Continued indefinitely to the Staff Hearing Officer with the following comments: 1) The Commission feels that the building's mass, bulk and scale are heading in the right direction. 2) Courtyard between the two units is shaping-up nicely. 3) Restudy the material of the walkway going from Victoria Street to the rear unit. 4) Study breaking up the vertical massing. 5) The long ridge line should be broken. 6) Front lawn should be less formal/classical, perhaps more Victorian. 7) At least one Commissioner does not agree with the Spanish-colonial style. 8) Restudy the breakup of garage doors. 9) Visible solar panels are not acceptable.

Action:La Voie/Rager. 5/0/1. Naylor stepped down. Murray abstained.

3/8/3006

Public comment opened at 5:09 p.m.

Mr. De Forest expressed concern about how the project will affect the neighboring First Methodist Church building.

Public comment closed at 5:09 p.m.

Straw vote: How many Commissioners have difficulty with the mass, bulk and scale?  
4/1. Suding opposed.

Motion: Continued two weeks with the following comments: 1) The rear building's mass, bulk and scale needs reduction. It should be subservient to the front building. 2) The Commission appreciates the retention of the front structure and streetscape along Victoria Street. 3) The Commission supports modification for encroachment of the garage into the interior yard setback. 4) In the front part of the building, the enclosure of the porch should not look like a porch that has been filled in. It should look original. 5) The new structure should be compatible with American Vernacular or Hispanic Mediterranean design.

Action:Boucher/La Voie, 4/1/0. Suding opposed. Naylor stepped down.

3/22/2006

Public comment opened at 3:31.

Mr. Kellam De Forest expressed concern over the possible cutting of planting in the rear of the property where this new building will occur.

Public comment ended at 3:32.

Straw votes: Who is in support of the modification to the garage? 7/0.

Who is in support of a front porch addition? 6/1. La Voie opposed.

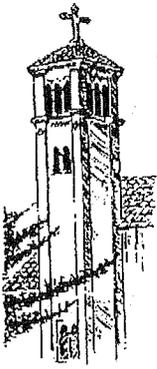
Motion: Continued two weeks with the following comments: 1) Commission supports pursuing a Hispanic-style building and supports the basic building form as suggested by the schematic plans. 2) Supports the height reduction and the size, bulk and scale. 3) Would like to see the plan developed with enhancement and definition of pedestrian access from Victoria Street. 4) Supports and is enthusiastic about the parking solution and would support the modification for the side yard setback.

Action:Pujo/Hsu, 7/0/0. Naylor stepped down.

4/5/2006

Motion: Continued indefinitely to the Staff Hearing Officer with the following comments: 1) The Commission feels that the building's mass, bulk and scale are heading in the right direction. 2) Courtyard between the two units is shaping-up nicely. 3) Restudy the material of the walkway going from Victoria Street to the rear unit. 4) Study breaking up the vertical massing. 5) The long ridge line should be broken. 6) Front lawn should be less formal/classical, perhaps more Victorian. 7) At least one Commissioner does not agree with the Spanish-colonial style. 8) Restudy the breakup of garage doors. 9) Visible solar panels are not acceptable.

Action:La Voie/Rager. 5/0/1. Naylor stepped down. Murray abstained.



# FIRST UNITED METHODIST CHURCH

305 E. ANAPAMU ST. • SANTA BARBARA, CA 93101 • (805) 963-3579 • FAX (805) 963-9699

December 7, 2006

TO: City of Santa Barbara

V. DR. HILLARY CHRISLEY RE: Victoria Garden Mews Project for 230 East Victoria Street  
Senior Minister

REV. ALAN STROUT  
Associate Minister

HOWARD HUDSON  
Church Treasurer

TERESA PIETSCH  
Christian Education Director

SYLVIA MORIKAWA  
Membership Director

ERIN MULCAHEY  
Youth Director

JENNIFER TALT  
College Age Director

NATHAN KREITZER  
Music Director

DR. STEVEN R. HODSON  
Organist

LUCILE BEASLEY  
Organist Emeritus

## TO WHOM IT MAY CONCERN:

The *Victoria Garden Mews Project*, whose address is 320 E. Victoria Street, is contiguous to the parking lot of the First United Methodist Church (FUMC), located at the corner of Garden and Anapamu Streets (305 E. Anapamu Street.) We also own the properties at 319 and 320 E. Anapamu Street and have met several times with the principals of the Victoria Street project regarding issues of mutual interest related to our respective properties.

Recently, the principals of the *Victoria Street Project* approached us about the desirability of each party having a six foot setback easement from the edge of the alleyway for the purpose of increasing the turning radius of vehicles entering our respective properties' garages from the alley. Together we looked at both sides of the alley and concluded that, there appears to be a joint benefit. Since both Anapamu properties back up to the alley, we are interested in pursuing a mutual easement with the *Victoria Garden Mews* owners.

Although we have not yet formalized this oral understanding in writing, we will be reviewing the language of the easement agreement with the FUMC Board of Trustees and its legal counsel before finalizing any written action. If any City staff member wishes to talk about this, please have them contact me.

*Sue Ziliotto*

Sue Ziliotto, Chair  
Board of Trustees  
(805) 969-0409 or (805) 705-5697

*Dec. 7, 2006*

Date

HLE FB 8-9-06  
Accepted

**RECEIVED**

PRESERVATION PLANNING ASSOCIATES

AUG 01 2006

**CITY OF SANTA BARBARA  
PLANNING DIVISION**

July 27, 2006

Members of the Historic Landmarks Commission  
630 Garden Street  
Santa Barbara, CA 93102

*Re: Letter Addendum to Historic Structures Report for 320 East Victoria Street, Santa Barbara, APN 029-131-005*

A Historic Structures Report for 320 East Victoria Street, prepared in March 2005 by Post/Hazeltine Associates, was presented and accepted at the Historic Landmarks Commission's meeting on May 25, 2005. Since that time, ownership has changed and new development plans have been presented for the project. This letter addendum summarizes the description and findings of significance for the property as found in the March 2005 Historic Structures Report and addresses the impacts from the proposed new development (See attached sheets showing the proposed plans).

The proposed project would add a three-unit condominium designed in the Spanish Colonial Revival style behind an existing two-story Victorian house. This Victorian house would be remodeled for a single unit, removing its later additions at the rear and building new wings in their place. The centered front porch would be replaced with a side porch balanced by a new bay; these new elements would be connected by a second floor deck with a simple balustrade. The existing storage building and six-car garage at the rear of the lot would be removed.

Findings of Significance for 320 East Victoria Street

The lot at 320 East Victoria Street has a two-story Victorian house set back behind a lawn, with a small wood-frame cottage and an L-shaped garage at the rear. It is bounded on the north by East Victoria Street, on the south by a public alley, on the east by a house at 322 East Victoria and on the west by a house at 318 East Victoria Street.

The Historic Structures/Sites Report for 320 East Victoria Street determined that the Victorian house, built sometime between 1870 and 1877, was eligible as a City Structure of Merit under Criterion "D", as a contributing property to the 300 block, which represents a nearly intact neighborhood of middle class houses dating from c. 1870 to 1925, and under criterion "I" for its contribution to its late nineteenth and early twentieth century streetscape. In particular its set-back, identical to its nineteenth century Queen Anne neighbor on east and the early twentieth century American Foursquare neighbor to the west, was noted. As well, the house was considered eligible under Criteria 5 and 6, again as a contributor to a relatively intact streetscape along the 300 block of East Victoria Street. The small cottage and six-car garage also on the property were not considered eligible as Structures of Merit.

According to Post-Hazeltine, the significant part of this Victorian house is the north and west elevations of the two-story main block. The character-defining features include the porch, side-gabled roof with its central pediment and brackets, shiplap siding (referred to as V-shaped

siding in the Post/Hazeltine report), and the fenestration on the north elevation, and the shiplap siding and fenestration on the west elevation (Post/ Hazeltine 2005: 30).

#### Brief history of the Buildings at 320 East Victoria Street

The Victorian house was built sometime between 1870 and 1877, when it first appears on a Bird's Eye Map of Santa Barbara. It was owned by T. H. Lane. By the 1890s, Samuel Frost, proprietor of the Channel City Marble and Granite Works, was the occupant. In the 1900s, contractor John Eaton lived in the house. During the occupancy of Elmore Wright, a clerk at J. L. Listle, from 1923-1935, the house was altered with additions and the construction of a six-car garage and workshop at the rear. The small detached cottage/storeroom may have also been constructed by him. In later years the house was subdivided and used as rentals. In 2004, Marny Randall bought the property and commissioned the report from Post/Hazeltine. In 2006, she sold the property to Dennis Allen, et al. and a new development scheme has been proposed.

#### Description of the Building

The two-story Italianate house, set back behind a generous lawn, is rectangular with one and two-story wings extending south to the rear. The main block, the original core of the building, running east and west, has a side-gabled roof, with a central cross gable as its dominant feature facing East Victoria Street. Scrolled brackets support the slightly overhanging eaves. The siding varies, from the horizontal beveled tongue and groove siding on the main block to shiplap, clapboard, and shingle on the rear additions. The vertically-oriented windows are one-over-one double hung in wood sash.

The house was once symmetrical, but after a 4.5-foot extension to the east sometime between 1907 and 1925, it is slightly off-kilter, and its central porch is no longer exactly centered. This porch, added sometime between c.1890 and 1910, is Colonial Revival in style, with Tuscan columns and a solid porch railing. A six-light wood panel door on the second floor, centered under the cross gable, allows access onto the porch roof.

A number of alterations were made to the rear of the house between 1877 and 1949, which have almost completely covered the first rear wing of the house which was constructed by 1887. These alterations have been made in a number of different materials and do not contribute to the original moderate Italianate style of the original house.

#### Analysis of the Proposed Project (see attached drawings)

#### CEQA Guidelines for Determining Project Effects

CEQA defines a potential adverse effect as one that would cause a substantial change in the significance of a resource. Such a substantial change means demolition, destruction, relocation, or alteration of the physical characteristics of the resource or its immediate surroundings that justify its eligibility for the CRHR or its inclusion in a local register of historic resources (PRC Section 15064.5 (b) (1, 2)).

According to the latest CEQA guidelines, if a project involving significant historical resources follows *The Secretary of the Interior's Standards for the Treatment of Historic Properties With Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Standards)* (Weeks and Grimmer 1995), the project is considered to be mitigated to a level of less than a significant impact on the historic resource (PRC Section 15064.5 (b) (3)).

The *Standards* are as follows:

1. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, shall not be undertaken.
4. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
8. Archeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a way that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

### Specific Project Effects

The project will be analyzed in two parts, one, the impacts from the proposed changes to the Victorian house, and two, the impacts to the setting and architectural style of the Victorian house from the addition of the three-story Spanish Colonial Revival building at the rear.

### Victorian House

According to Post-Hazeltine, the significant parts of this Victorian house are the north and west elevations of the two-story main block. The character-defining features include the porch, side-

gabled roof with its central pediment and brackets, the shiplap siding and the fenestration on the north elevation, and the shiplap siding and fenestration on the west elevation (Post/Hazeltine 2005: 30).

*North elevation:* the north elevation will be altered with the removal of the c. 1900 Colonial Revival porch and its replacement with an eight foot deep wing and an 8' x 12' porch in the Italianate style, topped by a deck with a simple balustrade running along the entire façade. A new double-hung window will be added on the second floor (See Sheet A2).

*East elevation:* the east elevation will be altered with the removal of a paired window on the first floor and a single window on the second floor and their replacement with an exterior brick chimney flanked by double hung windows (See Sheet A2).

*South elevation:* the later non-character-defining additions will be removed from the rear of the existing Victorian house, and will be replaced with two two-story cross-gabled wings which will tie into the existing side-gabled roof of the main block of the house. The new square footage will be 2426 square feet (See Sheet A2).

*West elevation:* the west elevation will be altered with the addition of a double-hung window adjacent to the existing window on the first floor. Solar panels will be added to the west slopes of the gable roofs of the proposed new two-story wings (See Sheet A2).

### Analysis

1. "A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships."

The main block of the house will be repaired. The addition of windows on the north, east, and west side will match the existing double-hung windows. The removal of windows and the addition of a brick exterior chimney occur on a side elevation which is not considered significant. The addition of the solar panels on the new wings of the Victorian house, on slopes that are not visible from the front façade, does not change its distinctive materials, features, spaces, and spatial relationships. These parts of the project meet Standard 1. The removal of the centered Colonial Revival porch, an alteration in place for about 100 years, will cause a potential impact by removing a character-defining feature. This part of the project does not meet Standard 1.

2. "The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided. "

The project proposes to retain the character-defining siding, windows, and doors on the north and west elevations. The addition of a window on the first floor of the west elevation will match the paired configuration of windows on the east elevation. The addition of the solar panels on the new wings of the Victorian house, on slopes that are not visible from the front façade, does not remove distinctive materials, features, spaces, and spatial relationships. This part of the project meets Standard 2. The removal of the front porch, a

character-defining feature of the residence, will cause a potential impact by removing a character-defining feature. This part of the project does not meet Standard 2.

3. "Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, shall not be undertaken."

No conjectural features or elements from other historical properties will be added as part of the project. The project therefore meets Standard 3.

4. "Changes to a property that have acquired historic significance in their own right shall be retained and preserved."

The removal of the centered Colonial Revival porch, an alteration in place for about 100 years, will cause a potential impact by removing a character-defining feature. This part of the project does not meet Standard 4.

5. "Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved."

The character-defining features include the porch, side-gabled roof with its central pediment and brackets, shiplap siding, and the fenestration on the north elevation, and the shiplap siding and fenestration on the west elevation. The side-gabled roof, central pediment, brackets, shiplap siding, and fenestration will remain. This part of the project meets Standard 5. The removal of the centered Colonial Revival porch, an alteration in place for about 100 years, will cause a potential impact by removing a character-defining feature. This part of the project does not meet Standard 5.

6. "Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence."

This Standard is not applicable at this time. It will not be known until actual construction begins how much, if any, deteriorated siding material will have to be removed. This potential impact will be addressed in another Letter Report analyzing final drawings for the project.

7. "Chemical or physical treatments shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used."

This Standard is not applicable.

8. "Archeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken."

This Standard is not applicable under the scope of this report.

9. "New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment."

The removal of the rear half of the building, the removal of windows on the east elevation and their replacement with new windows and an exterior brick chimney, the addition of a window on the west elevation, the addition of the wings on the south elevation, and the addition of the solar panels on the west slopes of the roofs of these wings will not destroy historic materials, features and spatial relationships that characterize the property.

The new windows will match the existing windows. Although Italianate and folk Victorian houses did not have exterior chimneys, because it is located on an elevation that is already altered, and because the house was not considered a pristine example of the Italianate or Folk Victorian style, the presence of such a chimney is acceptable. However, the chimney should be as slender as possible facing East Victoria Street, both on the exterior wall and as it pierces the roofline, to be compatible with the style of the existing residence. The south wings are in scale with the building. The addition of the solar panels takes place on the new portion of the Victorian house on slopes that are not visible from the front façade. This part of the project meets Standard 9.

The removal of the Colonial Revival porch on the north elevation will cause a potential impact by removing a character-defining feature, as identified in the Post/Hazeltine report. Initially in the proposed plan, two of the Tuscan columns were to be retained to minimize the impact of the porch demolition. However seismic constraints make that solution untenable. Therefore, this part of the project does not meet Standard 9.

10. "New additions and adjacent or related new construction shall be undertaken in such a way that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."

If the additions were removed, the majority of the historic core would remain, but the existing central front porch would be gone. The proposed plan therefore does not meet Standard 10.

### Three-story Spanish Colonial Revival building

At the rear of the lot, separated from the historic Victorian house by 41'9", comprising an open yard area, will be a three-story Spanish Colonial Revival residence housing three residential units. The relevant criterion for analyzing the impacts of this new building on the Victorian house is Standard 9:

New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

### Analysis

The existing cottage/storage and six-car garage on the property will be removed. According to Post/Hazeltine, neither of these buildings is considered significant.

Generally, when designing a new building adjacent to an older historic building, it is recommended that the new building be in the style of the existing building or be compatible with it. However in this case, the space between the existing Victorian house and the new residence is sufficient (41 feet) that there is no need to make the buildings compatible in style. Rather, the Spanish Colonial Revival design of the new building relates to the context at the alley at the rear of the property, where a new three-story Spanish Colonial Revival residence, designed by Jeff Shelton, was recently constructed and where the rear of the Spanish Colonial Revival Presbyterian Church on the corner of Garden and Anapamu Streets, is adjacent to the proposed three-story residence.

This type of development is compatible within this neighborhood, which has a pattern of constructing new apartments behind existing nineteenth and early twentieth century residences. As well, the Spanish Colonial Revival style is required for new construction in the El Pueblo Viejo district. The massing of the proposed development is compatible both with the main residence and with the alley development and is compatible with the neighboring setting as well.

The plans at this time are conceptual only. The details of roofing material, railings, and exterior chimney on the Victorian house are still to be worked out.

### Required Mitigation Measures

Because the proposed project does not meet parts of Standards 1, 2, 5, 9 and 10, the impacts are considered potentially significant (Class II). With the required mitigation measures listed below, the project, according to CEQA criteria, would be considered to be mitigated to a level of less than a significant impact on the historic resource (PRC Section 15064.5 (b) (3)).

1. These comments are predicated on conceptual drawings. Final plans delineating the amount of wood to be removed, the design of the chimney, the porch columns and porch and deck railings, and the roofing material for the Victorian house shall be reviewed by an architectural historian and a letter addendum prepared prior to work taking place.
2. The proposed exterior chimney shall be made as slender a profile to the street elevation as possible to be compatible with the Italianate style.
3. . The main residence shall be documented according to the City's "Required Documentation of Buildings Prior to Demolition" prior to the demolition. Two copies of the archival

photographs and plans shall be prepared, one for the City archives and one for the Gledhill Library. (Because the view is so tight on the west elevation, it is recommended that the existing foliage and planting be removed before taking the photographs).

Sincerely,

*Alexandra C. Cole*

Alexandra C. Cole

Attachments: Photographs, Architectural Plans



Plate 1. North elevation of 320 East Victoria Street, showing front porch.  
Facing south. June 2006. A. C. Cole

VICTORIA GARDEN MEWS

320 E. Victoria Street, Santa Barbara, CA 93110

Thomson Naylor Architects  
900 Phinda Avenue  
Santa Barbara, CA 93103  
(805) 966-9807



EXHIBIT G

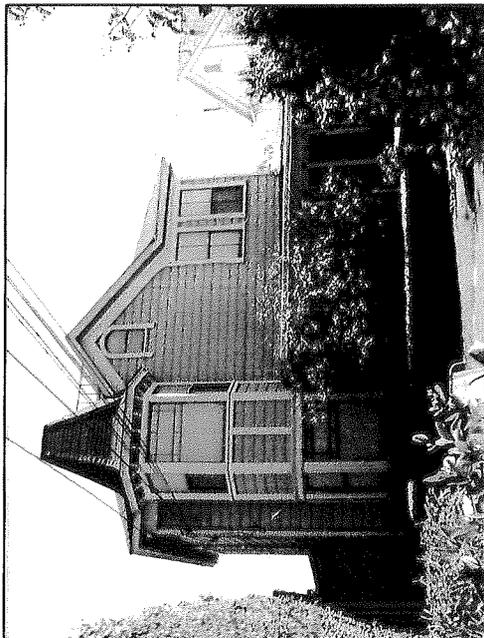
KEY TO PHOTOS

PROPOSED RESIDENTIAL CONDOMINIUMS

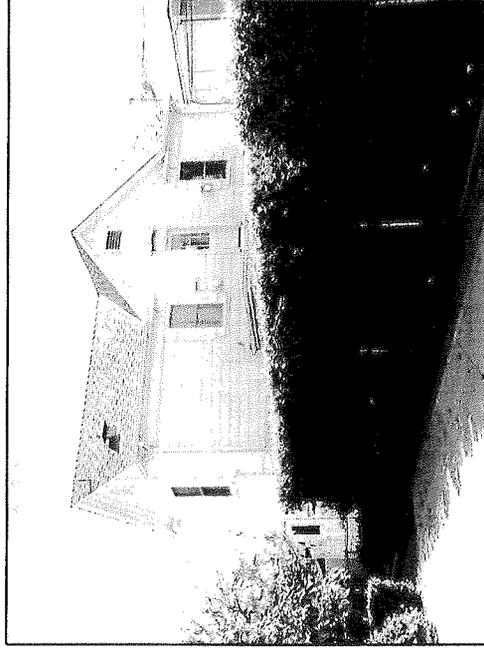
**VICTORIA GARDEN MEWS**

320 E. Victoria Street, Santa Barbara, CA 93110

Thompson Naylor Architects  
900 Pajaro Avenue  
Santa Barbara, CA 93103  
(805) 963-9807



(A)



(B)

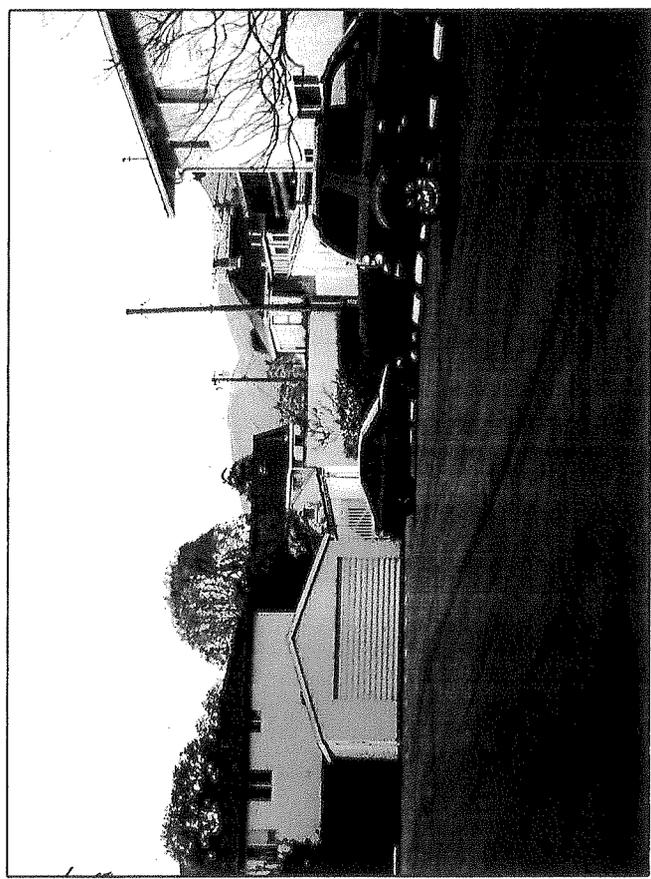


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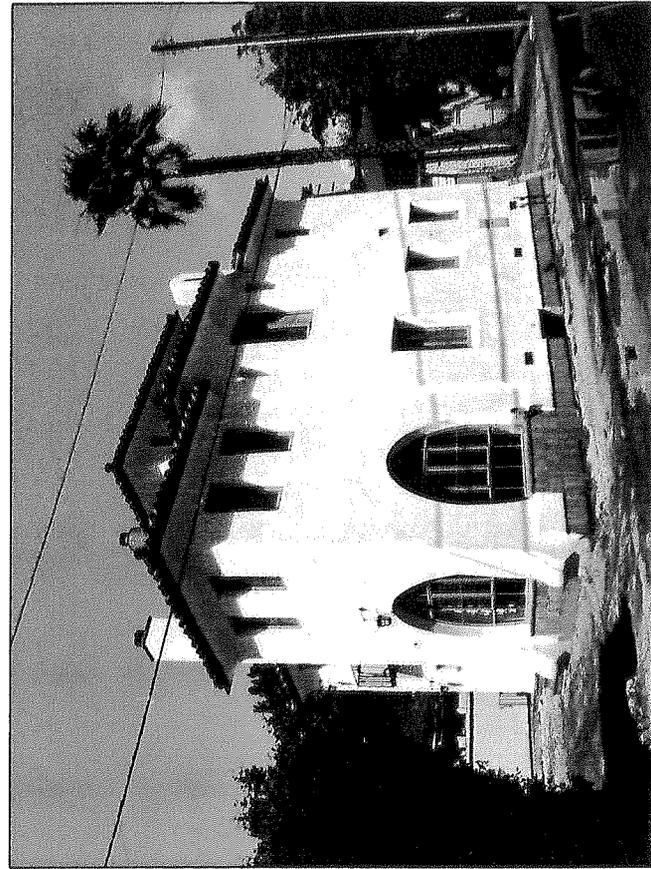
VICTORIA STREET

PROPOSED RESIDENTIAL CONDOMINIUMS  
**VICTORIA GARDEN MEWS**

320 E. Victoria Street, Santa Barbara, CA 93110  
Thompson Naylor Architects  
900 Phillips Avenue  
Santa Barbara, CA 93103  
(805) 965-9907



(D)

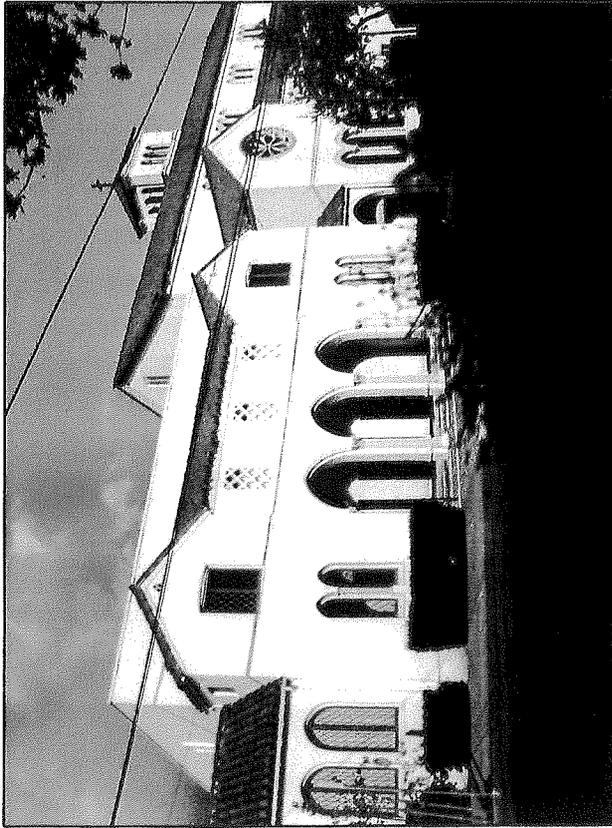


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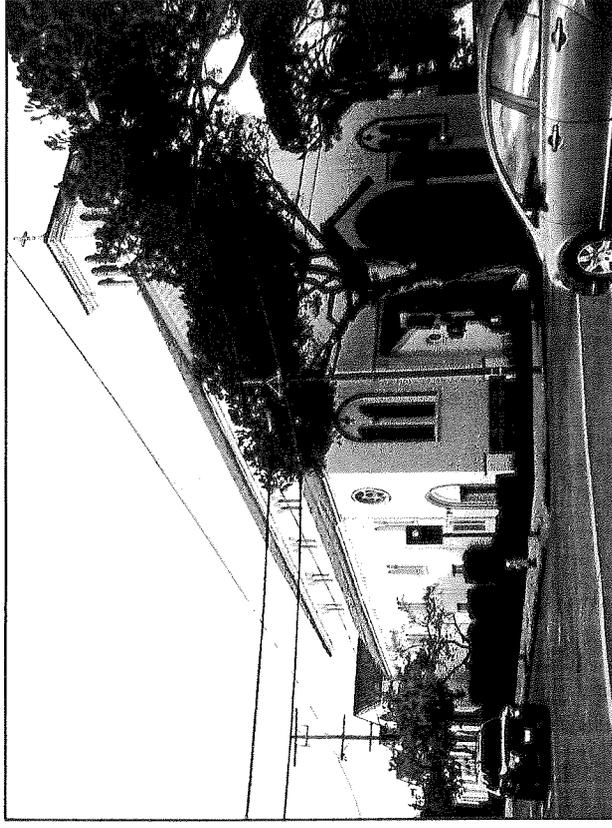
ALLEY

PROPOSED RESIDENTIAL CONDOMINIUMS  
**VICTORIA GARDEN MEWS**  
320 E. Victoria Street, Santa Barbara, CA 93110

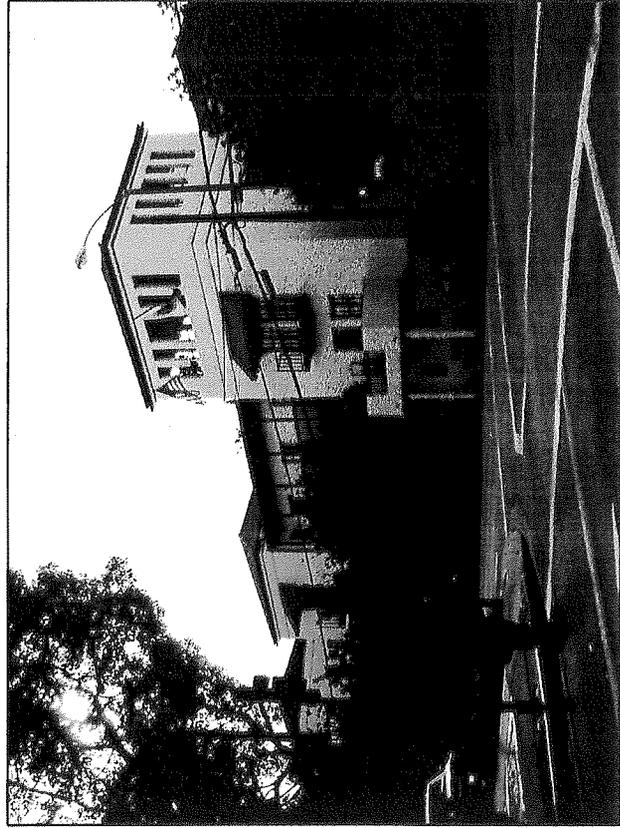
Thompson Naylor Architects  
900 Phillips Avenue  
Santa Barbara, CA 93103  
(805) 966-9807



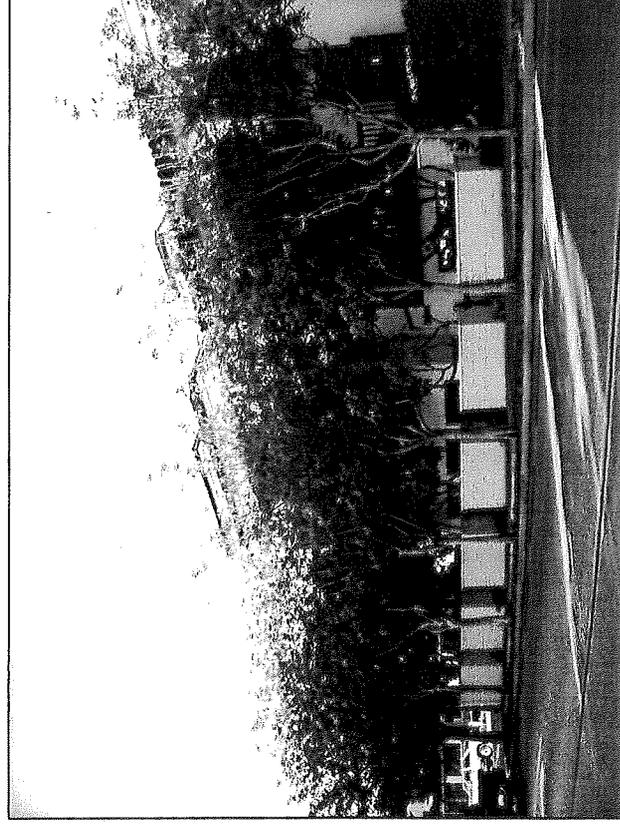
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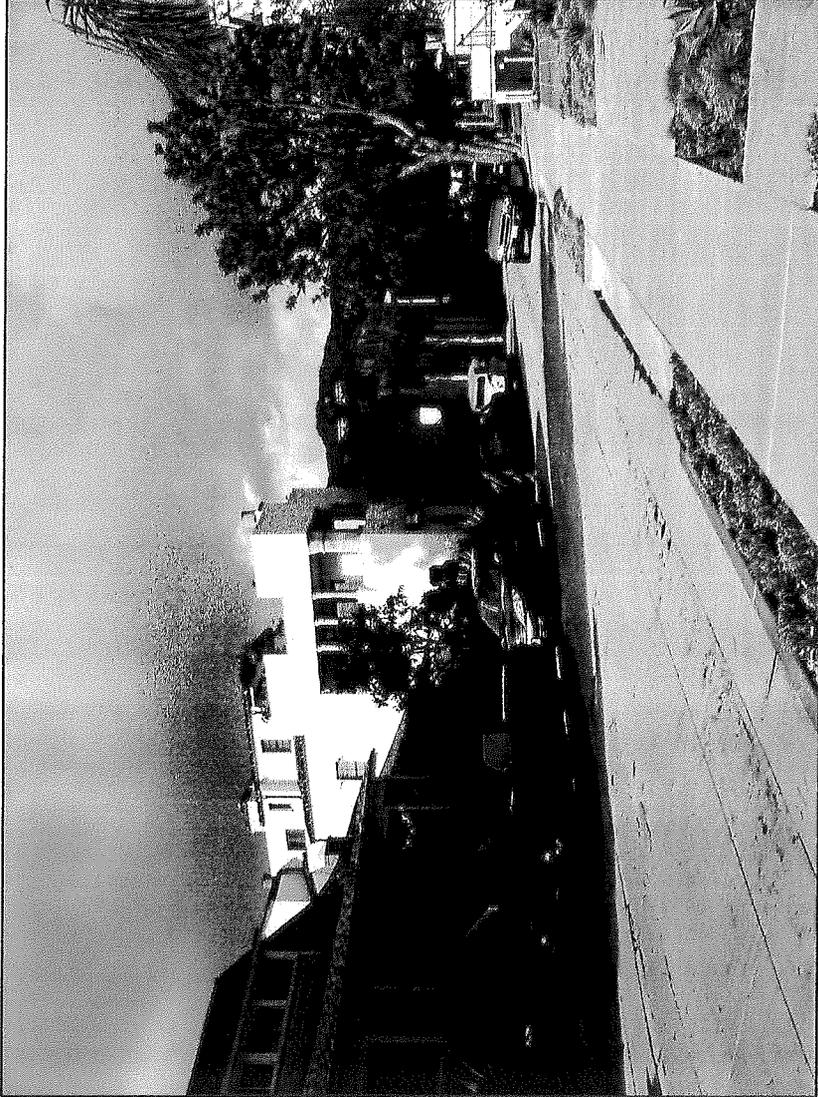


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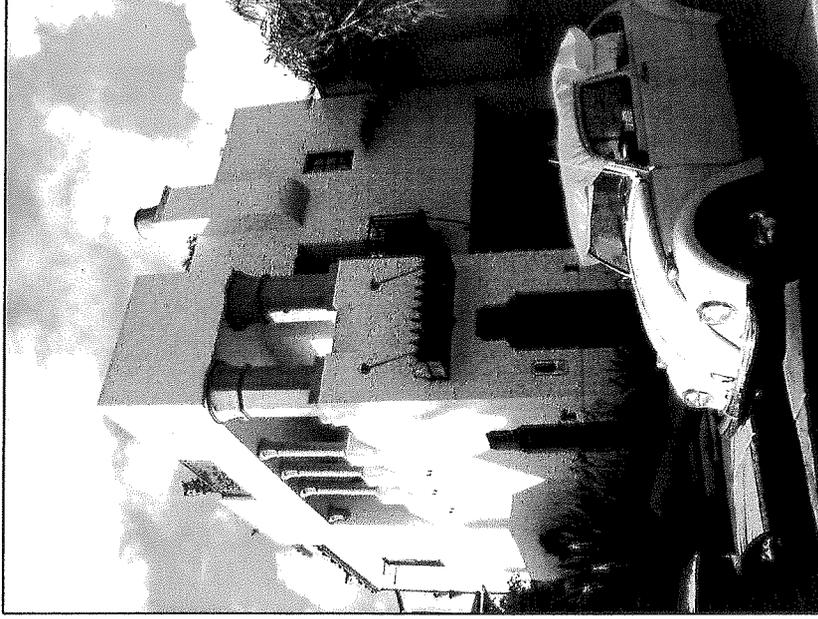
GARDEN & ANAPAMU STREETS

PROPOSED RESIDENTIAL CONDOMINIUMS  
**VICTORIA GARDEN MEWS**  
320 E. Victoria Street, Santa Barbara, CA 93110

Thompson Naylor Architects  
900 Phillips Avenue  
Santa Barbara, CA 93103  
(805) 966-9807

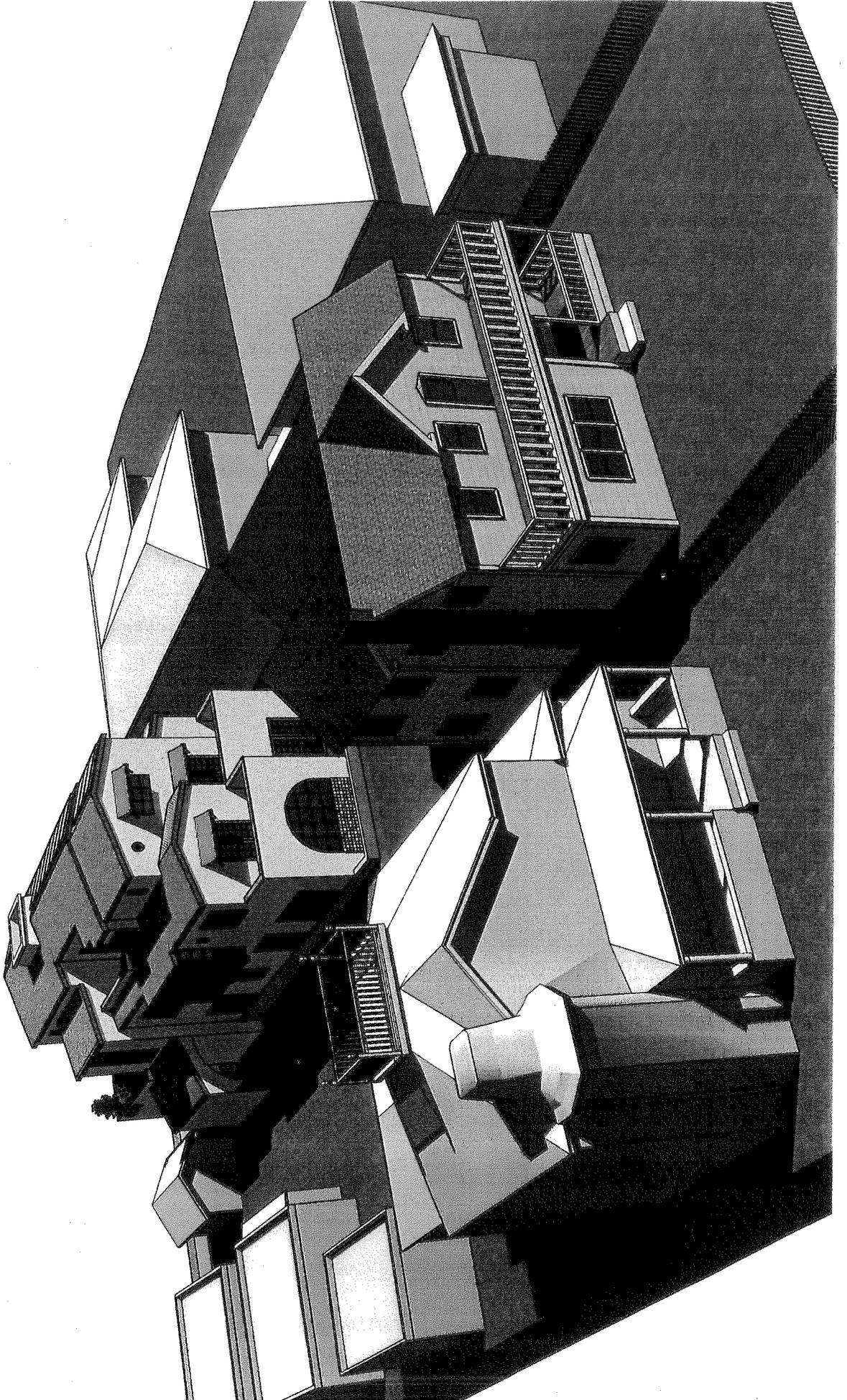


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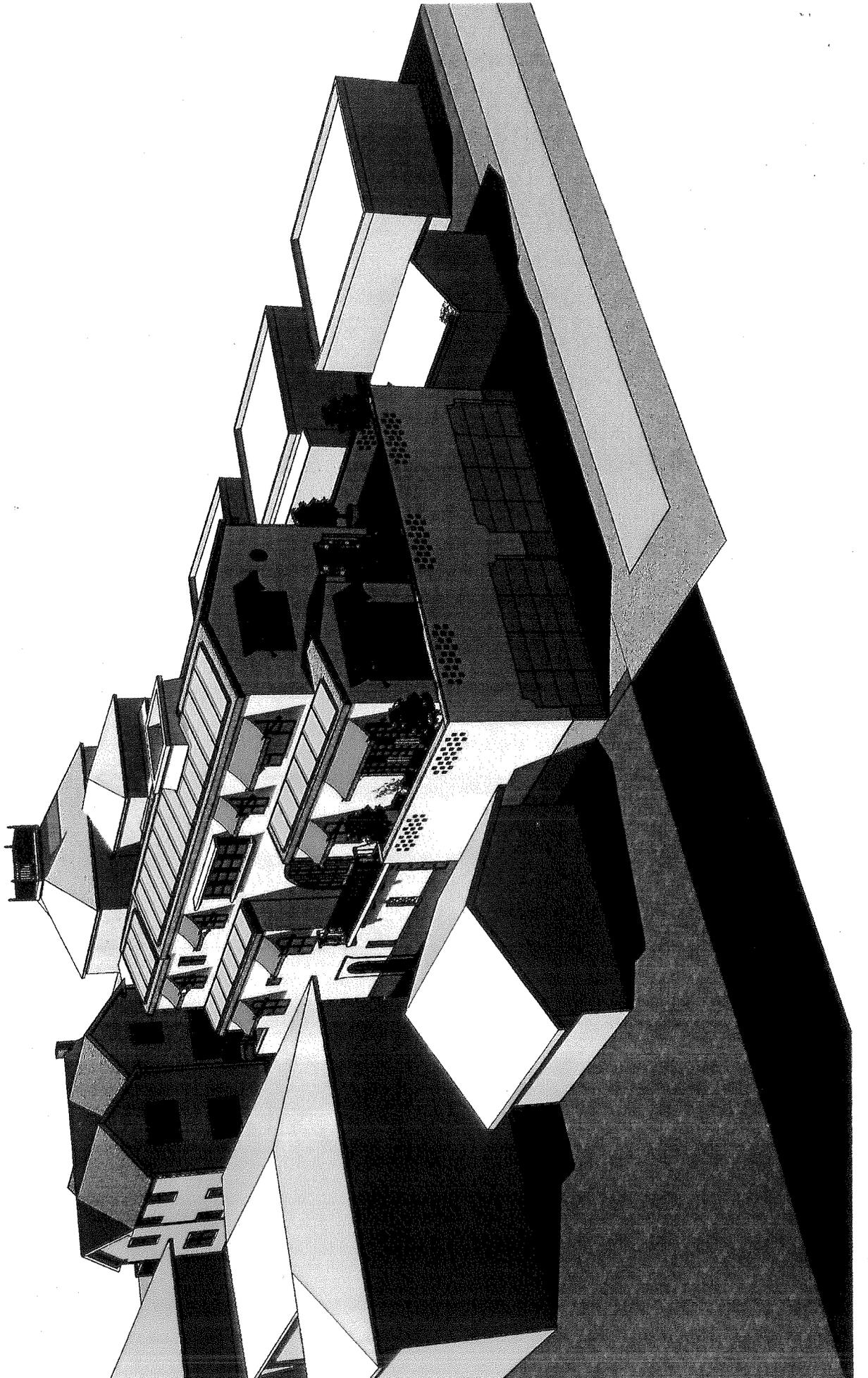


(K)

EQUESTRIAN AVENUE



VIEW FROM STREET (320 E. VICTORIA STREET)



VIEW FROM ALLEY (320 E. VICTORIA STREET)