



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** November 4, 2015  
**AGENDA DATE:** November 11, 2015  
**PROJECT ADDRESS:** 1198 Coast Village Road (MST2012-00231)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *DJK*  
 Suzanne Riegler, Associate Planner *SR*

### I. PROJECT DESCRIPTION

The project has been revised to include a 185 square foot increase in the enclosed floor area, an increase in the roof height, window and door changes, an accessible path and lift along the Coast Village Road frontage, new service access ramps and egress to kitchen service door, revised parking lot layout, removal of a 30-inch diameter Ash tree and installation of an Ash tree, installation of a sidewalk along the Middle Road frontage, and construction of a trash enclosure. The project was originally approved in 2013 and is currently under construction. The revised proposal will result in a 2,249 square foot restaurant. Seating for the restaurant is limited to 50 seats inside and 48 outdoor patio seats. The parcel is located within the non-appealable jurisdiction of the Coastal Zone.

The discretionary applications required for this project are:

1. A Front Setback Modification to allow an increase in the building height within the required 10-foot front setback along Coast Village Road. (SBMC § 28.63.060 and 28.92.110); and
2. A Front Setback Modification to allow a new kitchen service door and a trash enclosure within the required 10-foot front setback along Middle Road. (SBMC § 28.63.060 and 28.92.110).

Date Application Accepted: 10/21/15

Date Action Required: 1/19/16

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to a condition.

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Clay Aurell, Architect	Property Owner:	Dwayne Copus Trust
Parcel Number:	009-222-010	Lot Area:	32,241 square feet
General Plan:	Commercial	Zoning:	C-1 Limited Commercial
Existing Use:	Restaurant	Topography:	15% est. avg. slope

Adjacent Land Uses: Commercial

### IV. DISCUSSION

The first requested Front Setback Modification is to allow the building height to increase by roughly ten inches within the required ten-foot front setback along Coast Village Road. Additional changes occurring along the Coast Village Road frontage are revising the approved landing for the entry stairs that previously encroached into the public right-of-way. The revision includes relocating the landing onto the private property and providing a separate accessible path to an accessible lift to the restaurant level. Although located within ten-feet of the front property line, the hardscape to create the path is dug into the existing slope and would not require a modification. Staff supports the Coast Village Road Front Setback Modification to allow an increase in building height that is not anticipated to adversely impact the visual openness of the public street frontage or the adjacent commercial neighbors.

The second requested Front Setback Modification is to allow a new trash enclosure, new window, doors and an access ramp within the required ten-foot front setback along Middle Road. The proposed ramp will provide access to the kitchen door and continue towards the crawl space used for mechanical equipment. In general, when a conforming location is available for an improvement a modification is not supported; however, the size of the previously approved trash enclosure is too small to accommodate the required containers, and due to the topography of the site the previously approved trash enclosure location is not suitable for service by Marborg Industries (Marborg). Marborg raised several concerns with the previously approved location related to safety for the driver and the public, including the slope of the driveway, backing out onto Coast Village Road, and the weight of both the loaded and unloaded dumpsters on the steep slope. By locating the trash enclosure along Middle Road, the dumpsters can be serviced on a relatively flat surface, and the trash truck can back out onto a less traveled roadway. The applicant's letter dated September 24, 2015 and the attached correspondence from Marborg and Karen Gumtow in Environmental Services indicate the size and location requirements for a safe and appropriately sized enclosure.

The previously approved project required that all deliveries and trash be carried through the dining room, which was not ideal for restaurant operations. Therefore, the applicant has proposed new access ramps and a service door for the kitchen and an access door to the mechanical equipment within the required ten-foot required setback. The applicant has been working with the Public Works Department to design both a required sidewalk on the Middle Road frontage and access ramps that meet code requirements for accessibility. The access ramp will likely

result in the need for a Public Works Minor Encroachment Permit (MEP) for the access ramps to service doors.

Staff supports the Middle Road Front Setback Modification to allow the trash enclosure location and the service doors for the kitchen and mechanical equipment to encroach within the required ten-foot setback. The proposed window and door improvements are not anticipated to have an adverse impact on the adjacent commercial neighbors or the visual openness of the public street frontage. In addition, staff supports the proposed trash location provides a safe location for servicing of trash receptacles which is an appropriate improvement for a restaurant preventing an unreasonable hardship.

The revised project was reviewed by the Architectural Board of Review on October 12, 2015. The proposed front setback modifications along Middle Road including a new trash enclosure and service access doors were found to be aesthetically appropriate. However, the Board commented that the easterly walls of the trash enclosure and the easterly side of the new service access ramp should be planted out to provide screening. The proposed front setback modifications along Coast Village Road to allow the change to provide the entry stair landing and an accessible path of travel and increase the building height were found to be aesthetically appropriate. The Board made a few comments on the design of the retaining wall for the accessible path, plantings along the revised parking lot.

## V. ENVIRONMENTAL REVIEW

The proposed revisions to the project include the removal of a 30-inch diameter Ash tree along the Middle Road Frontage and work within the dripline of a mature Ash in the northwest corner of the site and one Carrotwood tree located in the southwest corner of the site.

The applicant has submitted arborist letters prepared by Peter Winn of Westree Arborist Services dated September 18, 2015 and October 19, 2015 (Exhibit C) describing the project's potential impacts on the existing healthy trees. The removal of the 30-inch diameter Ash tree is to allow room for improvements within the public right-of-way, and this tree is proposed to be replaced with a mature Ash tree. The work within the dripline of the on-site Ash and Carrotwood trees is likely to affect the structural integrity of the trees, and the letters recommend that an arborist monitor the excavation and make a determination whether the trees should be removed and replaced with a new specimen tree. The replacement trees, if necessary, would be selected in consideration of the surrounding properties in accordance with the Montecito Association and the City of Santa Barbara. The applicant is proposing to retain the on-site trees but will replace the trees if damage during construction causes the need for removal. Therefore, the biological impacts related to trees are found to be less than significant.

The applicant submitted a biology report prepared by Storrer Environmental Services dated October 21, 2015 (Exhibit D) to address tree removals and the Federal Migratory Bird Act. The biologist recommended that the tree limbing or tree removal not occur between February 1st and September 30, unless a biologist field surveys prior to any work during the nesting and breeding season to confirm that nesting activity is not in progress. With the incorporation of this recommendation the biological impacts are found to be less than significant.

The environmental analyst determined that the project is exempt from further environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15183 of the CEQA Guidelines (Projects Consistent with a Community Plan or Zoning).

## VI. FINDINGS AND CONDITIONS

The project activity is within the scope of the 2011 General Plan and the Program EIR analysis for the General Plan. No further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183). City Council environmental findings adopted for the 2011 General Plan remain applicable for this project.

The Staff Hearing Officer finds that the Coast Village Road Front Setback Modification to allow an increase in building height consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The slight increase to the roof height is necessary for an improved design of the building, and it is not anticipated to adversely impact the visual openness of the public street frontage or the adjacent commercial neighbors.

The Staff Hearing Officer finds that the Middle Road Front Setback Modification to allow the trash enclosure location, window changes, and the service doors for the kitchen and mechanical equipment to encroach within the required ten-foot setback are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed window and door improvements are not anticipated to have an adverse impact on the adjacent commercial neighbors or the visual openness of the public street frontage. In addition, staff supports the proposed trash location provides a safe location for servicing of trash receptacles which is an appropriate improvement for a restaurant preventing an unreasonable hardship.

Said approval is subject to the following conditions:

1. **Arborist Monitoring.** A qualified arborist shall monitor the excavation and make a determination whether the trees should be removed and replaced with a new specimen tree. The replacement trees, if necessary, shall be selected in consideration of the surrounding properties in accordance with the Montecito Association and the approval of Architectural Board of Review.
2. **Nesting Birds.** Birds and their eggs nesting on or near the project site are protected under the migratory bird treaty act and pursuing, hunting, taking, capturing, killing, or attempt to do any of the above is a violation of federal and state regulations. All tree limbing and removals shall not occur between February 1 and September 30 unless a biologist field surveys prior to any work during the nesting and breeding season to confirm that nesting activity is not in progress

STAFF HEARING OFFICER STAFF REPORT  
1198 COAST VILLAGE ROAD (MST2012-00231)  
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Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter with attachments, dated September 24, 2015
- C. Arborist Letter Report and Addendum prepared by Peter Winn of Westree Arborist Services dated September 18, 2015 and October 19, 2015
- D. Storrer Environmental Services dated October 21, 2015
- E. ABR Minutes

Contact/Case Planner: Suzanne Riegle, Associate Planner  
([SRiegle@SantaBarbaraCA.gov](mailto:SRiegle@SantaBarbaraCA.gov))  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x**2687**



## LETTER

September 24, 2015

Staff Hearing Officer  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

Subject: Oliver's Restaurant  
Modification Request for 1198 Coast Village Road;  
APN 009-022-010; Zone C-1 / S-D-3

Dear Staff Hearing Officer,

We are writing this letter on behalf of our client for the project located at 1198 Coast Village Road. This project is currently permitted under BLD2014-02039. Currently, there is a Permit Revision (REV1), which was originally submitted on 6/26/15, and is currently under review. There is also a revised SWMP plan and calculations package that was submitted on 9/16/15 and is currently under review as a separate Permit Revision (REV2). We have also been preparing for our planning review and building and safety submittal for a third Permit Revision (REV3.) There are several site and building improvements, that are part of this proposed REV3 revision. Many of the site related items have to do with parking, accessibility, and general site improvements. These include:

1. A substantial conformance determination for the proposed relocated entry stair from Coast Village Road.
2. Relocated Trash Enclosure to allow for servicing by Marborg and for access / accessibility from employees; redesigned Parking layout to allow for proper Accessibility Standards to be achieved.
3. New service access ramp, and new egress door from the kitchen.
4. Access Stairs to Crawl Space.
5. Raised plate and roof height above the dining room by  $\pm 10"$ .
6. New Accessibility lift and pathway to provide Access from the public way to the restaurant.
7. Revised parking layout – the parking areas per the lease plan have been revised to allow for the Accessible spaces to work, relocate the trash enclosure and provide the same amount of parking as previously approved.
8. Relocate the doors on the west façade to the west by 4.5-5' total.
9. Remove and replace the existing Ash tree in the public way, along Middle Road.

Per the above, the following items specifically require review for a Modification. We have numbered them as MOD 1, MOD 2, etc. based on the specific number listed above.

### **MOD 1. Substantial conformance determination for the proposed entry stairs.**

There is a prior approved modification for this property as related to the stair along Coast Village Road. Per Resolution 003-13, dated 1/9/13 [Please find a copy of the original resolution attached to this letter for reference (Exhibit 'A')], we understand that the original modification was to allow for the stairs to be located within the front setback along Coast Village Road. Our proposal currently de-intensifies the prior Modification approval by pushing the stair back (North) by 4'-0" to create a buffer between the sidewalk and the stairs. We feel that this is an improvement over what was previously approved under Resolution 003-13, dated 1/9/13. Please see the substantial conformance determination request letter dated 09/16/15 attached to this letter for reference as (Exhibit 'B')

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## **MOD 2. Relocated Trash Enclosure.**

We are requesting a modification to allow for a trash enclosure to be located within the setback along Middle Road. The previously approved trash enclosure location is to the northwest of the restaurant building. It is approximately 8'-0" wide x 11'-0" long x 6'-0" high. It was approved to be constructed out of CMU and plaster. This proposal includes providing a trash enclosure to the north of the restaurant building, located in the building setback which was previously modified to be 3'-0" and would be located directly adjacent to the property line. The proposed trash enclosure dimensions are 9'-4" wide x 12'-4" long x 6'-0" high. It is being proposed to be built out of wood fencing and galvanized fence posts.

This trash enclosure is being proposed in the above-described location for several reasons. The first reason is that the original enclosure was not sized properly per current City of Santa Barbara Trash and Recycling Department standards. We have met with Karen Gumtow on site, on 8/6/15 and have had extensive communication with her to determine the size of Trash, Recycle and Food waste bins and the frequency of the trash pickup, which will be provided by MarBorg. It was decided by Mrs. Gumtow at our meeting on 8/6/15 that we would need to provide: (1) 81"x40" 2YD trash bin / 2x/wk pickup, (1) 81"x40" 2YD recycle bin 2x/wk pickup, and (2) 27"x29" 64G food scrap bins / 3x/wk pickup. A preliminary layout which provided this required service was developed, reviewed and approved by Karen Gumtow on 8/12/15. Please see this email approval (Exhibit 'C') attached to this letter. The original purpose for this discussion and relocation is that the required bins with proper clearances would not physically fit in the originally approved trash enclosure. The previously approved enclosure door does not provide proper width for a 2yd bin and enlarging the bin in the prior location has a negative impact on the accessible parking in front of the restaurant.

Secondly, the previously approved trash enclosure location was reviewed by MarBorg on 9/21/15 and creates a safety concern for servicing. Due to the steep driveway, they would not be able to access the originally approved trash enclosure with a trash truck. Therefore, they would be required to wheel large bins down the steep driveway to Coast Village Road. Bins would need to be carted up and down the driveway that has a slope greater than 30%. In our recent discussions with MarBorg on the property, they have indicated that the prior location was not possible for them to service. Please see the attached letter from MarBorg, (Exhibit 'D')

Thirdly, there must be an accessible path of travel provided to the enclosure per Chapter 11b of the 2013 CBC. The previously approved accessible walkway to the trash enclosure is required to be removed in order to fit the required van accessible parking space with proper clearances. Upon further investigation and site layout, it was determined that the previously approved Accessible parking stall intrudes into the clearance of the driveway behind it and impedes through traffic along the one way access of the property. The previous layout causes concern for vehicular safety and does not provide proper driveway clearance per the requirements of the Santa Barbara Municipal Code section 28.90 See the code section attached for reference (Exhibit 'E'). Because of the need to redesign the Accessible Parking area in front of the restaurant, we have had to relocate the trash enclosure so that the parking will work and we can provide access to it per the CBC.

Lastly, the project site is constrained with respect to lease area, topography and general access constraints in providing possible locations for the trash enclosure. The proposed location is being presented for consideration and approval in order to provide safe accessible access to the enclosure for the building operators and for MarBorg who will be servicing the site. We have reviewed this location with Building and Safety on 07/01/15, Public Works on 07/01/15, 09/11/15, 09/16/15, ENV Services on 08/16/15 and MarBorg on 09/21/15 and they all feel like this is the superior option for both access, accessibility, and safety of people servicing the trash.

## **MOD 3. New service access ramp and entry to the kitchen**

Currently as approved, all access to the kitchen is provided through the Bar / and dining areas. This proposal includes an accessible service ramp and door entry to the back of the kitchen and requires a Modification for the new door location. These features would be located within the 3'-0" setback. This modification is being proposed to allow for safe means to deliver goods, to the building from the parking lot to the north. Delivery vehicles previously parked on Middle Road to bring goods to the original Peabody's restaurant, which has proven to be a dangerous practice. The proposed solution is being provided as an alternative to this practice. Public Works has reviewed the location of the ramp and access door in meetings that took place on 07/01/15, 09/11/15, 09/16/15 and they feel that it is a superior solution when compared to the previous layout. As part of this discussion with Public Works, we have been requested to provide an extended sidewalk from the corner of Coast Village Road and Middle Road to the northerly driveway access point. This work will be completed as part of our application and will provide a Public Service Improvement to the site and the neighborhood, which will only improve the current condition, by providing a pedestrian pathway where one previously did not exist. Public Works has been supportive of this approach and is currently working on an encroachment permit to allow for this work to happen in the ROW.

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#### **MOD 4. Access Stairs to Crawl Space**

There is an existing crawl space beneath the kitchen and dining room portions of the building. This crawl space has a concrete floor slab and has a ceiling height of 4'-10 1/2". It has been previously approved to contain plumbing and mechanical equipment as part of the building permit BLD2014-02039. Please see the attached sketch SKA-045 that shows this crawl space in profile (Exhibit 'F'.) Currently there is no safe means to access this location. This proposal includes providing service stairs along Middle Road in order to safely access this location. This is an improvement over the existing access, which includes traversing a steep grade. Public Works has been supportive of this approach and is currently working on an encroachment permit to allow for this work to happen in the ROW.

#### **MOD 5. Proposed raised plate and roof height above dining room by ±10"**

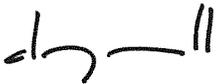
Currently the approved dining room plate height is 8'-2" in elevation and the dining room ridge height is at 12'-6" in elevation. This currently approved plate height does not align with the typical 9'-0" plate height elevation of the rest of the building. This proposal includes raising the plate height of the dining room ±10" to increase the dining room plate height to 9'-0" and the dining room ridge height to 13'-5" in elevation. This modification is being proposed in order to align this dining room plate height with the rest of the approved building. This is being done to create a simpler condition for the contractor to build. This portion of the proposal was originally submitted as part of the permit Revision 1 (REV1) that was originally submitted on 06/26/15. Brenda Beltz expressed that this item would need to be approved as a modification due to the fact that this portion of the building is within the current setback. This proposal is now being submitted as part of this Modification and is minor in nature and helps the buildings architecture and constructability.

The majority of the proposed items outlined above are being provided to allow greater safety, access and accessibility, for the operators and servicers of this project. We have reviewed the items above with Building and Safety, Public Works, Trash and Recycling City Departments and MarBorg and they all feel like these site features provide a superior alternative to the previous design and layout.

Items 6,7,8and 9 above do NOT require Modifications, however they are a part of the work being presented. Most of these items are very inter-related and are being proposed in order to deal with code requirements, ordinance requirements, and operational constraints in response to challenging site issues, access, etc.

Thank you for your review and consideration of this proposal.

Respectfully,



Clay Aurell, AIA, LEED AP  
Principal Architect



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 003-13  
1198 COAST VILLAGE ROAD  
MODIFICATIONS  
JANUARY 9, 2013

APPLICATION OF SHERRY & ASSOCIATES ARCHITECTS FOR DEWAYNE DANIEL & KATHLEEN M. COPUS, 1198 COAST VILLAGE ROAD, APN 009-222-010, C-1/SD-3 LIMITED COMMERCIAL/COASTAL ZONES, GENERAL PLAN DESIGNATION: COMMERCIAL (MST2012-00231)

The 32,241 square foot site is located within the Non-Appealable Jurisdiction of the Coastal Zone and is currently developed with a 25-room hotel and a 1,507 square foot one-story restaurant with 36 parking spaces. The existing restaurant structure is nonconforming to the required ten-foot front setbacks along Coast Village and Middle Roads. The proposed project involves alterations to the existing restaurant, including the demolition of a 36 square-foot "as-built" storage enclosure, the "as-built" construction of a 181 square-foot addition to the restaurant's service and storage areas, the reconstruction of access stairways, restriping of the existing parking lot, and the demolition and relocation of an "as-built" trash enclosure. A Public Works Encroachment Permit will be required for any improvements constructed in the public right-of-way.

The discretionary applications required for this project are Modifications to allow the demolition and reconstruction of access stairways and the "as-built" 181 square-foot addition to be located within the required ten-foot front setbacks. (SBMC § 28.63.060 and SBMC § 28.92.110). Additional alterations to the restaurant to improve the existing outdoor patio areas, including the construction of a covered outdoor kitchen, bar, dining and waiting areas, were previously reviewed and approved by the Architectural Board of Review and are not the subject of this current request.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities) and 15305 (Minor Alterations in Land Use Limitations).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, January 2, 2013.
2. Site Plans
3. Correspondence received in opposition to the project:
  - a. Paula Westbury, Santa Barbara, CA.

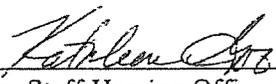
EXHIBIT A'

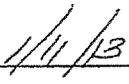
NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the Modifications making the findings and determinations that the Modifications to allow the unpermitted addition and reconstruction of access stairway within the front setbacks are consistent with the purposes and intent of the Zoning Ordinance and necessary to secure an appropriate improvement on the lot. The proposed reconstruction of the stairway is appropriate because it will be upgraded to be building code compliant with uniform treads and compliant handrails, and will maintain a pedestrian entrance to the restaurant from Coast Village Road, while eliminating the encroachment into the public right-of-way. The unpermitted addition was constructed prior to 1980 without any neighborhood concerns and is not anticipated to adversely impact the neighbors or diminish light, air and existing visual amenities along this commercial corridor.
  
- II. Said approval is subject to the condition that prior to issuance of a building permit for proposed project; the applicant shall apply for a separate Public Works encroachment permit for any private improvements located within the public right-of-way. Please note that building permit issuance for improvements on the private property does not legalize any private improvements within the public right-of-way.

This motion was passed and adopted on the 9th day of January, 2013 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

  
\_\_\_\_\_  
Kathleen Goo, Staff Hearing Officer Secretary

  
\_\_\_\_\_  
Date

**PLEASE BE ADVISED:**

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Architectural Board of Review (ABR) approval and then a building permit.

5. **PLEASE NOTE:** A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit. The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
  - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
  - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
    - i. an Issuance of a Certificate of Occupancy for the use, or;
    - ii. one (1) year from granting the approval.



## LETTER

September 16, 2015

Suzanne Riegler  
Assistant Planner  
Community Development, Planning Division  
City of Santa Barbara  
630 Garden Street  
Santa Barbara, CA 93102

Subject: Oliver's Restaurant  
Substantial Conformance Determination Request for entry stair along Coast Village Road

Dear Suzanne,

This letter is a request for a Substantial Conformance Determination for the proposed relocated entry stair along Coast Village Road. We understand that the original modification (planning resolution 003-13 on 1/9/13) was for the stairs to be closer to Coast Village Road. Our proposal currently de-intensifies the prior modification by pushing the stair back (North) several feet to create a buffer between the sidewalk and the stairs. We feel that this is an improvement over what was previously approved. We would like to request a substantial conformance determination for these proposed entry stair along Coast Village Road as outlined in our REV2 ABR submittal.

Respectfully,

A handwritten signature in black ink, appearing to read 'Clay Aurell', with a stylized flourish at the end.

Clay Aurell, AIA, LEED AP  
Principal Architect



Matthew Beausoleil <mbeausoleil@abdesignstudioinc.com>

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**RE: 1198 COAST VILLAGE RD - OLIVER'S :: revised trash enclosure sketch**

1 message

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**Gumtow, Karen J.** <KGumtow@santabarbaraca.gov>

Wed, Aug 12, 2015 at 3:12 PM

To: Matthew Beausoleil <mbeausoleil@abdesignstudioinc.com>

Cc: "emailtosalesforce@2943pxw2422f1p61knv654qa9mdi3y37xr41fcfs24ro0szx3e.f-6ehrmay.na10.le.salesforce.com" <emailtosalesforce@2943pxw2422f1p61knv654qa9mdi3y37xr41fcfs24ro0szx3e.f-6ehrmay.na10.le.salesforce.com>

Looks good. Thanks for taking the time to get this right. ☺

**Karen Gumtow**

Environmental Specialist

(805) 564-5677 - office

kgumtow@santabarbaraca.gov

[www.SantaBarbaraCA.gov/Recycling](http://www.SantaBarbaraCA.gov/Recycling)



City Trash & Recycling

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**From:** Matthew Beausoleil [mailto:mbeausoleil@abdesignstudioinc.com]

**Sent:** Wednesday, August 12, 2015 12:43 PM

**To:** Gumtow, Karen J.

**Cc:** Clay Aurell; Nancy Patterson

**Subject:** 1198 COAST VILLAGE RD - OLIVER'S :: revised trash enclosure sketch

Hi Karen,

Thank you again for meeting with us on site last week. The meeting was productive and we appreciate your time and input. Please find a sketch attached to this message which outlines the enclosure that we laid out together on site. We have confirmed that the required bins will fit into the enclosure.

As a summary we will provide:

- (1) 2CY trash bin with 2/wk pickup
- (1) 2CY recycle bin with 2/wk pickup
- (2) 64G food scrap bins with 3/wk pickup

Please verify that this layout and outline are adequate.

Thank you

Matt





September 28, 2015

Re: 1198 Coast Village Road Project – Peabody's

Dear Chris Leonard,

After two site visits for the project at 1198 Coast Village Road conducted by both myself and Tito Escarcega, we have serious problems/challenges with the proposed trash enclosure.

As you know, the maximum slope percentage that we allow our employees to service containers on is 2%. At our meeting, you informed us that the slope in the driveway at this project, once re-built, will be 34%. This presents an unacceptable safety hazard to both our employees and our trucks.

First, our trucks cannot go up the driveway off of Coast Village Road and make the turn between the cars out to Middle Road. That means the truck would have to park on Coast Village, and the bins would have to be rolled down the 34% slope, and then pushed back up into the enclosure. An empty bin weighs several hundred pounds, and a fully loaded bin can weigh significantly more. A worker can seriously hurt themselves trying to maneuver a bin on this steep slope, and if he loses control of the bin it can injure pedestrians and private property. There is simply no safe way for our workers to handle bins on such a steep grade.

Additionally, if our trucks stop at the enclosure to service the bins, and then back out to Coast Village Road, there is a high risk of damage to the drop-axle at the back of the truck when it transitions from the steep grade of the driveway onto Coast Village Road. Similar situations in the past have caused significant damage to our trucks. Further, backing a garbage truck onto a busy street such as Coast Village Road is an additional safety hazard for us and the public. And finally, having a truck parked on an uneven 34% slope to service a bin creates more danger for our driver. These are all unnecessary risks that we need to avoid.

In the past when the restaurant was Peabody's, the trash bin was adjacent to Middle Road. This would be a far safer location for our drivers to service. We currently pick up trash for the hotel off Middle Road as well, and would use the same truck and times for both pick-ups.

The slope at this location would be 2%.

During our meeting we reviewed this alternative location (Exhibit A) which is preferred by us because it is accessible and is significantly safer for both our driver and the public.

According to your meeting held August 7<sup>th</sup> with Ms. Guntow, you informed us that this facility will require 2 – 2 yard bins; 1 for regular trash and 1 for recyclables and 2 - 64 gallon food scrap carts. Based on the information you provided we expect to pick up the containers 2 to 3 times a week, depending on the need.

Thank you for your time and if you have any questions, please feel free to call me at (805) 963-1852.

Sincerely,

Andy Prosser  
Environmental Compliance Manager  
MarBorg Industries  
728 E. Yanonali Street  
Santa Barbara, CA 93103



**28.89.050 Protections for Resident Households.**

A. **Right to Purchase (Right of First Refusal).** The members of any eligible resident household or eligible special needs resident household shall be given an exclusive right to contract for the purchase of a residential unit within any resulting development upon the same terms and conditions that the residential unit will be initially offered to the general public or on terms more favorable to the members of the eligible resident household or eligible special needs resident household. The exclusive right to contract shall be valid for at least ninety (90) days from the date of issuance of a Subdivision Public Report or the commencement of sales, whichever date is later. The manner in which any exclusive right to contract shall be exercised shall be in accordance with administrative rules established by the Community Development Department in the City's affordable housing policies and procedures. This Subsection shall not apply to applications for conversions of rental units to hotels or similar commercial uses.

B. **Right to Terminate Lease.** After receipt of the notice required pursuant to subsection 28.89.020.A and until the applicant's withdrawal of the application or the displacement of the resident household, the resident household shall have the right to terminate the lease or rental agreement without obligation for any rent that would accrue under the lease or rental agreement after the vacation of the residential unit by the resident household. An eligible resident household's election to terminate the lease and relinquish possession of the rental unit following receipt of the notice required pursuant to subsection 28.89.020.A shall not constitute a waiver of the eligible resident household's right to assistance pursuant to subsection 28.89.030.A.

C. **Notice to New Residents.** Any prospective resident household that applies for residency after an application has been filed shall be notified in writing of the pending application and the potential for displacement prior to occupying any rental unit. The form of this notice shall be approved by the Community Development Department. The failure of the property owner or applicant to give notice in accordance with this subsection shall not be a ground to deny the proposed land use action; however, the property owner shall pay monetary displacement assistance in the manner specified in Section 28.89.030 to each resident household that was entitled to notice pursuant to this subsection and who did not receive such notice. (Ord. 5401, 2006.)

EXHIBIT 'E'

**Chapter 28.90**

**AUTOMOBILE PARKING REQUIREMENTS**

**Sections:**

- |                  |  |                  |                                |
|------------------|--|------------------|--------------------------------|
| <b>28.90.001</b> | <b>In General.</b>   | <b>28.90.070</b> | <b>Handicapped Facilities.</b> |
| <b>28.90.045</b> | <b>Parking Design Standards.</b>                             | <b>28.90.100</b> | <b>Parking Requirements.</b>   |
| <b>28.90.050</b> | <b>Landscaping and Lighting.</b>                             |                  |                                |
| <b>28.90.060</b> | <b>Availability of Parking Spaces and Maneuvering Areas.</b> |                  |                                |

**28.90.001 In General.**

1. **MINIMUM REQUIREMENTS.** This chapter provides the minimum requirements and standards for the provision of off-street parking for all buildings, structures and uses in the City of Santa Barbara.

2. **EXISTING PARKING SPACE.** Where automobile parking space provided and maintained on a lot in connection with a main building or structure at the time this title becomes effective is insufficient to meet the requirements for the use with which it is associated, or where no such parking has been provided, said building or structure may be altered or enlarged, provided additional automobile parking spaces are provided to meet the standards for use in conformity with the requirements set forth in this chapter for the enlargement, extension or addition proposed. However, if an enlargement is more than fifty percent (50%) of the existing net floor area (excluding the garage), then parking shall be brought up to the current standards for the entire lot.

3. **COLLECTIVE USE OF SPACE.** Nothing in this Title shall prohibit the collective use of space for off street parking. The collective space shall remain available to all occupants and users of structures for which said permit is issued.

4. **PROGRAM FOR ALTERNATIVE TRANSPORTATION MODES.** A method for reducing the number of parking spaces required by this chapter for any land use is by granting a modification in accordance with Municipal Code Section 28.92.110 if the property owner files and obtains approval of a program of alternative transportation modes or other approved measures for employees working on the parcel and pays the City for any periodic verification procedures and expenses associated therewith.

5. No building permit for any structure referred to in the preceding subsections (3) and (4) shall be issued without the written approval of the Zoning Administrator as to compliance with the provisions of this chapter. In connection with the issuance of any modification, building permit, variance or conditional use permit, the City of Santa Barbara shall have continuing jurisdiction over any such permit for the purpose of requiring, upon thirty (30) days written notice given, off-street parking of like kind and quantity, whenever it appears to the Zoning Administrator that any collective parking rights or privileges of any permittee under any modification, variance, conditional use permit or building permit previously granted have expired or are about to do so. Any failure of any such permittee to provide such substitute off-street parking, effective as of the date of such expiration, together with the filing of documentary evidence of the right to the same with the Division of Land Use Controls, as herein provided, shall be deemed to be grounds for the revocation of any such permit, or in the alternative, the City of Santa Barbara may enforce such parking requirements by any legal remedy available to it.

6. **LOADING SPACE.** On the same premises with every building, structure or part thereof erected or occupied for any use, truck loading space shall be required if loading interferes with short-term or visitor parking. The requirements for such loading space shall be determined and approved in writing by the City's Transportation Engineer.

7. **DRIVEWAY ACCESS.** In any zone, for other than single- or two-family dwellings, driveway access from a public street to the required off-street parking area shall be as follows, provided that in no zone shall minimum access to the premises be by paved driveway of lesser width than is required by the Uniform Fire Code as amended and adopted by ordinance of this City.

a. Where such parking area contains less than twenty-five (25) parking spaces, driveway access shall be not less than ten feet (10') in width plus a minimum of three feet (3') in width of planting strip abutting any main building on the same lot or served by such driveway.

b. Where such parking area contains twenty-five (25) or more parking spaces, or a projected total of twenty-five (25) or more parking spaces, a two-way driveway shall be required with a minimum paving surface width of at least eighteen feet (18') plus a three foot (3') width of planting strip abutting any main building on the same lot or served by such driveway. Two (2) one-way driveways may be substituted for one (1) two-way driveway in which event the requirements of subparagraph a. herein shall be applicable to each such driveway.

The Architectural Board of Review, or Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark, may reduce or waive the requirement regarding the three (3) foot planting strip where alternative landscaping and designs are presented that result in landscaping and designs that are equally effective.

8. **PARKING IN REQUIRED YARD PROHIBITED.** In any zone, there shall be no parking space provided in any required yard, except that parking or turnaround areas may be allowed in the required interior yards in an R-3 or less restrictive zone for multiple-family dwellings, commercial buildings and office buildings if at least five percent (5%) of the total area used for parking, turnaround and driveway shall be landscaped.

9. **PARKING IN FRONT YARD PROHIBITED.** There shall be no parking space provided in any zone in the required front yard. Parking may be allowed in the remaining front yard, whether covered or uncovered, if screened by a decorative wall or fence and planting.

10. **HARD-SURFACED DRIVEWAYS REQUIRED.** All required off-street automobile parking areas and driveways shall be fully hard surfaced with asphaltic concrete of minimum thickness of two inches (2"), or other techniques or materials providing equivalent service. In order to comply with this subsection, such alternative techniques and materials must be approved in writing by the Fire Department and Transportation Engineer.

11. **ENTRANCES AND EXITS - PARKING LOTS.** Each entrance and exit to a parking lot shall be constructed and maintained so that a pedestrian within ten feet (10') of the driveway is visible to the driver when the vehicle is stopped at the property line.

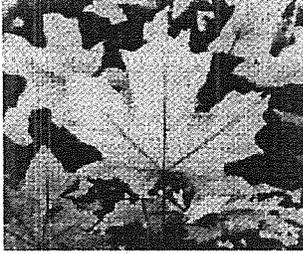
12. **DESIGN REVIEW.** All plans for improvement of parking areas shall be specifically reviewed and approved in accordance with the provisions of Chapter 22.22, 22.68, or 22.69 where applicable.

13. **MOTOR VEHICLES INCAPABLE OF MOVEMENT UNDER THEIR OWN POWER.** All motor vehicles incapable of movement under their own power, other than in cases of emergency, shall be stored in an entirely enclosed space or carport. This provision shall not apply in the case of auto wrecking establishments.

14. **CHANGE OF USE.** Whenever the type of use of any existing building is changed to another type of use that requires more parking spaces under this Chapter than were required for the prior use, there shall be provided additional permanently maintained parking spaces as required by this chapter for said building and any other existing buildings located on the parcel or parcels. The number of required additional parking spaces under this subsection shall be computed by determining if the number of parking spaces required for the new use is greater than that required for the previous use under this Chapter. If there is an increased number of parking spaces required for the new use, that increased number of additional parking spaces shall be added to the number of parking spaces required for the prior legal conforming or non-conforming use and the total of these two numbers shall be the number of parking spaces required for the new use.

15. **CONVERSION OF GARAGES.** Where required off-street parking spaces for one-family and/or two-family dwellings are provided in a garage or carport, and where it is proposed by the owner to convert said garage or carport to other use and to provide the required parking spaces elsewhere, a building permit for such conversion shall not be issued until all necessary clearing and grading of the new parking area has been accomplished and access has been provided thereto from a public street and such work has been approved by the Chief Building Official.





WESTREE

Peter Winn  
P.O. Box 22702  
Santa Barbara  
CA 93121  
  
805-966-3239  
Cont. Lic. #772299

September 18, 2015

Nancy Patterson  
Director of Operations  
COM Investments, LLC  
P.O. Box 5217  
Santa Barbara, CA 93150

Re: Oliver's Restaurant, 1188 Coast Village Road, Montecito. Public improvement Plan.

Dear Nancy,

Per the request from Chris of Giffin & Crane, I have reviewed the proposed public improvement plan required by the City that includes a new access pathway and the construction of a trash enclosure adjacent to an Ash tree (*Fraxinus uhdei*) in the northeast corner of the site just above Middle Road.

Currently the Ash tree is in good health and condition for this species of tree. It is relatively young tree with many more years of growth in the upper canopy and the root system. This species of tree however is well known for causing damage to adjacent infrastructure.

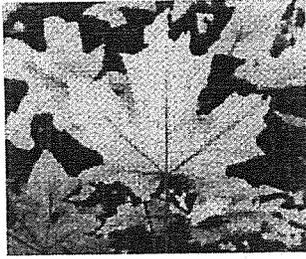
With all of the proposed development adjacent to this tree, I believe there will be a great deal of root cutting necessary. This will not only impact the overall health of the tree but will greatly compromise the structural integrity of this tree. Given the use of this building and the busy intersection nearby, I feel the tree will be a huge liability if not removed prior to all of the construction activities. Once the construction is complete, a new specimen tree can be selected and planted with a consideration to the surrounding properties.

If you have any further questions or comments, please do not hesitate to contact me.

Yours Sincerely,

Peter J.H. Winn  
I.S.A Certified Arborist #921

EXHIBIT C



WESTREE

Peter Winn  
P.O. Box 22702  
Santa Barbara  
CA 93121

805-966-3239  
Cont. Lic. #772299

October 19, 2015

Nancy Patterson  
Paralegal, project manager.  
COM Investments, LLC  
P.O. Box 5217  
Santa Barbara, CA 93150

Re: Addendum to previous letter dated September 18, 2015 for Oliver's Restaurant, 1188 Coast Village Road, Montecito. Public improvement Plan.

Dear Nancy,

Per your request, I met with you and Chris of Giffin & Crane to discuss and review the retaining walls and parking area construction work to be done adjacent to the remaining trees on the site, one Ash tree (*Fraxinus uhdei*) located in the northwest corner of the site and one Carrotwood tree (*Cupaniopsis anacardioides*) located in the southwest corner of the site.

Currently, both the Ash and the Carrotwood trees are in good health and condition for these species of tree. They are relatively young trees with many more years of growth in the upper canopy and the root system. Both species of trees however, is well known for causing damage to adjacent infrastructure.

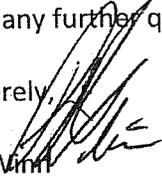
You had asked me if I was able to comment on any possible bird nests in these trees. I am not a qualified Biologist but I can say I have not observed any nests or potential nests at this time in the trees.

With all of the proposed development adjacent to these trees, I believe there will be a great deal of root cutting necessary. This will not only impact the overall health of the trees but will greatly compromise their structural integrity, particularly the Ash tree. Given the use of this building and the busy intersection nearby, I feel these trees will be a huge liability if there is an excessive amount of root cutting during the construction activities. I understand the owners would like to keep the Carrotwood tree closest to Coast Village Road but I feel that may not be possible given the amount of excavation necessary for the retaining walls. I suggest monitoring the excavation and making the call at that time.

Once the construction is complete, a new specimen tree can be selected and planted with a consideration to the surrounding properties in accordance with the Montecito Association and the City of Santa Barbara.

If you have any further questions or comments, please do not hesitate to contact me.

Yours Sincerely,

  
Peter J.H. Winn  
I.S.A Certified Arborist #921



2565 Puesta Del Sol Road #3  
Santa Barbara, CA 93105  
(805) 682-2065  
storrer.john@verizon.net

Nancy Patterson  
559 San Ysidro Road, Suite G  
Santa Barbara, CA 93108

October 21, 2015

**Re: Results of Survey for Nesting Birds - 1198 Coast Village Road, Santa Barbara, California**

Dear Ms. Patterson:

At your request, I conducted a survey of the referenced property on October 21, 2015. The purpose of the survey was to determine whether any breeding activity by migratory or resident birds was currently in progress. Redevelopment plans for the property include removal/replacement and/or trimming of three mature ash trees. These trees could afford nesting opportunities for birds.

The City of Santa Barbara has placed the following condition of approval on the project:

“Nesting Birds. No trimming or removing brush or trees shall occur if nesting birds are found in the vegetation. All care should be taken not to disturb the nest(s). Removal or trimming may only occur after the young have fledged from the nest(s).”

The survey was conducted between 12:05 and 12:30 PM under clear skies, with an air temperature of approximately 78°F and a light west wind. I inspected each of three (3) mature ash trees with aid of 8.5 x 42 Swarovski binoculars. The trees had moderate density foliage, affording good visibility.

I did not see any nest structures in the three trees. No birds were observed within the property boundaries and thus, no evidence of nesting behavior was recorded. Nesting may be inferred from various behaviors, including territoriality, courtship, or carrying food or nest material. The results of the survey indicate that there is currently no nesting in progress.

**EXHIBIT D**

The negative results were to be expected. The “nesting season” in the Santa Barbara Region is variously defined by City, County, and State regulatory agencies. The breeding season is protracted in the Santa Barbara Region because of the diversity of bird species and moderate climate. A reasonable, but conservative definition of the breeding season is February 1 through September 30, which would account for the onset of nesting by resident species through the period in which the vast majority of species will have fledged young.

In order to avoid incidental take or disruption of bird nesting activity, tree removal or limbing should ideally be done between October 1 and January 31. If the work must occur outside that interval, a field survey is advised to confirm that nesting is not in progress.

Please contact me if you have any questions concerning my observations, conclusions, or recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "John Storrer". The signature is fluid and cursive, with a large loop at the end.

John Storrer

**Storrer Environmental Services, LLC**  
2565 Puesta Del Sol Road #3  
Santa Barbara, CA 93105  
805.689.5982 mobile  
[john@storrerenvironmental.com](mailto:john@storrerenvironmental.com)  
[www.storrerenvironmental.com](http://www.storrerenvironmental.com)



## DESIGN REVIEW ACTIVITIES SUMMARY

**1188 COAST VILLAGE RD (MST2012-00231)**

**C-ALT**

*Proposal for exterior alterations to an existing 1,507 square foot commercial restaurant building. The project consists of adding a 725 square foot fixed cover and a 343 square foot retractable cover over an existing patio, replacement of this 950 square foot concrete patio in the same location, staining the existing shingle siding of the building, adding a new bar area and new outdoor heaters and patio lighting, replacement of an existing 6 to 7-foot tall wood fence, adding a new planter area, removal of an existing 48-inch diameter cypress tree located within the existing concrete patio, and interior remodeling. The existing 484 square foot wood patio will be replaced by permeable pavers. Seating for the restaurant is limited to 50 seats inside and 48 outdoor patio seats. The parcel is located within the non-appealable jurisdiction of the Coastal Zone.*

**Status:** *Building Permit Issued*

**DISP**

**Date 3**

**ABR-Consent (After Final)**

**PEND**

(Review After Final of the following changes: Omit gazebo and trellises, remove fireplace and chimney from the west elevation, door and window changes, and landscape and hardscape changes.)

**ABR-Concept Review (New)**

**CONT**

**06/25/12**

(Action may be taken if sufficient information is provided.)

Actual time: 5:47 p.m.

Present: Greg Schmandt Designer; Denise Allec, Tenant's Representative.

Public comment was opened at 5:58 p.m. As no one wished to speak, public comment was closed.

Motion: Continued two weeks to the Full Board with the following comments:

1. Removal of the Cypress tree is not acceptable unless justified by an Arborist's report.
2. The proposed architectural style of the patio covers is not consistent with the existing building.
3. Study removing or screening the existing roof equipment and the trash and storage areas at Middle Road.
4. Provide a landscaping plan for the front yard area along Middle Road and for all other proposed new planting.

Action: Gradin/Mosel, 5/0/0. Motion carried. (Sherry and Zink absent)

**ABR-Concept Review (Continued)**

**APVD**

**07/09/12**

(Second Concept Review; project was last reviewed on June 25, 2012. Action may be taken if sufficient information is provided.)

Actual time: 4:08

Present: Greg Schmandt, Architect; Sam Maphis, Landscape Architect; Denise Allec, Tenant's Representative.

Public comment was opened at 4:23 p.m. As no one wished to speak, public comment was closed.

Staff comments: Mr. Boughman reported that Tim Downey, Urban Forest Superintendent reviewed and concurred with the conclusions contained in the Arborist Report.

Motion: Project Design Approval and continued indefinitely to the Full Board with comments:

1. Consider adding a Monterey Cypress tree in the proposed new landscape areas
2. Verify trash enclosure and location complies with ADA requirements.
3. Applicant was requested to prepare a preliminary kitchen design to allow review of necessary rooftop kitchen equipment

screening.

Action: Gradin/Rivera, 5/0/1. Motion carried. (Zink abstained, Sherry absent)

The ten-day appeal period was announced.

**ABR-Final Review Hearing****CONT****08/06/12**

(Project last reviewed and received Project Design Approval on July 9, 2012.)

Actual time: 4:59 p.m.

Present: Greg Schmandt, Architect; Denise Allec, Tenant's Representative.

Public comment was opened at 5:02 p.m. As no one wished to speak, public comment was closed.

Motion: Continued one week to Consent with the comment to verify requirements for the height of the landscaping and encroachments in the right-of-way

Action: Rivera/Poole, 5/0/0. Motion carried. (Sherry/Zink absent.)

**ABR-Consent (Final Review)****APVD****08/13/12**

Final approval with the condition that the proposed replacement Monterey Cypress in the right-of-way is approved by the Parks and Recreation Commission. Two Evergreen Pear trees (street tree for Middle Road) are acceptable as an alternative if required by Parks and Recreation.

**ABR-Consent (After Final)****CONT****01/07/13**

(Review After Final for the demolition of a 36 square-foot as-built storage enclosure, demolition of the as-built trash enclosure, a new relocated trash enclosure and restriping the parking lot, the reconstruction of access stairways located in the front setback, and permitting the as-built 181 square-foot addition to the restaurant's service and storage areas located in the front setback and right-of-way on Middle Road. An accessible lift might be required for pedestrians. The project requires Staff Hearing Officer review of a zoning modification and a Public Works encroachment permit.)

Continued one week to Consent with comments:

- 1) The architecture of the as-built portion of the building in the setback is not acceptable. It lacks the aesthetic quality of the rest of the building. Study cleaning up and simplifying by removing the multiple roof and fascias and concealing with a parapet.
- 2) The trash enclosure and the restriping are acceptable.
- 3) Update the landscape plan and get Public Works approval before submitting for Final Approval.
- 4) Consider replacing the existing ivy plantings.

**ABR-Consent (After Final)****APVD****01/14/13**

(Second review of a Review After Final for the demolition of a 36 square-foot as-built storage enclosure, demolition of the as-built trash enclosure, a new relocated trash enclosure and restriping the parking lot, the reconstruction of access stairways located in the front setback, and permitting the as-built 181 square-foot addition to the restaurant's service and storage areas located in the front setback and right-of-way on Middle Road. An accessible lift might be required for pedestrians. The project requires Staff Hearing Officer review of a zoning modification and a Public Works encroachment permit.)

Final Approval of Review After Final of eave detail as noted on plans.

**ABR-Consent (After Final)****APVD****02/19/13**

(Review After Final to demolish and rebuild the as-built 181 square-foot addition to the restaurant's service and storage areas located in the front setback and right-of-way on Middle Road to comply with building codes.)

Approval as submitted of Review After Final.

The ten-day appeal period was announced.

**ABR-After Final (Staff Apvl)****APVD****06/05/13**

Admin ABR RAF for landscaping changes, providing 3 feet space between building and ROW, new trash enclosure, new gazebo.

**ABR-Consent (Final Review)****APVD****08/12/13**

(Review of color board and minor exterior details.)

Final Approval with the condition that the exterior handrails match the color of the light fixtures with a dark bronze patina.

**ABR-Consent (After Final)****CONT****06/16/14**

(Review After Final of the following changes: Omit trellises, omit gazebo, remove fireplace and chimney, add new pair of doors, lower bottom of a window, and wall and landscape changes.)

Present: Clay Aurell, Yvan LeBrock, AB Design Studio; Jamie West, General Manager.

Continued one week to Consent Review with the comments:

- 1) Provide elevations and details for the trash enclosure walls and gate.
- 2) Provide more details on the site plan such as wall heights and material.
- 3) Restudy the north elevation clerestory windows.
- 4) Provide better definition on the west elevation at the driveway.
- 5) Add cascading landscaping at the north elevation site wall.
- 6) Consider changing the proposed ash trees at the dining terrace to a smaller variety

**ABR-Consent (After Final)** **POST** **06/23/14**

(Review After Final of the following changes: Omit trellises, omit gazebo, remove fireplace and chimney, add new pair of doors, lower bottom of a window, and wall and landscape changes. Project was last reviewed on June 16, 2014.)

Postponed one week at the Applicant's request.

**ABR-Consent (After Final)** **POST** **06/30/14**

(Review After Final of the following changes: Omit trellises, omit gazebo, remove fireplace and chimney, add new pair of doors, lower bottom of a window, and wall and landscape changes. Project was last reviewed on June 16, 2014.)

**ABR-Consent (After Final)** **POST** **07/14/14**

(Review After Final of the following changes: Omit trellises, omit gazebo, remove fireplace and chimney, add new pair of doors, lower bottom of a window, and wall and landscape changes. Project was last reviewed on June 16, 2014.)

**ABR-Consent (After Final)** **POST** **07/21/14**

(Review After Final of the following changes: Omit trellises, omit gazebo, remove fireplace and chimney, add new pair of doors, lower bottom of a window, and wall and landscape changes. Project was last reviewed on June 16, 2014.)

Postponed one week at the Applicant's request.

**ABR-Consent (After Final)** **APVD** **07/28/14**

(Review After Final of the following changes: Omit trellises, omit gazebo, remove fireplace and chimney, add new pair of doors, lower bottom of a window, and wall and landscape changes. Project was last reviewed on June 16, 2014.)

Present: Clay Aurell and Yvan LeBrock, Architects for AB Design Studio.

Final Approval of Review After Final as noted on plan Sheet L-1.

**ABR-After Final (Staff Apvl)** **APVD** **01/13/15**

Final approval as submitted of patio dining tables and chairs. No quantities stated, applicant told to check with case planner on what is allowed per their proposed parking.

**ABR-After Final Hearing** **PEND** **08/12/15**

(Review After Final of the following changes to the approved project: Relocate bifold door resulting in a 185 square foot addition of floor area, relocation of trash enclosure, increase the roof height, changes to the existing entry stair and accessible lift, new service access ramp/kitchen entry, relocated parking, new plaster finish on site walls, new curb, sidewalk, and driveway apron on Middle Road, removal of a tree within the public right-of-way, and new landscaping. The Review After Final Changes to the project will require Zoning Setback Modifications.)

**ABR-Consent (After Final)** **CONT** **10/12/15**

(Review After Final of the following changes to the approved project: Relocate bi-fold door resulting in a 185 square foot addition of floor area, increase the roof height, changes to the existing entry stair and accessible lift, new service access ramp/kitchen entry, relocated parking, new plaster finish on site walls, new curb, sidewalk, and driveway apron on Middle Road, removal of a tree within the public right-of-way, and new landscaping. The revisions to the project will require Zoning Setback Modifications.)

Present: Clay Aurell, AB Design Studio; and Matt Beausoleil, Owner.

Motion: Continued indefinitely to the Staff Hearing Officer with the following comments, and return on Consent Review After Final with final changes to the project:

- 1) The Modifications requested along Middle Road are aesthetically appropriate.
  - a. Specifically, the modification for the trash enclosure due to the existing site conditions and access requirements. The trash enclosure wall facing Middle Road to the east should be planted out.
  - b. The access doors facing Middle Road should be appropriate to the style of architecture.
- 2) The Modifications requested along Coast Village Road to allow the changes to the access path and the increase roof height

are aesthetically appropriate.

a. The retaining wall at the westerly side of the pedestrian access should match the height and finish of the retaining wall and return towards the direction of the accessible lift.

3) Restudy the use of hedges and curb cuts at the south side of the parking stalls.

4) Restudy the planting at the east of the retaining wall of the accessible path along Middle road to provide larger plantings

5) The eastern side pedestrian access handrail along Middle Road should have vines or a hedge for screening.

Action: Gradin/Miller, 2/0/0. Motion carried.

The ten-day appeal period was announced.