



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: September 30, 2005
AGENDA DATE: October 6, 2005
PROJECT ADDRESS: 1568-1576 La Vista del Oceano Dr. (MST1999-00714; MST99-00513; MST98-00706; MST2003-00652; MST1999-01043)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
Jan Hubbell, AICP, Senior Planner
Marisela G. Salinas, Associate Planner

I. PROJECT DESCRIPTION

The project consists of five inter-related applications located at the end of the lower portion of La Vista del Oceano Drive, which is currently unimproved, and centrally located in that neighborhood (*See Exhibits B and C*). The affected project site totals approximately an acre and a half. There are new residences and associated improvements proposed at 1568, 1570, 1575, and 1576 La Vista del Oceano Dr. The upper three lots (1568, 1570 and 1576 La Vista del Oceano Dr.) would be accessed from a private driveway that comes off of La Vista del Oceano Drive.

The proposal includes raising the La Vista del Oceano Drive road bed a maximum of eight feet and completing the roadway to Ricardo Avenue in order to provide vehicular access to the lots. Improvements to the roadway include guard rails along portions of La Vista del Oceano Drive as required by Transportation Staff, curb and gutter, and a graded shoulder for pedestrian access. In order to raise the road bed, some grading will be required on neighboring parcels (1562 & 1564 La Vista del Oceano Dr.) that are not directly related to this project.

Due to topographical site constraints, the raising of the roadbed and a shared driveway for the upper lots, numerous retaining walls (which vary in height) will be required for this project. The tallest retaining walls would reach approximately 11 feet, although most would be less than six feet. Additionally, guard rails/fences will be required in certain areas for safety purposes.

Overall construction time for the proposed projects would be approximately 14 months. There are three phases to the construction process. Phase 1, which consists of site clearing and rough grading of the lots and road, should take approximately 6 weeks. Phase 2, which involves the retaining walls, building foundations, utilities, and road improvements, should last approximately 10 weeks. The last phase, which involves the construction of the residences, concrete driveway and project landscaping, should be completed in approximately 10 months.

II. REQUIRED APPLICATIONS

The following discretionary applications are required for each component of the project:

1. 1568 La Vista del Oceano Drive (035-180-085/Bucciarelli - Banko)
 - (a) Neighborhood Preservation Ordinance Compliance is required to allow grading in excess of 500 cubic yards (SBMC §22.68.070). The project site is located within the Hillside Design District.
 - (b) A Modification to allow fences, walls, and hedges within the required front yard setback and on either side of a driveway to exceed 3-½' in height in the E-1 Zone (SBMC §28.87.170).
2. 1570 La Vista del Oceano Drive (035-180-084/Macofsky – Meaney)
 - (a) Neighborhood Preservation Ordinance Compliance is required to allow grading in excess of 500 cubic yards (SBMC §22.68.070). The project site is located within the Hillside Design District.
 - (b) A Modification to allow fences, walls, and hedges within the required front yard setback and on either side of a driveway to exceed 3-½' in height in the E-1 Zone (SBMC §28.87.170).
3. 1575 La Vista del Oceano Drive (035-170-023/Schechter – Gradin) & (035-170-022/Geyer)
 - (a) A Modification to allow fences, walls, and hedges within the required front yard setback and on either side of a driveway to exceed 3-½' in height in the E-1 Zone (SBMC §28.87.170).
 - (b) A Modification to allow encroachment into the required front yard setback in the E-1 Zone (SBMC §28.15.060.1).
 - (c) A Modification to allow parking in the required front yard setback in the E-1 Zone (SBMC §28.15.060.1 and §28.90).
 - (d) A Modification to provide less than the required 1,250 square feet of open yard in the E-1 Zone (SBMC §28.15.060.3).
 - (e) Voluntary Lot Merger of APN 035-170-023 and 035-170-022.
4. 1576 La Vista del Oceano Drive (035-180-058/Geyer – Meaney)
 - (a) Neighborhood Preservation Ordinance Compliance is required to allow grading in excess of 500 cubic yards (SBMC §22.68.070). The project site is located within the Hillside Design District.
 - (b) A Modification to allow fences, walls, and hedges within the required front yard setback and on either side of a driveway to exceed 3-½' in height in the E-1 Zone (SBMC §28.87.170).

- (c) A Modification to allow parking in the required interior yard setback in the E-1 Zone (SBMC §28.15.060.2 & §28.90).

5. La Vista del Oceano Drive Roadway, including:

“Hairpin Lot” on La Vista del Oceano Drive (035-170-022/Geyer)

1564 La Vista del Oceano Drive (035-180-077 – D’Hoker/Enders)

1562 La Vista del Oceano Drive (035-180-078 - Converse)

- (a) Neighborhood Preservation Ordinance Compliance is required to allow grading in excess of 500 cubic yards (SBMC §22.68.070). The project site is located within the Hillside Design District.
- (b) A Modification to allow fences, walls, and hedges within the required front yard setback and on either side of a driveway to exceed 3-½’ in height in the E-1 Zone (SBMC §28.87.170).

III. RECOMMENDATION

Because the various projects are partially integrated, they have been reviewed together throughout the most of the process. Major issues involved with these projects are related to the findings that must be made in order to approve the projects. Report discussion and analysis is organized around the various findings.

An Initial Study was prepared by Staff to analyze the potential environmental impacts of the project. The environmental analysis identifies potentially significant but mitigable environmental effects in the following issue areas: geophysical conditions, hazards, noise (short term), and water environment. Also evaluated in the document as less than significant impacts are aesthetics, air quality, biological resources, cultural resources, hazards, noise, population and housing, public services, recreation, transportation/circulation, and water environment issues.

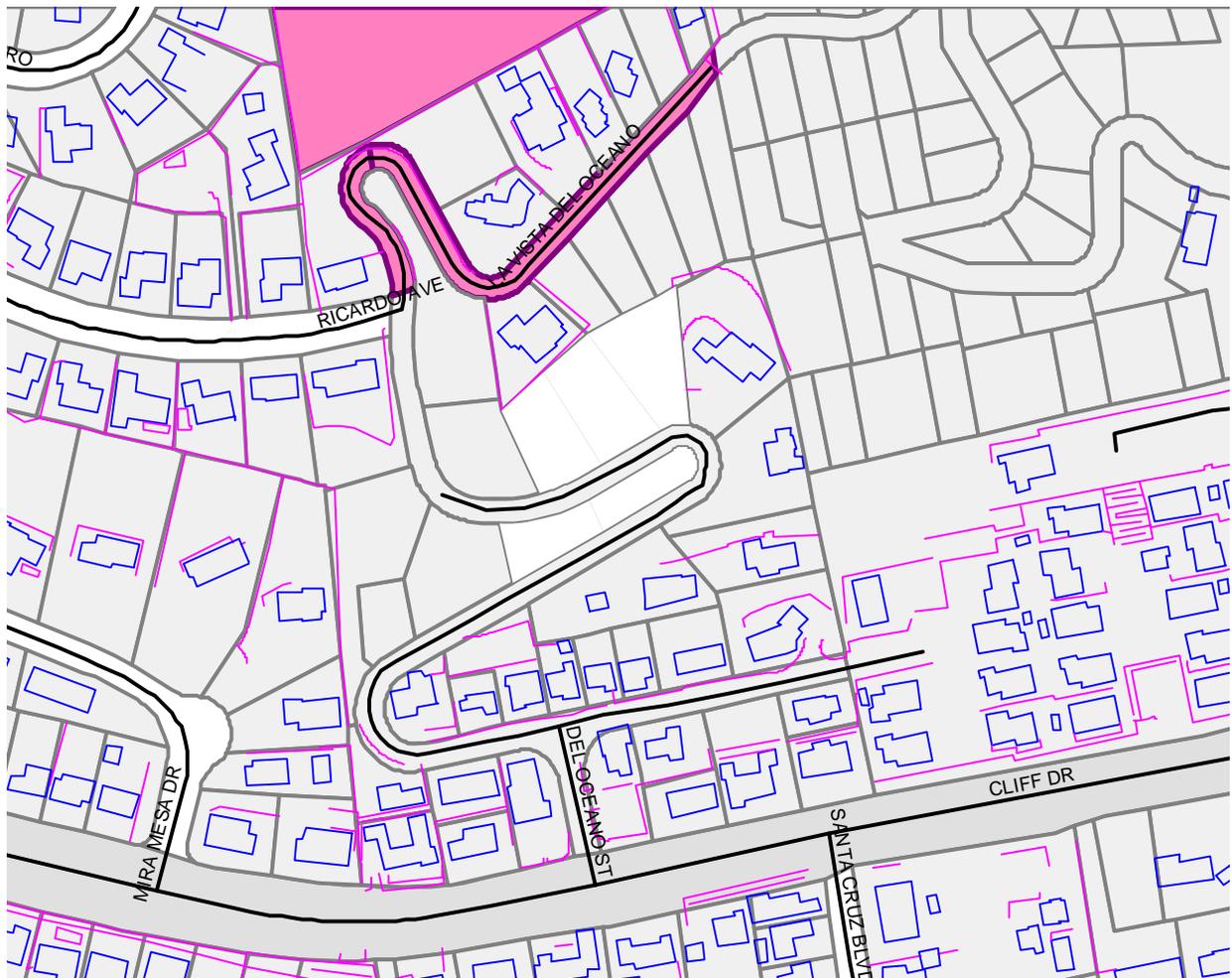
Overall, Staff is supportive of the approach and most of the components. In reviewing the upper three homes, the main issue driving the design is providing adequate vehicular access to the sites. The proposed solution, which includes completion of the roadway and a combined driveway for the upper lots, was the preferred solution by the subcommittee and the Architectural Board of Review. The roadway design and the homes have been reviewed numerous times by the Architectural Board of Review to create a project that is consistent with the surrounding neighborhood. The mass, bulk and scale of the proposed homes is consistent with approvals by the Architectural Board of Review in that neighborhood and with comparable lots (in terms of lot size and slope) in the immediate vicinity. The grading and use of retaining walls have been reviewed extensively by the Architectural Board of Review to minimize the amount of export and reduce the amount and height of retaining walls.

Staff, however, does have concerns with the number of modifications required for the approval of the lower site at 1575 La Vista del Oceano Drive. Although the project does not require that the roadbed be raised for this site, its slope and lot configuration necessitate the need for

several modifications for any development on the site. Staff asks that the Planning Commission discuss whether it is appropriate to approve a development on this very narrow, steep site with street frontage on three sides.

The project would be consistent with the City's Zoning and Building Ordinances with approval of the requested modifications and Neighborhood Preservation Ordinance Compliance. Staff recommends that the Planning Commission make the findings outlined in Section XI of this report, adopt the Final Mitigated Negative Declaration, adopt the Mitigation Monitoring and Reporting Plan, and approve the project, with the exception of 1575 La Vista del Oceano Drive, subject to the Conditions of Approval contained in Exhibit A. Staff also requests that the Commission provide additional direction as to what would be appropriate development at 1575 La Vista del Oceano Drive. If the Commission opts to approve the development at 1575 La Vista del Oceano Drive, additional findings similar to those for the other sites will need to be made as well.

IV. VICINITY MAP



V. SITE INFORMATION AND PROJECT STATISTICS

A. GENERAL SITE INFORMATION

Applicant: Bob Goda	General Plan: Residential – 3 units per acre
Existing Use: Vacant	Zoning: E-1, One-Family Residence Zone
Adjacent Land Uses: North - Single family residential East - Single family residential South - Single family residential West - Single family residential	

B. SITE SPECIFIC INFORMATION/PROJECT STATISTICS

Address	1568 La Vista del Oceano Dr.	1570 La Vista del Oceano Dr.	1575 La Vista del Oceano Dr.	1576 La Vista del Oceano Dr.
Property Owners	Eugene & Patricia Bucciarelli	Sidney & Pamela Macofsky	Gene Schecter	David & Jane Geyer
Parcel Number	035-180-085	035-180-084	035-170-023 & -022*	035-180-058
Slope:	29.5%	30%	50%	35%
Lot Area:	11,620 sq. ft.	12,766 sq. ft.	14,302 sq. ft.*	16,400 sq. ft.
F.A.R.	0.28	0.26	0.20*	0.24
Unit Size	3,230 sq. ft.	3,377 sq. ft.	2,828 sq. ft.	3,875 sq. ft.
Living Area	2,630 sq. ft.	2,541 sq. ft.	2,392 sq. ft.	3,175 sq. ft.
Garage	500 sq. ft.	468 sq. ft.	436 sq. ft.	500 sq. ft.
Accessory Space	100 sq. ft.	268 sq. ft.		200 sq. ft.

*This takes into account the merging of parcels 035-170-023 and 035-170-022

VI. BACKGROUND

The Architectural Board of Review (ABR) has conceptually reviewed the homes and roadway extension numerous times since 1998 (*See Exhibit D - Attachment 12*). The design review process began with the review of one home and then over time the two other upper lots were added. It was suggested that the three applications (1568, 1570, and 1576 La Vista del Oceano Drive) be combined into one, in order to process the access and grading for all three lots as one project. The common hurdle for the upper lots was attaining appropriate access to the sites. The applicants looked at various options that included a hammerhead instead of a through-street at La Vista del Oceano Drive and individual driveways for each lot instead of a shared driveway. The prior reviews of this project included conceptual review by the Planning Commission (PC) in March 2001 to consider whether the roadway should be completed. There was also a subcommittee formed with ABR and PC representatives to consider other viable access options to the site. The project before the Commission was found to be the most feasible. The lower home (1575 La Vista del Oceano Dr.) was added in 2004 to this group of projects, although the raising of the road bed is not necessary for the construction of this residence.

VII. ENVIRONMENTAL REVIEW

Environmental review of the proposed project has been conducted pursuant to the California Environmental Quality Act (CEQA). An Initial Study and Mitigated Negative Declaration were prepared to evaluate the project's potential impacts on the physical environment. The analysis identified potentially significant but mitigable environmental effects in the following issue areas: geophysical conditions, hazards, noise (short term), and water environment. Also evaluated in the document as less than significant impacts are aesthetics, air quality, biological resources, cultural resources, hazards, noise, population and housing, public services, recreation, transportation/circulation, and water environment issues. The analysis concludes that no significant environmental impacts would result from the project as mitigated. Below is a brief summary of the Final Mitigated Negative Declaration evaluation.

A. GEOPHYSICAL

Separate foundation exploration reports and geology reports were submitted for the individual sites that comprise this project, with the most recent updates prepared in 2004. The site-specific geologic and soils reports conclude that the sites are suitably stable for development with application of recommended grading and engineering methods. Building and Safety Staff, have reviewed the reports and the updates for the subject properties and agree with the licensed engineers' initial conclusions and design assumptions. The engineering solutions will be further reviewed during the building plan check process and throughout the construction phase. The engineering solutions will be incorporated into the project design as a condition of approval.

Additionally, by collecting and transmitting on-site drainage in a non-erosive manner to the drainage course and precluding concentrated run-off and erosion, the potentially significant impact of the small-scale surficial earthen failures would be minimized. Also, short-term erosion and sedimentation during project grading, site preparation and construction would be reduced to less than significant impacts with required grading, erosion and drainage control measures.

The proposal has been reviewed by the Architectural Board of Review extensively to minimize grading and retaining walls, and to fit into the topography. The project siting, designs, architecture, and landscaping would continue to be subject to review and approval by the ABR to meet adopted hillside design guidelines. The proposed grading design implements the City's Hillside Housing Techniques and the grading plans for the project would be compatible with the site's natural contours as much as feasible given the need to raise the road bed and create a shared driveway in order to provide adequate access to the upper lots. Impacts from topographic modification and gradient changes would be less than significant.

B. HAZARDS

The project site has no known contamination and is not listed on the County Fire Department Hazardous Materials parcel listings. The project site is not located close to

sources of public safety or health hazards, such as pipelines. However, there is an abandoned oil well located beyond the minimum distance requirements of 50 feet from the closest proposed building. It is a dry hole that was abandoned in 1936 and does not meet current standards for abandonment. There is conflicting information on the exact location of the abandoned oil well; therefore, the well will be required to be plugged and abandoned to current California Department of Conservation, Division of Oil, Gas, & Geothermal Resources specifications if found during the construction activities.

The project site is located in the High Fire Hazard area. Future residential construction would be landscaped and built to comply with City high fire hazard requirements for access, construction, water availability, and vegetation brush clearance with application of vegetation landscape and management zones around developable areas. Given this, the potential significant effect would be reduced from significant, avoidable levels to less than significant levels.

C. NOISE

The proposed project is not anticipated to have significant long-term noise impacts. Noise during construction is generally intermittent and sporadic and after completion of initial grading and site clearing activities, tends to be quieter. Noise generated during project grading activities would result in a short-term adverse construction impact to residential receptors in the area. Potentially significant temporary construction-related impacts would be reduced to less than significant levels through standard application of noise mitigation measures.

D. WATER QUALITY

Penfield & Smith prepared a preliminary drainage report analyzing the proposed project. Because the lower La Vista del Oceano Drive area is already subject to excess storm runoff, it had to be demonstrated that no additional runoff would result from the proposal. The precipitation runoff for 25-year and 100-year events for the proposed project was estimated to be increased by an additional 0.2 cubic feet per second (cfs). In order to mitigate the 0.2 cfs increase, an underground detention basin is proposed on the "Hairpin" lot (APN 035-170-022). The calculations in the drainage report confirmed that there will be no increase in the amount of peak run-off discharged from the project site with the incorporation of a detention basin. The detention basin is a very important component of the drainage plan to mitigate storm runoff from the project site. The storm water collected in the detention basin would be released slowly to the street to minimize impacts. Storm water runoff from 1576 La Vista del Oceano Drive and the western portion of 1570 La Vista del Oceano Drive would be collected into a storm drain system that will discharge into the detention basin. The basin would reduce the peak runoff for a 25-year event by 0.35 cfs and 0.22 cfs for a 100-year event. The current project for the four residences and roadway construction would not increase the storm runoff to existing drainage facilities due to the incorporation of an underground detention basin and would therefore involve a less than significant drainage impact. The report also states that the roadway has adequate

surface flow capacity within the project site to handle the 25-year storm peak flow for both pre and post project conditions. The new portion of the road would be constructed with an adequate cross slope to direct runoff to the up-slope side of the road and into a new gutter. Additionally, a new gutter will be constructed along the lower frontage of 1575 La Vista del Oceano Drive. There is currently no gutter along the lower portion of the existing road. All drainage improvements would be subject to design in accordance with hydrology calculations, City Ordinance provisions, and review by the City Building and/or Public Works Engineering Divisions.

When proposals are reviewed by the City, projects are required to address project-specific impacts. In impacted areas, it must be demonstrated that a proposal will not exacerbate the existing situation. As proposed, the project will not result in additional impacts beyond the project area; therefore, additional mitigations are not necessary. Numerous concerns raised during the public review period relate to existing conditions along the lower portion of La Vista del Oceano Drive. If the areas of concern are related to public improvements in the lower portion of La Vista del Oceano Drive, the neighbors may submit a written petition to the City to review the situation and include it in the Capital Improvement Program Plan. Once submitted, all petitions are evaluated and prioritized in relation to numerous other public improvement projects in the City.

Estimated grading for the homes and roadway would consist of 3,427 cubic yards of cut and 3,076 cu. yds. of fill outside the main building footprints and 1,543 cu. yds. of cut and 5 cu. yds. of fill within the building footprints. This earthwork creates the potential for erosion and sedimentation affecting water quality, a potentially significant impact. However, the potential for short-term water quality impacts due to erosion and sedimentation during grading would be minimized with implementation of required mitigation measures including avoidance of grading during the rainy season, and best management erosion control measures.

E. AESTHETICS

The significance of aesthetic impacts is assessed based on a consideration of the proposed physical change and project design within the context of the surrounding visual setting. A visual photographic study of the project provides representative views of the site from surrounding public areas, including Cliff Drive, Shoreline Drive and Mesa Park. Statistics on surrounding area lot sizes, building square footage per lot, and floor area ratios are also provided to evaluate project compatibility with surrounding comparable area development patterns on La Vista del Oceano Drive. The site and project is limited in size and scope. The project would be located on a hillside and would be intermittently visible from various public and private viewpoints within the Coastal Zone. The development would not block scenic public views of the mountains, foothills, or coastline. The existing public views across the site provide openness between built areas, but do not have substantial scenic quality nor include views of important visual features such as mountains, lush natural vegetation, unique geologic features or water features. This project has been reviewed by the Architectural Board of Review and has been revised from initial reviews that would

reduce potential impacts to less than significant levels. The project has been designed to minimize grading and retaining walls, and fit into the topography. Appropriate landscape screening would enhance the current unvegetated view and soften views of the development. The project siting design, architecture, and landscaping would be subject to review and approval by the Architectural Board of Review to meet adopted visual design guidelines. Findings concerning neighborhood and site compatibility and visual effects are required by the Planning Commission and ABR in order to approve the project. Subsequent ABR Preliminary and Final Design Review approvals may further refine project site design, architecture, and landscaping etc. With this review, the project effects on public scenic views, visual aesthetics and compatibility would be less than significant.

F. AIR QUALITY

The proposed project is not anticipated to have significant long-term air quality impacts. Short-term impacts due to project construction of approximately 14 months, including grading, paving and landscaping, are potentially significant but avoidable with incorporation of standard dust control mitigation measures to less than significant levels.

G. BIOLOGICAL RESOURCES

The site has limited habitat value, but as an open, undeveloped area, the site is used by urban-adapted wildlife such as birds, rodents, and small mammals for movement and foraging. Development with low-density residential uses would not preclude this use. The landscape plans would add numerous trees (currently there are none), and would therefore result in a long-term net benefit for some species. The site was surveyed by a licensed biologist who confirmed that no sensitive plant species listed or proposed for listing by federal or state agencies are known or expected to inhabit the project site. The report concluded that the site did not sustain sensitive species or habitat. The project site is limited in size and contains a minimal and disturbed habitat within an urbanized setting. The loss in non-native grassland would be less than significant.

H. TRANSPORTATION/CIRCULATION

The Transportation Division identifies all the nearby intersections as operating at acceptable levels (LOS A or B). The project is expected to generate approximately 3 additional a.m. peak hour trips, 4 p.m. peak hour trips and 38 average daily trips. A traffic analysis was prepared that included an assessment of the existing traffic conditions within the study area, determined the expected trip generation and distribution for the project, evaluated the potential traffic impacts to the surrounding intersections, and evaluated whether intersection improvements would be warranted at any of the study intersections. In order to address concerns about increased traffic resulting from connecting upper and lower La Vista del Oceano Drive, traffic counts were conducted at Meigs Road/Ricardo Avenue, Meigs Road/Dolores Drive, Meigs Road/Cliff Drive, and La Vista del Oceano Drive/Cliff Drive to determine traffic patterns and distribution. Based on that information, it was concluded that approximately 20% of the upper La Vista del Oceano Drive traffic

might prefer to use the proposed connected roadway. This would bring the estimated traffic going down the new connected roadway (including project traffic) to 6 future additional a.m. peak hour trips, 8 p.m. peak hour trips, and 82 average daily trips. When these trips are added to the existing street network they would not result in significant traffic impacts. Given this, existing and projected future traffic volumes and conditions do not meet any of the "Manual of Uniform Traffic Control Devices" requirements for installation of traffic control devices such as all-way stop signs and traffic signal installations. Additionally, the projected traffic volumes are not anticipated to decrease the levels of service in the surrounding intersections per adopted City traffic impact significance thresholds. No Congestion Management Plan impacts would occur. Therefore, long-term traffic impacts would be less than significant.

The project would generate construction-related traffic that would occur over the approximate 14-month construction period, which would vary depending on the stage of construction. Temporary construction traffic would be an adverse but not significant impact. Standard mitigation measures are recommended, consistent with City Circulation Element Policy, including restrictions on the hours permitted for construction trips and approval of routes for construction traffic to minimize short-term traffic effects.

In terms of parking, Transportation Planning Staff calculated the parking demand generated by the project as 8 spaces. With the completion of the roadway, no additional on-street parking would be provided. To address the lack of on-street parking, each site includes an additional guest parking space beyond the current requirement of two covered parking spaces. This would meet the average parking demand for the residents and guests of each proposed site, unlike other existing and approved developments in the area, which were only required to meet the minimum of two covered parking spaces. Transportation Planning Staff has determined that parking demand for project residents and guests would be met on-site, and no parking impact would result.

A Draft Mitigated Negative Declaration (MND) was prepared and released for public review. During the public review period from May 18, 2005, to June 16, 2005, public comment on the draft MND was taken.

An Environmental Hearing was held on June 9, 2005 for the project. Environmental concerns related to visuals, grading, slope stability, erosion, drainage, and traffic/parking were raised. These issues are outlined in the Staff response to public comments incorporated into the revised Mitigated Negative Declaration (Exhibit D).

The Final Mitigated Negative Declaration has identified no significant and unavoidable impacts related to the proposed project. Pursuant to CEQA and prior to approving the project, the Planning Commission must consider the Mitigated Negative Declaration. For each mitigation measure adopted as part of a Mitigated Negative Declaration, the decision makers are required to make the mitigation measures conditions of project approval and adopt a program for monitoring and reporting on the mitigation measures to ensure their compliance during project implementation [PRC Sec.21081.6]. The mitigation measures described in the proposed Final Mitigated Negative Declaration have been incorporated into the recommended conditions of

project approval for this project. In addition, a mitigation monitoring and reporting program (MMRP) is included in the project’s Final Mitigated Negative Declaration.

VIII. ZONING ORDINANCE CONSISTENCY

The table below summarizes the Zoning Ordinance requirements and how each project site meets those requirements. When a standard is not met, it is shown in bold and italicized.

Standard	Requirement /Allowance	1568 La Vista del Oceano Dr.	1570 La Vista del Oceano Dr.	1575 La Vista del Oceano Dr.	1576 La Vista del Oceano Dr.
Setbacks					
-Front	25 ft*	98 feet	45 feet	<i>6.5 feet</i>	28 feet
-Interior	10 feet	10 feet	10 feet	10 feet	N/A
-Rear	10 feet	26 feet	63 feet	N/A	49 feet
Building Height	30 feet	21 feet	23 feet	30 feet	22.5 feet
Parking	2 covered	2 covered, 1 uncovered			
Open Yard	1,250 sq. ft.	1,250 sq. ft.	1,250 sq. ft.	N/A	1,250 sq. ft.
Lot Coverage					
-Building	N/A	22.3%	17.3%	09.1%	14.4%
-Paving/ Driveway	N/A	14.9%	16.2%	03.5%	04.4%
-Landscaping	N/A	53.1%	60.0%	87.4%	74.8%

*See Front Yard Setback discussion in Section VIII.A.

A. FRONT YARD SETBACK

The front yard setback for the E-1 Zone is 30 feet. However, where the average natural slope of the front half of a lot in an E-1, E-2, E-3 or R-1 zone is more than 20%, the front yard may be reduced by not more than five feet (5’) (SBMC §28.15.065). The applicant submitted slope calculations that demonstrated that all of the lots qualify for this reduction; therefore, the required front yard setback for these lots is 25 feet.

The proposed development at 1575 La Vista del Oceano Drive, currently involves encroachments into the required front yard setback. The building is approximately 6.5 feet from the northerly portion of La Vista del Oceano Drive. Additionally, the proposed guest parking space is directly adjacent to the street with a zero setback. Due to site constraints, which include steep slopes, frontage on three sides, and a narrow lot configuration, it is not possible to propose development on the site without encroaching partially into the front yard setbacks.

Guest parking is proposed on each lot at the recommendation of Staff. Typically, Staff recommends that guest parking be provided if no on-street parking is readily available for new development. The guest parking space proposed for 1575 La Vista del Oceano Drive is parallel to the northern property line along La Vista del Oceano Drive. The Architectural Board of Review has recommended against approval of that location due to

additional grading, retaining walls and guardrails that would be required for it. While the parking is readily accessible from the street, Staff has some reservations about the location since the general public may presume that the parking space is public and not private parking due to its location adjacent to the roadway. This will create enforcement issues in the future.

The applicant has suggested an alternate solution for 1575 La Vista del Oceano Drive. This would consist of a tandem guest parking space in front of the proposed garage. Transportation Staff has reviewed the location and found it to be acceptable if approved by the Planning Commission. Lastly, since the Zoning Ordinance only requires two covered parking spaces for a single-family residence, the Planning Commission may also opt to eliminate the recommendation for guest parking for this site. Of the four sites, 1575 La Vista del Oceano Drive is the closest property to on-street parking, which is located approximately 350 feet away from Ricardo Avenue. The modifications are primarily required to propose development and recommended parking for this site. While the modifications could be supported due to site constraints, Staff questions whether modifications should be approved on a property that requires modifications for any type of development.

B. INTERIOR YARD SETBACK

The interior yard setback for the E-1 Zone is 10 feet. Although all of the proposed buildings meet this requirement, the proposed guest parking space for 1576 La Vista del Oceano Drive is located in the interior yard setback, abutting the eastern property line. The applicant is requesting a modification to provide recommended guest parking in the required setback. It would be adjacent to the garage and near the guest parking for the adjacent site (1570 La Vista del Oceano Drive). Guest parking is recommended for each site since on-street parking is not readily available; therefore, Staff is supportive of this request.

C. FENCES, SCREENS, WALLS OR HEDGES

In residential zones, no fence, screen, wall or hedge shall exceed a height of three and one-half feet (3-1/2') if it is located: 1) within ten feet (10') of a front lot line, or 2) within ten feet (10') of either side of a driveway for a distance of twenty feet (20') back from the front lot line. Additionally, unless there is a horizontal separation of at least five feet (5') between fences, screens, walls or hedges, the height shall be measured from the lowest point of such fence, screen, wall or hedge to the highest point of fence, screen, wall or hedge.

1. 1568 La Vista del Oceano Drive

At the entrance of the shared driveway, there are some two-foot high retaining walls between 1568 and 1564 La Vista del Oceano Drive. Because they are within five feet of the proposed retaining walls in the right-of-way, we measure from the lowest to the highest point of the combined walls in determining the

overall height. This would equate to approximately six feet. Given this, a modification is required for the retaining walls at 1568 La Vista del Oceano Drive. Staff is supportive of this request because the walls are necessary to provide adequate access to the site.

2. 1570 and 1576 La Vista del Oceano Drive

As part of the proposed roadway improvements and construction of the shared driveway for the upper three lots, retaining walls are proposed between the shared driveway and completed roadway. Two-foot high retaining walls begin at 1576 La Vista del Oceano Drive and rise to approximately 4 feet for a length of 40 feet. Then they taper back down to two-feet as they run along 1570 La Vista del Oceano Drive and ends along the shared driveway, approximately 35 feet into the property. The portions of the retaining wall that exceed 3-1/2' feet in height require a modification. Most of this is located at 1576 La Vista del Oceano Drive. There is a small portion near the western property line of 1570 La Vista del Oceano Drive that will also require a modification for over-height walls as it tapers down to two feet. Staff is supportive of these requests because the walls are necessary to provide adequate access to the sites.

3. 1575 La Vista del Oceano Drive

Retaining walls are proposed on the property north and south of the building area. Some of the walls are necessary to provide adequate access and parking on the site. The retaining walls at the bottom of La Vista del Oceano Drive range from approximately four to eight feet in height with one of the retaining walls traversing across approximately two-thirds of the lower portion of the property. Some of these are located within ten feet of the property line and will require a modification for over-height walls.

There are also retaining walls proposed along the northerly side of the property. The tallest retaining wall reaches approximately 11 feet in height and is partially located between the roadway and new residence. Due to its location, it is partially screened from public view by the residence. The retaining wall traverses along the upper portion of the roadway and fluctuates in height, eventually tapering down to approximately two feet. It is partly located between two other retaining walls proposed in the upper portion of the lot.

These walls fluctuate from approximately two to six feet in height. The lower wall is located behind a segment of the patio to the east of the building area. The upper wall, which connects to the longer, middle retaining wall, is largely located along the proposed new guest parking. There will also be a safety guardrail above the wall in the general vicinity of the proposed new guest parking as required by the Building Code. This will add more height to that wall. As stated before, the Architectural Board of Review is not supportive of the guest parking in that location because of the need for more and higher

retaining walls on the site. If the Planning Commission moves to approve an alternate location or eliminate the requirement for guest parking for this lot, the retaining walls may be further reduced in this area. Most of the walls within 10 feet of the northern property line exceed 3-1/2' feet in height and will require a modification. The modifications are primarily required to propose development and recommended parking for this site. While the modifications could be supported due to site constraints, Staff questions whether modifications should be approved on a property that requires modifications for any type of development.

4. **La Vista del Oceano Drive Roadway including “Hairpin Lot” on La Vista del Oceano Drive (035-170-022 - Geyer); 1564 La Vista del Oceano Drive (035-180-077 – D’Hoker/Enders); and 1562 La Vista del Oceano Drive (035-180-078 - Converse).**

A hedge is proposed along the front of 1562 and 1564 La Vista del Oceano Drive to screen the lights of the vehicles from their line of sight due to raising the roadbed. The hedge would be approximately five feet in height within ten feet of the property line; therefore, a modification would be required for the hedge. Originally, the modification included over-height retaining walls at the entrance of the shared driveway for 1562 and 1564 La Vista del Oceano Drive; however, this is no longer necessary due to further refinements in the grading design.

As part of raising the roadbed, there are retaining walls in the right-of-way that may be as much as five feet high, although most will be below four feet. These, however, do not require modifications since they are located in the public right-of-way and are part of the improvements that the City would accept as part of the completed roadway.

D. OPEN YARD REQUIREMENT

Each residential lot in the E-1 Zone must provide 1,250 square feet of open yard area. Per SBMC §28.04.430.5, “an open yard area is a yard or portion thereof which does not contain any of the following: (a) cut or fill slope greater than one foot (1’) rise or fall in five feet (5’) of horizontal distance; (b) portion of a front yard; (c) paving or other surfacing designed for use by motor vehicles or trailers. ...”

1575 La Vista del Oceano Drive currently has street frontage on two sides. Once it is merged with the “hairpin” lot, the resulting larger lot will have street frontage on three sides, which includes most of the property. Since all sides that face a street are considered front yard, and portions of a front yard cannot be used in meeting the 1,250 square feet of required open yard area, the development on the site cannot meet this requirement. The applicant is requesting that a modification be approved to designate an equivalent area on a portion of the lot that will remain undisturbed (east of the building site), as outlined on the plans. Additionally, the applicant is proposing 1,003 square feet of patios, decks and

paved areas, as shown in the table below. The modification is necessary to meet a requirement of proposed development on this site. As stated before, while the modification could be supported due to site constraints, Staff questions whether modifications should be approved on a property that requires modifications for any type of development.

The remaining parcels (1568, 1570, and 1576 La Vista del Oceano Drive) provide the required open space in areas that exceed 20% slopes that will not be cut or filled. In addition to the required open yard areas shown on the plans, each site has other areas that can be used for recreational purposes as identified below.

ADDRESS	PATIO	PAVED AREAS (S Q · F T :)	DECKS & PATIOS W/ IN HOUS E FLOO R AREA S (Sq. Ft.)	TOTAL A R E A S (S Q · F T :)
1568 LVDO Dr.	540	875	850	2,265
1570 LVDO Dr.	724	600	0	1,324
1576 LVDO Dr.	588	600	310	1,498
1575 LVDO Dr.	408	440	155	1,003

IX. NEIGHBORHOOD PRESERVATION ORDINANCE

The Neighborhood Preservation Ordinance requires that the Planning Commission make the findings below that relate to hillside development and neighborhood compatibility for development in the Hillside Design District when the grading outside of the building foundation for the main buildings exceeds 500 cubic yards (cut and fill). Staff’s position is that the project can be found in compliance with the Neighborhood Preservation Ordinance.

1. The public health, safety and welfare will be protected;

2. The grading and development will be appropriate to the site, have been designed to avoid visible scarring, and will not significantly modify the natural topography of the site or the natural appearance of any ridgeline or hillside;
3. The project will, to the maximum extent feasible, preserve and protect any native or mature trees with a minimum trunk diameter of four inches (4") measured four feet (4') from the base of the trunk. Any specimen tree, skyline tree, or oak tree with a diameter of four inches (4") or more at four feet (4') above natural grade that must be removed will be replaced on a one-to-one basis, at a minimum. Designated Specimen, Historic and Landmark trees will not be removed.
4. The development will be consistent with the scenic character of the City and will enhance the appearance of the neighborhood;
5. The development will be compatible with the neighborhood, and its size, bulk, and scale will be appropriate to the site and neighborhood; and
6. The development will preserve significant public scenic views of and from the hillside.

Some of the primary findings of concern are discussed in more detail below.

A. GRADING

The entire project area is located on a south-facing slope with gradients that vary from approximately 29 to 50 percent. The grading design for the residences is similar to the surrounding neighborhood. The structures would be imbedded into the hillside and step down the slope of the property, with the downhill elevations at two or three stories. The total amount of grading for the project, which consists of the four new homes and connecting the upper and lower portions of La Vista del Oceano Drive, would be 9,940 cu. yds. This includes 4,970 cu. yds. of cut, 3,082 cu. yds. of fill, and 1,890 cu. yds. of export. A significant portion of the cut obtained from the residential lots would be used to raise the road bed a maximum of eight feet in order for the upper lots to have adequate vehicular access.

ADDRESS	GRADING OUTSIDE FOOTPRINT		GRADING UNDER FOOTPRINT		TOTAL GRADING (CU. YD.)
	CUT (CU. YD.)	FILL (CU. YD.)	CUT (CU. YD.)	FILL (CU. YD.)	
1568 LVDO Dr. (Bucciarelli)	418	195	375	0	988
1570 LVDO Dr. (Macofsky)	1,446	205	587	4	2,241
1576 LVDO Dr. (Geyer)	1,014	47	453	1	1,515
1575 LVDO Dr. (Schechter)	303	149	128	0	580
Right-of-Way LVDO Dr.	203	1,649	N/A	N/A	1,852
“Hairpin” LVDO Dr. (Geyer)	43	713	N/A	N/A	756
1564 LVDO Dr. (D’Hoker/Enders)	0	60	N/A	N/A	60
1562 LVDO Dr. (Converse)	0	58	N/A	N/A	58

Although there is a substantial amount of grading proposed for this project, the grading is necessary to provide the required access to these sites to meet Transportation Division and Fire Department requirements. While the City closely scrutinizes proposals on new lots with steep slopes, the City also recognizes that there are legal lots in the City with slopes greater than 30%. Tools such as the Neighborhood Preservation Ordinance (NPO) and the Single-Family Residence Design Guidelines were partially developed for use by City Staff and decision-makers to review and approve appropriate development on constrained sites such as these. The NPO findings (SBMC §22.68.060) implement policies focused on hillside development in the City’s Conservation and Open Space Elements pertaining to protection of the public health, safety, and welfare, appropriateness of proposed grading and development given the site topography, protection of existing trees, preservation of public views, and compatibility with the neighborhood.

In this case, grading outside the structure footprints would follow the natural landform as much as is feasible, with the exception of localized fill necessary for the shared driveway for the upper lots. The roads and driveways have been aligned to minimize grading while meeting the required design standards for width, gradient and cross fall. Additionally, the Architectural Board of Review has reviewed the proposal numerous times to balance the use of retaining walls, maintain the natural topography, and minimize amount of grading proposed. Other solutions were discussed with the Architectural Board of Review;

however, the current proposal was found to be the most feasible and appropriate for these constrained sites.

The project has been designed to minimize the grading as much as possible; however, it is not feasible to entirely eliminate grading on hillsides with slopes greater than 30 percent. The reason for this is the steepness of the existing slopes which are 29.5%, or greater. As previously stated, in cases where projects have steep slopes, the City uses the NPO findings and the Single-Family Residence Design Guidelines for guidance in reviewing these projects. These have been considered throughout the review of this project. The proposed grading design implements the City's Hillside Housing Techniques and the grading plans for the project would be compatible with the site's natural contours, as much as is feasible.

B. MASS, BULK AND SCALE

In terms of the mass, bulk and scale, the Board had significant issues with the early designs of some of the homes. There was also extensive discussion on the appropriate access to the sites. Over time, the proposals have been revised to minimize the height of the buildings and the retaining walls for the sites. The Board looked at ways to minimize the amount of grading as much as feasibly possible without compromising other aspects of the project. The ABR found the homes to be acceptable and compatible as proposed in terms of mass, bulk and scale. The Architectural Board of Review understands that the details will be of a high quality, particularly the proposed retaining walls.

A survey of surrounding lots of comparable slope and size (*See Exhibit E*) found that the floor area ratios were within the parameters of surrounding development. The majority of the southern facing or visually prominent slopes would have development that is similar in scale and compatible with the surrounding neighborhood. This proposal involves some of the last remaining undeveloped lots in this neighborhood. The majority of the surrounding existing developments were reviewed and approved by the Architectural Board of Review, and the project would also be subject to ABR approval.

C. LANDSCAPING

The applicants have worked with Fire Department Staff to incorporate native or naturalized and fire-retardant vegetation in the landscape plans for each lot. Additionally, the Architectural Board of Review has worked with the applicants to break up the mass of structures and retaining walls with use of landscaping. The landscaping currently on these sites is primarily limited to grasslands and weeds. The incorporation of more substantial shrubbery and trees would help to mitigate the massing and frame the views.

The project would introduce the use of native or naturalized and fire retardant vegetation, especially on the downward or southern facing slopes that would help to hide or break up any large surface area views of the structures facing down slope. Because very little vegetation exists on the project site currently, the addition of substantial additional vegetation would be an enhancement of the hillside. The Architectural Board of Review

understands that as many significant canopy and skyline trees as allowed by the Fire Department will be included and organized in a manner so as not to obstruct neighboring views.

It should be noted that, throughout the review process, much public comment has been received by the Architectural Board of Review (*See Exhibit D - Attachment 13*) and the Planning Commission (during a conceptual review hearing). The public comment received has addressed numerous concerns including alternate solutions, massing, private views, grading, and traffic.

X. 1575 LA VISTA DEL OCEANO DRIVE

We have concerns about the modifications for this particular site because of the lot configuration, very steep slopes, visibility and lack of design flexibility to reduce retaining wall heights. With all of these considerations, we ask if the Planning Commission considers this to be an appropriate site for development? If so, what type of development does the Commission believe is appropriate for this site?

XI. FINDINGS

The Planning Commission finds the following for 1568-1576 La Vista del Oceano Drive and the completion of La Vista del Oceano Drive (including 1562-1564 La Vista del Oceano Drive):

A. ENVIRONMENTAL REVIEW

1. Mitigated Negative Declaration Findings pursuant to California Public Resources Code §21080(c) and 2108.6, and California Code of Regulations §15074

The Planning Commission has considered the proposed Final Mitigated Negative Declaration, dated September 28, 2005, for 1568-1576 La Vista del Oceano Drive (MST1999-00714; MST99-00513; MST98-00706; MST2003-00652; MST1999-01043), and comments received during the public review process. The proposed Final Mitigated Negative Declaration has been prepared in compliance with California Environmental Quality Act requirements, and constitutes adequate environmental analysis of 1568-1576 La Vista del Oceano Drive (MST1999-00714; MST99-00513; MST98-00706; MST2003-00652; MST1999-01043).

a. Mitigation measures identified in the Mitigated Negative Declaration have been agreed-to by the applicant and incorporated into the projects, which would avoid or reduce all potentially significant impacts to less than significant levels. Additional mitigation measures would be applied as conditions of approval to minimize adverse but less than significant environmental effects. Please refer to the brief summary of the Final Mitigated Negative Declaration in Section VII. Environmental Review

of the Planning Commission Staff Report and to the Final Mitigated Negative Declaration for a detailed discussion (Exhibit D). In the Planning Commission's independent judgment and analysis based on the whole record, there is no substantial evidence that 1568-1576 La Vista del Oceano Drive (MST1999-00714; MST99-00513; MST98-00706; MST2003-00652; MST1999-01043) will have a significant effect on the environment. The Final Mitigated Negative Declaration, dated September 28, 2005, is hereby adopted.

- b. A Mitigation Monitoring and Reporting Program prepared in compliance with the requirements of Public Resources Code §21081.6, is included in the Final Mitigated Negative Declaration for 1568-1576 La Vista del Oceano Drive (MST1999-00714; MST99-00513; MST98-00706; MST2003-00652; MST1999-01043) and is hereby adopted.
- c. The location and custodian of documents associated with the environmental review process and decision for 1568-1576 La Vista del Oceano Drive (MST1999-00714; MST99-00513; MST98-00706; MST2003-00652; MST1999-01043) is the City of Santa Barbara Community Development Department, 630 Garden Street, Santa Barbara, CA 93101.

2. FINDINGS FOR EXEMPTION FROM FISH & GAME CODE

- a. An Initial Study has been conducted by the lead agency, which has evaluated the potential for the proposed 1568-1576 La Vista del Oceano Drive (MST1999-00714; MST99-00513; MST98-00706; MST2003-00652; MST1999-01043) to result in adverse effects, either individually or cumulatively, on wildlife resources. For this purpose, wildlife is defined as "all wild animals, birds, plants, fish, amphibians, and related ecological communities, including the habitat upon which the wildlife depends for its continued viability." (Section 711.2 Fish and Game Code)
- b. There is no evidence that the proposed project would have any potential for adverse effect on wildlife resources because it is located in a developed, urbanized area.

B. MODIFICATIONS (SBMC §28.92.026)

1. Fence, Screen, Wall and Hedge Modifications for 1562, 1564, 1568, 1570, and 1576 La Vista del Oceano Drive and "Hairpin" Lot APN 035-170-022 (SBMC §28.87.170).

The modifications are necessary to secure appropriate improvements on the lots and are consistent with the purposes and intent of the Zoning Ordinance. This will allow for adequate access to be provided on the sites as required by

Transportation Staff and the Fire Department for the proposed development. This will also allow for the completion of La Vista del Oceano Drive, which will result in a higher level of response for emergencies in this area. The heights have been minimized to the greatest extent possible balancing all relevant factors on the sites.

2. Interior Yard Setback Modification for 1576 La Vista del Oceano Drive (SBMC §28.15.060 & 28.90)

The modification is necessary to promote uniformity of improvement and secure an appropriate improvement on the lot and is consistent with the purposes and intent of the Zoning Ordinance. Approval of the modification will allow for guest parking to be provided in an area where no on-street parking is available, thus minimizing impacts in the surrounding neighborhood.

C. FINDINGS FOR NEIGHBORHOOD PRESERVATION ORDINANCE COMPLIANCE TO ALLOW GRADING IN EXCESS OF 500 CUBIC YARDS OUTSIDE OF THE MAIN BUILDING FOOTPRINTS WITHIN THE HILLSIDE DESIGN DISTRICT FOR 1560, 1570 AND 1576 LA VISTA DEL OCEANO DRIVE, “HAIRPIN” LOT APN 035-170-022, AND THE COMPLETION OF LA VISTA DEL OCEANO DRIVE (SBMC §22.68.070)

1. The public health, safety and welfare will be protected.

The project site is subject to a number of geologic and environmental constraints. As discussed in the Final Mitigated Negative Declaration, potential impacts associated with these hazards would be adequately addressed by implementing the identified project design and specified mitigation measures such that construction of the proposed development would ensure seismic and geologic stability, and reduce or avoid potential environmental impacts associated with unstable geologic conditions.

The grading has been designed with appropriate drainage and erosion control measures. All drainage improvements would be subject to design in accordance with hydrology calculations, City Ordinance provisions, and review by the City Building and/or Public Works Engineering Divisions.

The proposed project's landscape plans would comply with City high fire hazard area requirements for access, construction (access), water availability, and vegetation brush management.

2. The grading and development will be appropriate to the site, have been designed to avoid visible scarring, and will not significantly modify the natural topography of the site or the natural appearance of any ridgeline or hillside due to the minimized grading and site development;

The entire project area is located on a south-facing slope with gradients which vary from approximately 29 to 50 percent. The grading design for the residences is similar to the surrounding neighborhood. The structures would be

imbedded into the hillside and step down the slope of the property, with the downhill elevations at two or three stories. The total amount of grading for the project, which consists of the four new homes and connecting the upper and lower portions of La Vista del Oceano Drive, would be 4,970 cu. yds. of cut, 3,082 cu. yds. of fill, resulting in 1,890 cu. yds. of export. A significant portion of the cut obtained from the residential lots would be used to raise the road bed a maximum of eight feet in order for the upper lots to have adequate vehicular access to the sites, and also minimize the export of material.

In this case, grading outside the structure footprints would follow the natural landform as much as is feasible, with the exception of localized fill necessary for the shared driveway on the upper lots and for raising the roadway. The roads and driveways have been aligned to minimize grading while meeting the required design standards for width, gradient and cross fall. The proposed residences have been designed to blend into the hillside and surrounding neighborhood. Additionally, the grading has been reviewed closely by the Architectural Board of Review in order to minimize the amount of grading and reduce the height and amount of retaining walls necessary for the development. The proposed grading design implements the City's Hillside Housing Techniques and the grading plans for the project would be compatible with the site's natural contours as much as possible given the need to raise the road bed and create a shared driveway in order to provide adequate access to the upper lots.

The project site would also introduce the use of native or naturalized and fire retardant vegetation, especially on the downward or southern facing slopes that would hide or break up any large surface area views of the structures facing down slope. Because very little vegetation exists on the project site currently, the addition of substantial additional vegetation would be an enhancement of the hillside.

3. **The project will, to the maximum extent feasible, preserve and protect any native or mature trees with a minimum trunk diameter of four inches (4") measured four feet (4') from the base of the trunk.**

The project site does not contain any native or mature trees.

4. **The development will be consistent with the scenic character of the City and will enhance the appearance of the neighborhood.**

The proposed development will be consistent with the scenic character of the City and will enhance the appearance of the neighborhood. The proposals have been reviewed extensively by the Architectural Board of Review to minimize mass, bulk, and scale, grading and height of retaining walls. The ABR found the homes to be acceptable and compatible as proposed in terms of mass, bulk and

scale. The Architectural Board of Review understands that the details will be high quality, particularly the proposed retaining walls.

The applicants have worked with Fire Department Staff in incorporating native or naturalized and fire-retardant vegetation in the landscape plans for each lot. Additionally, the Architectural Board of Review has worked with the applicants to break up the mass of structures and retaining walls with use of landscaping. The landscaping currently on these sites is primarily limited to grasslands and weeds. The incorporation of more substantial shrubbery and trees would help to mitigate the massing and frame the views.

The project would introduce the use of native or naturalized and fire retardant vegetation, especially on the downward or southern facing slopes that would help to hide or break up any large surface area views of the structures facing down slope. Because very little vegetation exists on the project site currently, the addition of substantial additional vegetation would be an enhancement of the hillside.

5. **The development will be compatible with the neighborhood, and its size, bulk, and scale will be appropriate to the site and neighborhood.**

The proposed development would be compatible with the neighborhood, and its size, bulk, and scale will be appropriate to the site and neighborhood. The proposals have been revised to minimize the height of the buildings and the retaining walls for the sites. The Board looked at ways to minimize the amount of grading as much as feasibly possible without compromising other aspects of the project. The ABR found the homes to be acceptable and compatible as proposed in terms of mass, bulk and scale. The Architectural Board of Review understands that the details will be of a high quality, particularly the proposed retaining walls.

A survey of surrounding lots of comparable slope and size found that the floor area ratios were within the parameters of surrounding development. The majority of the southern facing or visually prominent slopes would have development that is similar in scale and compatible with the surrounding neighborhood. This proposal involves some of the last remaining undeveloped lots in this neighborhood. The majority of the surrounding existing developments were reviewed and approved by the Architectural Board of Review, and the project would also be subject to ABR approval.

6. **The development will preserve significant public scenic views of and from the hillside.**

The proposed project would not obstruct any public scenic view corridors to the ocean or lower elevations of the City nor would it obstruct any upper foothill or mountain views from the beach or lower elevations of the City. The project, which is limited in size and scope, would be located on a hillside and would be

intermittently visible from various public and private viewpoints within the Coastal Zone. The development would not block scenic public views of the mountains, foothills, or coastline. The existing public views across the site provide openness between built areas, but do not have substantial scenic quality nor include views of important visual features such as mountains, lush natural vegetation, unique geologic features or water features.

Although some undeveloped lots may serve as a scenic open space for a neighborhood, these lots do not provide that function for this area. They visually appear to be vacant lots in a residential neighborhood instead of a designated open space. While the vacant lots may provide some visual relief, residential development compatible with the surrounding neighborhood would also be appropriate. This development would essentially in-fill a portion of the remaining hillside with residential development, comparable with its surroundings.

The visual change from the existing undeveloped project site areas to the proposed project would be nominal from public view vantage points. There are areas along Cliff and Shoreline Drives where the project site is visible; however, public views towards the project site are considered somewhat degraded due to the surrounding residential development in an urban setting. The proposed residences have been designed to blend into the hillside and surrounding neighborhood. They would include landscaping and architecture that would be designed to be consistent with design guidelines and standards of the Architectural Board of Review (ABR) that take into consideration scenic view compatibility.

- D. If the Commission wishes to approve development on 1575 La Vista Del Oceano Drive, the additional findings must be made.**

MODIFICATIONS (SBMC §28.92.026)

- 1. Fence, Screen, Wall and Hedge Modifications for 1575 La Vista del Oceano Drive (SBMC §28.87.170).**

The modification is necessary to secure appropriate improvements on the lot and is consistent with the purposes and intent of the Zoning Ordinance. The modification is primarily required to propose development and recommended parking for this site. This will allow for appropriate development and access on the site. Approval of the modification will also allow for guest parking to be provided in an area where no on-street parking is available, thus minimizing impacts in the surrounding neighborhood. The heights have been minimized to the greatest extent possible balancing all relevant factors on the sites.

2. **Front Yard Setback Modification for 1575 La Vista del Oceano Drive (SBMC §28.15.060)**

The modification is necessary to secure appropriate improvements on the lot and is consistent with the purposes and intent of the Zoning Ordinance. The modification is primarily required to propose development and recommended covered parking for this site. This will allow for appropriate development on the site. The modification is necessary to promote uniformity of improvement and secure an appropriate improvement on the lot and is consistent with the purposes and intent of the Zoning Ordinance.

3. **Parking in the Front Yard Modification for 1575 La Vista del Oceano Drive (SBMC §28.15.060)**

The modification is necessary to promote uniformity of improvement and secure an appropriate improvement on the lot and is consistent with the purposes and intent of the Zoning Ordinance. Approval of the modification will allow for guest parking to be provided in an area where no on-street parking is available, thus minimizing impacts in the surrounding neighborhood.

4. **Open Yard Reduction for 1575 La Vista del Oceano Drive (SBMC §28.15.060)**

The modification is necessary to promote uniformity of improvement and secure an appropriate improvement on the lot and is consistent with the purposes and intent of the Zoning Ordinance. An equivalent undisturbed open area east of the building site will be designated as their "open yard area". Additionally, the applicant is proposing 1,003 square feet of patios, decks and paved areas which will provide a useable recreational areas onsite.

Exhibits:

- A. Conditions of Approval
- B. Site Plans
- C. Applicant's letters, dated December , 2004, July 11, 2005, July 14, 2005, and August 3, 2005
- D. Final Mitigated Negative Declaration
- E. La Vista del Oceano Statistics