



City of Santa Barbara
Community Development Department

Memorandum

DATE: January 18, 2019
TO: Historic Landmarks Commission
FROM: Planning Division
SUBJECT: 809 & 815 De la Vina St.; 208 W. De la Guerra St. - 38 Unit AUD Project

The purpose of this memorandum is:

1. To brief the Historic Landmarks Commission (HLC) on the Concept Review conducted by the Planning Commission on December 6, 2018; and
2. To recommend to the HLC conditions to apply at time of Project Design Approval.

Planning Commission Concept Review

The Planning Commission conducted a concept review of the project on December 6, 2018 (see Attachment 1). The consensus of the Planning Commission was that:

- The project is consistent with the goals and policies of the General Plan; and
- The size, mass, bulk, scale and height are appropriate for the project's location and neighborhood.

Some commissioners provided individual comments on the project, which are summarized in the minutes.

The Planning Commission also provided the following consensus comments:

- Encourage the Historic Landmarks Commission to support the 9.5' plate heights as shown on the plan.
- Encourage the Historic Landmarks Commission to keep the proposed hedges to maintain the separation between the open yard area and the street.

Conditions of Approval

Staff recommends that the HLC apply certain conditions of approval to the project (see Attachment 2).

Attachments:

1. Planning Commission Minutes, December 6, 2018
2. Conditions of Approval



City of Santa Barbara

PLANNING COMMISSION

MINUTES

DECEMBER 6, 2018

1:00 P.M.
City Hall, Council Chambers
735 Anacapa Street
SantaBarbaraCA.gov

COMMISSION MEMBERS:

Lesley Wiscomb, *Chair*
Sheila Lodge, *Vice Chair*
John P. Campanella
Jay D. Higgins
Mike Jordan
Deborah L. Schwartz
Addison Thompson

STAFF:

Tava Ostrenger, Assistant City Attorney
Allison De Busk, Senior Planner
Krystal M. Vaughn, Senior Commission Secretary

C. ACTUAL TIME: 2:18 P.M.

APPLICATION OF TRISH ALLEN, SEPPS, AGENT FOR 815 DE LA VINA LLC; 208 W. DE LA GUERRA STREET, 809 DE LA VINA STREET, AND 815 DE LA VINA STREET; APN 037-041-008, -009, AND -010; C-G (COMMERCIAL GENERAL) ZONE; GENERAL PLAN DESIGNATION: COMMERCIAL/ HIGH RESIDENTIAL/ PRIORITY HOUSING OVERLAY (MST2017-00017)

This is a Concept Review Hearing. The proposal consists of a new 38-unit, 38,957 square foot (net) residential project to be developed under the Average Unit-Size Density (AUD) Incentive Program at 208 W. De la Guerra Street, 809 De la Vina Street, and 815 De la Vina Street. The project includes a lot merger of three parcels (APNs 037-041-008, -009, and -010) to create a 29,275 square foot (net) lot. The project includes the demolition of the two-story, five-unit apartment building and one-story, one-unit cottage at 208 W. De la Guerra Street, the two-story commercial building at 809 De la Vina Street, and the one-story commercial building and shed at 815 De la Vina Street. The Ott House, a significant historic resource, located at 815 De La Vina Street, would be relocated to the corner of De La Guerra and De La Vina Streets and incorporated into the project.

The new residential building would consist of ten (10) studio apartments and twenty-two (22) one-bedroom apartments ranging from 440 square feet to 901 square feet. The Ott House has 6 residential units (four studio apartments, a one-bedroom apartment, and a two-bedroom apartment) ranging from 291 to 714 square feet. The project would have an average unit size of 567 square feet. A total of 40 vehicle parking spaces (38 standard, 2 accessible) and 40 bicycle parking spaces are proposed on the ground level of the proposed building.

The three parcels have a zoning classification of C-G (Commercial General) and General Plan Land Use designation of Commercial/ High Residential (28-36 du/ac)/ Priority Housing Overlay (37-63 du/ac). The proposed density for the merged 29,548 square foot (gross) lot would be 57 dwelling units per acre.

The project will require approval by the Historic Landmarks Commission.

This project requires Planning Commission Conceptual Review because the combined lot size is more than 15,000 square feet and the project is being proposed under the AUD Incentive Program Priority Housing Overlay. The purpose of this hearing is for Planning Commission and the public to review the proposed project design and provide the applicant, staff, and the Historic Landmarks Commission (HLC) with comments on the proposed improvements, design, and General Plan consistency (SBMC §30.150.060.E).

The opinions of the Planning Commission may change, or there may be ordinance or policy changes that could affect the project that would result in requests for project design changes. **No formal action on the development proposal will be taken at the concept review, nor will any determination be made regarding environmental review of the proposed project.**

RECUSALS: To avoid any actual or perceived conflict of interest, Commissioner Campanella recused himself from hearing this item due to the ownership of property within 500 feet of the proposed project.

Kathleen Kennedy, Project Planner, gave the Staff presentation.

Anthony Grumbine, Commissioner from the Historic Landmarks Commission (HLC) provided comments on behalf of the HLC.

Trish Allen, Agent; Jeremy H Bassan, Owner; and Brian Cearnal, Architect; gave the Applicant presentation. Tim Hazeltine and Pam Post, Post/Hazeltine Associates, and Sam Maphis, Earth Form Design, were available to answer questions.

Public comment opened at 3:05 p.m.

The following people spoke in support:

1. Elliot McDougal
2. Jessy Gaddy
3. Jesse Aizenstat
4. Kerri Ferrari
5. Noah Dentzel
6. Shannon Batchev, Coastal Housing Coalition

The following people spoke in opposition or with concerns:

1. Gary McDermott said that the proposed project is too tall and will eliminate his view of the mountains and sky.
2. Matt Williams is concerned with the height of the proposed building and believes it will interrupt the existing natural airflow. He is concerned that there will be noise complaints from new residents about his existing commercial business. He stated that the number and length of time for the story poles was inadequate and deceptive. Prefers a two-story project.
3. Don Elconin expressed that the proposed project is inconsistent with existing zoning and the General Plan, is out of place and not in scale with the neighborhood, will increase traffic congestion, and will set an untenable precedent. He said the massive building creates an imposing, unbroken, 36-foot wall along his property; the project

needs to be reduced and broken up. The story poles were not up for an appropriate amount of time.

4. Thuthiri Lwin expressed concerns with parking, affordability, and dust/noise pollution from construction of the project.

Written correspondence from Paulina Conn, Shannon Clark Batchev (Coastal Housing Coalition), and Don Elconin were acknowledged.

Public comment closed at 3:28 p.m.

The project is consistent with goals and policies of the General Plan.

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Campanella)

The size, mass, bulk, scale, and height are appropriate for the project’s location and neighborhood.

Ayes: 4 Noes: 2 (Lodge and Higgins) Abstain: 0 Absent: 1 (Campanella)

Individual comments on the motion:

Commissioner Thompson:

- Noted his soft yes for the motion. The size and scale of the project is appropriate; however, the mass and height viewed from the back of the project could use some more study.

Commissioner Lodge:

- Whatever can be done to reduce the size, mass, bulk, scale, and height of the project would be appreciated; it is still a big building for that neighborhood.
- Study a better relationship between the proposed project and the immediate property to the west.

Commissioner Higgins:

- The exhibits provided to show the compatibility between the proposed project and existing properties are not compelling and could be restudied and improved when returning to the HLC.
- The story poles put up for this project should have been available to view for longer than two days.

Encourage the Historic Landmarks Commission to support 9.5’ plate heights as shown on the plan.

Ayes: 4 Noes: 1 (Lodge) Abstain: 1 (Thompson) Absent: 1 (Campanella)

Encourage the Historic Landmarks Commission to keep the proposed hedges to maintain separation between the open yard area and the street.

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Campanella)

**Historic Landmarks Commission
Conditions of Approval**

809 & 815 De la Vina Street; 208 W. De la Guerra Street

1. **Approved Development.** The development of the Real Property approved by the Historic Landmarks Commission on January 23, 2019 is limited to a new 38-unit residential project using the Average Unit-Size Density Incentive Program. The project includes the demolition of 2 one-story buildings and 2 two-story buildings, the relocation of the Ott House to the corner of the project site, and the construction of a new three-story residential building. The residential units consists of 14 studio apartments, 23 one-bedroom apartments, and 1 two-bedroom apartment. The units range in size from 291 to 901 square feet with an average unit size of 567 square feet. The density is 57 units per acre. The project includes 41 vehicle parking spaces and 40 bicycle parking spaces. The project includes a lot merger of three parcels (APNs 037-041-008, 037-041-009, 037-041-010).
2. **Rental Housing.** Prior to building permit issuance, the owner of real property developed with Rental Housing in the Priority Housing Overlay must record a written covenant, in a form acceptable to the City Attorney, by which the owner agrees to maintain the rental housing use for as long as the property is developed and maintained at the incentive densities provided in SBMC Chapter 30.150 (Average Unit-Size Density Incentive Program).
3. **Annual Resident Survey.** For informational purposes only, the owner of all Average Unit-Size Density Incentive Program projects in the Medium High and High Density and Priority Housing Overlay zones shall conduct an annual resident survey and report the following information for each unit to the Planning Division by December 31st of each year for the first eight years of the project commencing six months after the final Certificate of Occupancy. The annual report for each unit shall include:
 - a. Net floor area.
 - b. Number of bedrooms.
 - c. Monthly rent (or condominium purchase price) and utilities.
 - d. Periods of vacancy.
 - e. Household size.
 - f. Current employment location of each adult resident by zip code.
 - g. Prior employment location of each adult resident by zip code.
 - h. Prior residence zip code for each adult.
 - i. Number of cars, trucks and bikes owned by each resident. Please list types of alternative transportation used (if any).
4. **Historic Resources.** The project shall comply with the recommendations of the Revised Phase 2 Historic Sites/Structures Report (Post/ Hazeltine Associates, Nov. 20, 2018) accepted by the Historic Landmarks Commission on November 28, 2018.
5. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: 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. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The

latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

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

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