TynanGroup

Real Estate Development Services

October 6, 2005

City of Santa Barbara Planning Commission
630 Garden Street
Santa Barbara, CA 93102

Subject: **210 Meigs Road Project (MST2002-00710)**
Request for Zoning Map, General Plan, and Local Coastal Plan Amendment

Dear Chair Maguire and Members of the Planning Commission:

For your review and approval, enclosed please find plans for a 10-unit condominium project located at 210 Meigs Road on Assessor's Parcel Number 045-110-011.

The proposed residential development would require a zone change from E-3/SD-3, Single Family Residential Zone/Coastal Overlay Zone, to R-2/SD-3, Two Family Residential Zone/Coastal Overlay Zone, a change in the existing General Plan designation, from Major Public and Institutional to Residential, 12 units per acre, and removal of a "Proposed Park" symbol on the General Plan Map, and a modification for a wall to exceed the maximum allowable height of eight (8) feet. In addition, as the subject property is located in the Coastal Zone, a Local Coastal Plan Amendment would be required.

A change of zone is a legislative process and City procedure requires that the Planning Commission or City Council initiate the rezone. On behalf of the property owner, Michael Stevens, TynanGroup, Inc. submitted a request for rezone of the subject property in late 2002. This Commission conceptually reviewed the project and approved the Initiation of Zone Change on January 23, 2003.

The proposed project was scheduled to return to the Planning Commission for project consideration on April 14, 2005. After the project was noticed and a site visit conducted by the Commission, it was determined that a Categorical Exemption from environmental review was erroneously applied to the project. The project was removed from the April 14, 2005, Planning Commission agenda, and Staff was directed to prepare a Draft Mitigated Negative Declaration for consideration by the Planning Commission and public.

A Draft Mitigated Negative Declaration was prepared and was available for public review and written comment during the period of August 8, 2005, to September 7, 2005. In addition, an environmental hearing was held before the Planning Commission on August 25, 2005, in the Council Chambers at City Hall.

The proposed project is identical to the one previously scheduled.

EXHIBIT C

Property Details

The subject property is located in the East Mesa Area of the City of Santa Barbara on Meigs Road adjacent to Washington School. The property has a current zoning designation of E-3/SD-3, Single Family Residential/Coastal Overlay Zone, and is located in the non-appealable jurisdiction of the Coastal Zone. The area of the subject property is 53,484 square feet gross (38,553 square feet net) with an overall parcel slope of 8%. The property is currently vacant. Vegetation within the site primarily consists of common ornamental shrubs (*Pyracantha, Myoporum*) and trees (*Acacia*, California Pepper, *Eucalyptus*). Ground cover consists of non-native grasses (*Bromus, Avena*) and common weeds (mustard, radish, thistle).

Neighborhood Specifics

Washington Elementary School immediately surrounds the site to the North and East. The School is zoned E-3/SD-3, Single Family Residential/Coastal Overlay Zone; the vacant parcel to the North of the site, also owned by Washington School is zoned P-R/SD-3, Park & Recreational/Coastal Overlay Zone. Further north of the site, is a 22-unit condominium complex that is zoned R-2/SD-3, Two Family Residential /Coastal Overlay Zone. Across Meigs Rd, to the West and South of the site is La Mesa Park and the U.S. Coast Guard Facility, each is zone P-R/SD-3, Park & Recreational/Coastal Overlay Zone. Across Meigs Rd to the North of the project site, is a 16-unit Public Housing complex zoned R-2/SD-3, Two Family Residential/Coastal Overlay.

Project Description

The proposed project consists of a one-lot subdivision with ten (10) condominium units, eight (8) of which are proposed at market rate and two (2) affordable at middle income. Each condominium unit would have a two-car garage (20 parking spaces) and three (3) guest parking spaces would be provided on-site. Site access is proposed via an introduced curb cut and 18-foot driveway off of Meigs Road approximately 30-feet south of the northerly property line.

The overall project construction process is estimated to last 12 months. This would include grading for site preparation for approximately 1 month and estimated construction duration of 11 months. The proposed project would remove 57 existing 4" to 42" trees (predominantly Eucalyptus and other non-native trees) and plant 63 new trees, of which 43 would be 24" box trees, approximately 15-feet in height at the time of planting. The necessary grading under the building footprint will be balanced on-site, with approximately 1,082 cubic yards of cut and fill. Outside the building footprint, the project will require 3,380 cubic yards of cut and 10 cubic yards of fill.

All utility service lines are proposed to be placed underground per SBMC 28.08.025 and 22.38.030. Public improvements are proposed to consist of the following:

- Installation of a median, curb extension, 6-foot wide sidewalk, and 4-foot wide parkway along Meigs Road extending the frontage of the subject property and the property to the north (Washington School parking lot).
- Supply and install new City Standard street lights approximately 100 feet apart along the entire parkway (frontage of property and Washington School parking lot).

To further clarify the scope of the project, a detailed discussion of the project follows below.

Condominium Units

The eight market rate condominiums would be comprised of five (5) two-bedroom units, with an average unit size of 1,392 square feet, and three (3) three-bedroom units, with an average unit size of 2,157 square feet. The two (2) affordable condominiums would be two-bedroom units with an average unit size of 1,216 square feet. Each residential unit would have a private 400 square foot two-car garage. The eight (8) market rate units are proposed to be configured into four (4) duplex structures. The two (2) affordable units are detached second-story single floor units. The enclosed Site Plans illustrate the proposed development configuration as well as the proposed Ground Floor (sheet PC.3) and Second Floor (sheet PC.4) layouts.

Parking

The required parking for each condominium unit is one (1) covered and one (1) uncovered parking space per unit and no guest parking. As proposed the project would provide a two car garage for each condominium unit (20 parking spaces) and three (3) guest parking spaces. Both residential and guest parking would be internalized on the northeast portion of the parcel to ensure a pedestrian friendly street frontage. Each garage would provide a minimum interior clear area of 20-feet wide by 20-feet deep in addition to 300 cubic feet of private storage space. The three (3) guest parking spaces will be uncovered and located immediately adjacent to the residential garages. A requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property will be included in the Covenants, Codes & Restrictions (CC&R's) of the development.

Site Access

Site access is proposed via an introduced curb cut and 18-foot driveway (designed to City Standards and constructed to Public Works Standard detail 1-002, "dustpan") off of Meigs Road approximately 30-feet south of the northerly property line. The driveway would serve as the sole ingress and egress to the condominium development and have a slope of 10%.

Meigs Road is constructed on a large-radii horizontal curve alignment along the western boundary of the project site. The project driveway is located on the inside of the curve. The speed limit posted on Meigs Road adjacent to the site is 35 MPH. During the early stages of project review Staff had concerns about the safety of the proposed access point. Staff required a sight visibility technical analysis by a Transportation Engineer to ensure that safe vehicular access could be provide at the proposed location without jeopardizing vehicular, bicycle, or pedestrian safety or inhibiting fire access. Associated Transportation Engineers (ATE) performed the sight visibility technical analysis; a letter dated December 10, 2004, detailing the findings of the analysis is attached for your review.

The results of the site distance analysis found that adequate sight distance could be provided looking to the north; the proposed location of the driveway provided well over 250 feet of sight distance (Caltrans minimum requirement) in that direction. The site distance analysis found that approximately 325 feet of sight distance could be provided from the driveway looking to the south if no obstructions would be placed along the property frontage. To ensure that the

maximum sight distance would available looking to the south, as proposed the project would provide a bumped-out curb and no parking zone along the property frontage (see Site Plan PC.2).

Pedestrian Safety & Mobility

Given the location of the project along the curve of Meigs Road and in close proximity to Washington School, La Mesa Park, transit and the commercial hub of the Mesa, an optimal design that enhances pedestrian mobility and safety is desirous. As proposed the project would create an uninterrupted pedestrian pathway from the project site to the amenities to north and deter pedestrians from crossing at unmarked or unsafe locations.

New sidewalk and parkway will be installed along the property frontage and the frontage of the property immediately to the north (Washington School parking lot). The proposed extension of the sidewalk to the north is an applicant initiated measure to enhance pedestrian safety in the project area. The sidewalk extension to the north would provide a link between the project site and the terminus of the existing sidewalk and create a safe and continuous pedestrian path of travel to the Elise Way crosswalk approximately 580 feet north of the subject property. Along the subject property frontage, plantings would be installed in the median and parkway to deter pedestrian crossing and would be maintained at a height of less than 3.5 feet as not to negatively impact sight visibility of motorists.

Tree Removal & Landscape Plan

The proposed project would remove 57 existing 4" to 42" trees (predominantly Eucalyptus and other non-native trees) and plant 63 new trees, of which 43 would be 24" box trees, approximately 15-feet in height at the time of planting. As noted on the Preliminary Landscape Plan, the proposed planting plan would be consistent with SBMC §22.80.020, the City's Water Conservation Landscape Design Standards. The one (1) mature Coast Live Oak on-site would be retained, with standard oak tree protective measures implemented during construction. In addition, five (5) live oak trees would be included in the Final Landscape Plan to ensure that the project would result in no significant impact to oak trees.

The biological impacts of the proposed project were evaluated by Rachel Tierney Consulting and documented in letters dated June 3, 2005, September 13, 2004, July 27, 2001 and July 25, 2001. As no sensitive, endangered, rare or threatened species are known to use or be established at the subject site, the removal of the eucalyptus grove would not result in a significant impact. Migrating monarch butterflies have not been documented on the subject property and their likelihood of using the eucalyptus trees as a transitory site during migration would be very minor. In addition, although the trees provide roosting habitat for raptors (birds of prey), their use as a nesting site at this location is extremely limited due to the location and size of the thicket.

Grading & Drainage

The necessary grading under the building footprint will be balanced on-site, with approximately 1,082 cubic yards of cut and fill. Outside the building footprint, the project will require 3,380 cubic yards of cut and 10 cubic yards of fill. The grading will not substantially alter the existing topography, but will allow the structures to sit lower on the site and thus reduce the overall mass

and scale of the project. The attached Preliminary Foundation Study prepared by Pacific Laboratory on April 8, 2004, anticipated the over-excavation and recompaction at an average depth of 4'-6".

As detailed in the attached Drainage Evaluation prepared by Flowers & Associates on March 24, 2004, the current on-site drainage sheet flows southeasterly across the property, down an embankment, over an existing curb onto Meigs Road. Drainage on Meigs Road surface flows in existing curb and gutter southeasterly down the street into an existing drop inlet located approximately 176 feet from the southeasterly property corner. Drainage from the inlet is conveyed in a 24" reinforced concrete pipe and eventually outlets at the beach on the south side of Meigs Road.

The proposed development of the property would not substantially alter the existing drainage course. As illustrated on the Grading/Drainage/Utility Plan (sheet PC.5), the on-site drainage would continue to flow in a southeasterly direction and would be collected by twenty-two (22) on-site catch basins and one (1) off-site catch basin and discharged onto Meigs Road via curb outlet drains. The project would result in an increase of 0.2 cfs of flow, a minor increase in run-off that would be either retained on-site or demonstrated to be accommodated by the existing drainage system.

Accessibility

No common space amenities (i.e. pool, Jacuzzi, tot lot, laundry facility, etc.) are proposed as part of the project; each unit is designed with an independent laundry area and private outdoor living space. The courtyards and paseos have been designed to be universally accessible. Given that parking is private and contained within each unit's designated two-car garage, California Building Code 1118A does not apply to this project.

Eight (8) of the ten (10) condominiums units are configured in a duplex townhouse style, with two (2) attached units per building with access provided via a ground floor entrance. The remaining two (2) units are single floor second story units with a stairway entrance. The accessibility requirements 1102A of Section 101.17.9 and Chapter 11A of the 2001 California Building Code, requiring that all "ground floor" units be adaptable is not applicable to this project as it only applies to condominium *buildings* (not projects) with four (4) units or more.

Policy Consistency

The overall site plan conforms to the standards of the R-2 Zone, Two Family Residential, as prescribed in SBMC Chapter 28.18. As detailed on the Site Plan (sheet PC.2) and Unit Layout Plan (PC.3), each unit conforms to the required setback (front, rear, and interior), height, private open yard area, public open yard area, and parking standards. The proposed development would maximize the allowable density of the site with ten (10) dwelling units. Although the Zoning Ordinance would allow up to eleven (11) units, the proposed General Plan Designation of Residential, 12 dwelling units per acre, would only allow up to ten (10) units. The proposed project would not require modification of the development standard or the density requirements of the R-2 Zone.

The building massing has been designed in accordance with the City's Neighborhood Preservation Ordinance and Development Design Standards. Likewise, each unit complies with the City's physical design standards for new condominiums as detailed in SBMC §27.13.060. The project was conceptually reviewed in February, July and October of 2004, by the Architectural Board of Review (ABR) and received overall positive comments in terms of mass, bulk, and scale and neighborhood compatibility.

Affordability

There is no one set calculation for determining the number of affordable units required as a result of a rezone. The City density bonus policies and zoning ordinance do not address rezones and how to determine the affordability of a unit made possible through a rezone. Historically, Staff has recommended that additional residential density gained through a rezone be income restricted affordable.

When the project was conceptually reviewed by the Planning Commission during the Initiation of Zone Change hearing on January 23, 2003, the project was 100% market rate and consisted of 10 units. At that time Staff recommended to the Commission that if the proposed rezone was to be initiated the project should be required to provide all additional units granted by the rezone[1] to be affordable, thus requiring the proposed ten (10) unit condominium project to have four (4) market rate and six (6) affordable units. The Planning Commission supported the initiation of zone change but did not support Staff's recommendation of an affordability requirement of four (4) market rate and six (6) affordable (see attached January 23, 2003, Planning Commission minutes).

In response to the fact that the Planning Commission did not support staff's position on affordability requirements at the January 23, 2003 hearing and considering the affordability directives established by the Inclusionary Housing Ordinance, the project you are considering today consists of eight (8) market rate units and two (2) middle income affordable units, adding a 20% affordability component to the project. The proposed project would provide two (2) income restricted affordable condominium units and eight (8) market rate condominium units that are more "affordable by design" (i.e. attached, smaller, higher density) than the standard single family development possible under the parcel's current E-3 zoning designation.

We have met with Staff in an attempt to develop a mutually acceptable project affordability mix. Staff has been unwavering in their position that the project should provide four (4) market rate and six (6) affordable units. The inability to establish a mutually agreeable division on market rate and affordable units and the economic infeasibility of implementing Staff's recommendation has left us at an impasse. As a result, we ask that the resolution of the appropriate ratio of market rate and affordable units be left to the discretion of the Planning Commission.

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[1] Under the current zoning designation of E-3/SD-3 the parcel could be developed with one (1) single family residence or potentially four (4) single family residences via a four lot subdivision and a General Plan and Local Coastal Plan Amendment.

Requested Actions

Given the proposed scope of work we respectfully request Planning Commission approval of the follow actions, contingent upon actions by the City Council and California Coastal Commission:

1. Tentative Subdivision Map for a one-lot subdivision to construct ten (10) residential condominium units.
2. Coastal Development Permit for a one-lot subdivision to construct ten (10) residential condominium units in the non-appealable jurisdiction of the Coastal Zone.
3. Modification to allow a wall to exceed the maximum allowable height of eight (8) feet.

In addition, we respectfully request that the Planning Commission recommend to the City Council approval of the following actions requiring approval by the City Council and California Coastal Commission:

1. Zoning Map Amendment to change the zoning designation of the subject property from E-3/SD-3, Single Family Residential/Coastal Overlay Zone, to R-2/SD-3, Two Family Residential/Coastal Overlay Zone.
2. General Plan Amendment to amend the General Plan Land Use Map for the subject property from Major Public & Institutional to Residential, 12 units per acre, and delete the "Proposed Park" designation.
3. Local Coastal Plan Amendment to amend the Local Coastal Plan Land Use Map.

Project Justification & Conclusion

It has been challenging for my client to develop this property given the discrepancy between the current underlying residential zoning designation and the institutional General Plan designation. I understand that the institutional General Plan designation may have been a mapping error at the time the General Plan map was ratified. Under the City's General Plan, a property with a General Plan designation of Public & Institutional must be developed with a school, park or non-profit entity, none of which, when approached has expressed interest in purchasing the property. Given my clients interest in developing his property in a residential capacity consistent with the surrounding neighborhood development, we are requesting to adjust the property's zoning designation from E-3/SD-3 to R-2/SD-3, and subsequently amend the General Plan and Local Coastal Plan.

This property is a prime location for multi-family living and will be adequately served by all required public utilities. Given the existing surrounding development, commercial corridor and public transportation availability, the density proposed equates to sound community planning. Housing in the City is limited and demand is high. The proposed project would add to the housing stock at both the market rate and affordable levels.

On behalf of the property owner, I thank you for your review and consideration of this application. I look forward to presenting this project to you in greater detail on October 20, 2005. Should you have any questions or require additional information, please do not hesitate to contact me at sfort@tynangroup.com. I may also be reached by phone at (805) 898-0567 extension 161.

Respectfully,

Steven M. Fort
Project Manager
TynanGroup, Inc.

Enclosures

cc: Mike Stevens, Property Owner
Peter Ehlen, East Beach Ventures
Scott Schell, Associated Transportation Engineers (ATE)

ARCHITECTURAL BOARD OF REVIEW
CASE SUMMARY

210 MEIGS RD **MST2002-00710**

R-10 CONDOS

Project Description:

The project consists of a one lot subdivision with ten condominiums (8 market and 2 affordable) and 23 parking spaces on a 38,553 square foot vacant lot. A zone change from E-3/S-D-3 to R-2/S-D-3 is requested. A change in the existing General Plan designation from Major Public and Institutional to Residential, 12 units per acre, and removal of a proposed park symbol would also be necessary as well as a Local Coastal Plan Amendment because the General Plan Amendment would affect a parcel in the Coastal Zone.

Activities:

10/4/2004 ***ABR-Concept Review (Continued)***

(Third Concept Review.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL OF A TENTATIVE SUBDIVISION MAP, COASTAL DEVELOPMENT PERMIT, MODIFICATIONS, AND AMENDMENTS TO THE GENERAL AND LOCAL COASTAL PLAN.)

(5:23)

Peter Ehlen, Architect; David Black, Landscape Architect; and Jessica Grant, Case planner, present.

Public comment opened at 5:38 p.m.

Ed Gamble, 320 Lighthouse Rd. stated concerns about the density and deviation from single family homes.

Public comment closed at 5:40 p.m.

Motion: Continued indefinitely to the Planning Commission with the following comments: 1) The Board appreciates the applicant's response to the massing at Meigs Road. 2) The Board appreciates the stepping of the buildings into the natural terrain. 3) The two-foot wall separation and the pedestrian pathways internal to the site is a positive relationship to the street. 4) The Board appreciates the applicant's response of the relationship of the site planning to the adjacent school. 5) The Board appreciates the introduction of more landscaping in the courtyard areas. 6) The overall site-plan is successful with the internalization of the parking area, which is hidden from public view. 7)

Project Description:

The project consists of a one lot subdivision with ten condominiums (8 market and 2 affordable) and 23 parking spaces on a 38,553 square foot vacant lot. A zone change from E-3/S-D-3 to R-2/S-D-3 is requested. A change in the existing General Plan designation from Major Public and Institutional to Residential, 12 units per acre, and removal of a proposed park symbol would also be necessary as well as a Local Coastal Plan Amendment because the General Plan Amendment would affect a parcel in the Coastal Zone.

Activities:

The Board finds the overall mass, bulk and scale is moving in the right direction. 8) Units 3 through 6 need better grounding of the architectural elements. 9) Study distinguishing architecture elements, to be more like units 7 and 8. 10) The Board appreciates the introduction of the internal landscaping of the skyline trees to break up the building masses. 11) The Board appreciates the extension of the parkway and the narrowing of the road to provide more landscape to the project. 12) Provide more significant vertical break-ups on the first floor along Meigs Road.
Action: Pierron/Bartlett, 8/0/0.

9/17/2004 ***ABR-Resubmittal Received***

Resubmittal has been received. Dave Sullivan.

7/19/2004 ***ABR-Concept Review (Continued)***

(Second Concept Review.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL OF A TENTATIVE SUBDIVISION MAP, COASTAL DEVELOPMENT PERMIT, MODIFICATIONS, AND AMENDMENTS TO THE GENERAL AND LOCAL COASTAL PLAN.)

(3:38)

David Black, Landscape Architect; David Odell, Applicant; and Pete Ehlen, Architect, present.

Staff Comment: Jessica Grant, Case Planner, reiterated that at the last DART review, it was recommended that the applicant take access off of Lighthouse Road through an existing easement instead of taking access off Meigs Road.

Motion: Continued indefinitely with the following comments: 1) The Board appreciates the direction that the application has taken in reducing the scale and massing of the units. 2) The Board appreciates the significant pedestrian access points off of Meigs Road into the courtyards. 3) The Board views the overall site planning as positive. 4) The Board appreciates internalization of the automobile access in allowing the largely public experience from Meigs Road to be landscaping and pedestrian. 5) The skyline trees that come up through the units are favorable. 6) Further reduce the mass, bulk, and scale of the units, particularly in response to the natural terrain, by internal stepping of the units and manipulation of roof lines to create a cascading effect down the slope. 7) Study introducing more one-story elements, particularly as the architecture approaches the south. 8) Reduce the amount of two

Project Description:

The project consists of a one lot subdivision with ten condominiums (8 market and 2 affordable) and 23 parking spaces on a 38,553 square foot vacant lot. A zone change from E-3/S-D-3 to R-2/S-D-3 is requested. A change in the existing General Plan designation from Major Public and Institutional to Residential, 12 units per acre, and removal of a proposed park symbol would also be necessary as well as a Local Coastal Plan Amendment because the General Plan Amendment would affect a parcel in the Coastal Zone.

Activities:

and a half story volume architecture and further reduce the architecture along Meigs Road. 9) Further study smaller scale pieces of architecture. 10) Introduce more softscape into the courtyards because the design is too urban and needs to be more in keeping with the Mesa vernacular. 12) Introduce larger trees to the periphery of the site. 13) Rearrange the trees from the internal courtyard to make more useable space. 14) Some Board members feel that the architecture is too ornate for the Mesa. 15) Provide a composite elevation along Meigs Road and on the Eastern elevation, showing the grade elevation as it descends. 16) One Board member is concerned with the impact of the architecture and the privacy relative to the school in the Eastern property line. 17) Assure adequate landscape screening and that the architecture turn away from the school. 18) Study dropping the grade at the most internalized portion of the motor court and the adjacent unit number ten. 19) Create a more pedestrian friendly entry on unit ten.
Action: Pierron/Bartlett, 8/0/0.

2/9/2004 ***ABR-Concept Review (New)***

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL.)

(3:42)

Peter Ehlen, Architect, and Jessica Grant, Project Planner, present.

Motion: Continued indefinitely with the following comments: 1) The general concept of the project is appropriate. 2) Introduce more visual and real pedestrian connection to the units along Meigs Road. 3) The architecture needs to provide a more significant human scale. 4) Break down the massing to respond to the slope of the site through the reduction of plate heights, more one-story elements, etc. 5) Provide significant landscaping to break down the massing of project on the east side, along the property adjacent to the school, and to interrupt the architecture along the street. 6) Provide indication of the significant existing trees. 7) Provide opportunities for trees that can be saved. 8) Provide mitigation plans for the loss of the significant trees that will be removed.

Action: Pierron/Larson, 7/0/0.

CITY OF SANTA BARBARA
COMMUNITY DEVELOPMENT DEPARTMENT
MITIGATED NEGATIVE DECLARATION – MST2002-00710

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970," as amended to date, this Mitigated Negative Declaration has been prepared for the following project:

PROJECT: **210 MEIGS ROAD PROJECT (MST2002-00710)**

PROJECT LOCATION: **210 MEIGS ROAD. (APN 045-110-011)**

PROJECT PROPONENT: **Amy Graham**

PROJECT DESCRIPTION: The project consists of a one lot subdivision with ten condominium units, 8 of which are market and 2 affordable at middle income. Each unit would have a two-car garage and three guest parking spaces would be provided on site. The project proposes 3,830 cubic yards of cut and 10 cubic yards of fill outside the main building footprint. The project proposes to take access from Meigs Road, south of the northerly property boundary. The project includes the removal of approximately 57 existing 4 to 42 inch trees, composed primarily of Eucalyptus and other non-natives and the installation of 63 new trees, 43 of which would be 24" box trees. The proposal includes retention of an existing mature oak tree and tree protection measures.

MITIGATED NEGATIVE DECLARATION FINDING:
Based on the attached Initial Study prepared for the proposed project, it has been determined that with implementation of mitigation measures agreed to by the project applicant, the proposed project will not have a significant effect on the environment.

Environmental Analyst

10/13/2005
Date

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EXHIBIT E

CITY OF SANTA BARBARA
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

INITIAL STUDY/ ENVIRONMENTAL CHECKLIST MST2002-00710

PROJECT: 210 MEIGS ROAD

October 20, 2005

This Initial Study has been completed for the project described below because the project is subject to review under the California Environmental Quality Act (CEQA) and was determined not to be exempt from the requirement for the preparation of an environmental document. The information, analysis and conclusions contained in this Initial Study are the basis for deciding whether a Negative Declaration (ND) is to be prepared or if preparation of an Environmental Impact Report (EIR) is required to further analyze impacts. Additionally, if preparation of an EIR is required, the Initial Study is used to focus the EIR on the effects determined to be potentially significant.

A Draft Mitigated Negative Declaration (DMND) was circulated for public comment from August 8 through September 7, 2005, and a public comment hearing was held by the Planning Commission on August 25, 2005. Five letters of public comment were received, as well as hearing comments (comment letters and hearing minutes are attached). Comments were received from the following parties:

- Witz Baucke, Julia, September 7, 2005
- Heiferz Campbell, Natasha, September 7, 2005
- Jones, Jennifer. September 2, 2005, California Department of Toxic Substances Control
- Kalman, Carol, September 7, 2005
- Hetyonk, David. September 6, 2005, Santa Barbara School Districts.
- Hetyonk, David. August 6, 2005, Santa Barbara School Districts.
- Gaffney, Rebecca, August 24, 2005.

The letters received included the following substantive environmental comments:

- Insufficient existing setting information is provided. More information regarding the site and the surrounding area is needed.
- Environmental impacts are not adequately disclosed.
- The public notice was inadequate because it did not include a reference to all documents referred to in the MND.
- The air quality impacts of construction on the adjacent school, a sensitive receptor, are not adequately addressed and construction air quality mitigation is inadequate. Grading should be limited during school hours. Construction traffic should be limited through the school parking lot during school hours. Washington School should be advised of dust creating construction activities. Construction should be prohibited during school special events.
- Noise impacts on the school are not adequately addressed. The noise level in adjacent temporary school classrooms should be estimated.
- The initial study does not consistently estimate the length of the construction period.
- Construction access routes are not identified and may include Lighthouse road and the access easement. Use of this access route could cause traffic safety issues for school attendees.
- The MND does not include a land use section. Future residents of the project should be notified that they would be located adjacent to the school which could cause a land use conflict with the future project residents.
- Washington School representatives should be included in the MMRP pre-construction briefing.
- The MND must indicate if historic use of the site resulted in release of hazardous substances on the site. Any known or potentially contaminated areas on the site need to be identified. All investigation of hazardous materials on the site should be conducted under an approved work plan. Any contaminated spoils encountered during construction should cause construction to cease and appropriate procedures implemented.

- Pesticides should not be used on the site during construction.

APPLICANT/ PROPERTY OWNER

Applicant:

Steve Fort, Tynan Group, Inc.
2927 De la Vina Street
Santa Barbara, CA 93103

Owner

Michael Stevens
13337 South Street, #361
Cerritos, CA 90703

Applicant Representative:

Pete Ehlen, Architect
410-B E. Haley Street
Santa Barbara, CA 93101

PROJECT ADDRESS/LOCATION (See *Exhibit A-Vicinity Map*)

The subject property is a 53,484 (gross) square foot vacant lot (38,553 square feet net) located in the East Mesa Area adjacent to Washington School, at the terminus of Lighthouse Road, across from La Mesa Park, and fronts along Meigs Road.

PROJECT DESCRIPTION (See *Exhibit B-Site Plan*)

Project Components:

The project consists of a one lot subdivision with ten condominium units, 8 of which are market and 2 affordable at middle income. The units are composed of two and three bedrooms and range in size from 1,080 to 2,409 square feet. Each unit would have a two-car garage and three guest parking spaces would be provided on-site. The project proposes to take access from Meigs Road, south of the northerly property boundary. The project proposes 3,830 cubic yards of cut and 10 cubic yards of fill outside the main building footprint. Grading under the main building footprints would be balanced on-site involving 1,082 cubic yards.

The project includes the removal of approximately 57 existing 4 to 42 inch trees, composed primarily of Eucalyptus and other non-natives and the installation of 63 new trees, 43 of which would be 24" box trees, approximately 15 feet in height at the time of planting, in five years the height would be from 25-30 feet and at maturity in 10 years, 30 to 45 feet in height. The proposal includes retention of an existing mature oak tree and protection measures.

A zone change from E-3/S-D-3 to R-2/S-D-3 is required. A change in the existing General Plan designation from Major Public and Institutional to Residential, 12 units per acre, and removal of a Proposed Park designation would also be necessary, as well as a Local Coastal Plan (LCP) Amendment because the parcel is located in the Coastal Zone.

Required Permits:

Actions requiring a Planning Commission recommendation to the City Council and subsequent approval by the City Council and the California Coastal Commission:

1. General Plan Map Amendment to amend the General Plan Land Use Map for the subject parcel from Major Public & Institutional to Residential, 12 units per acre, which would be consistent with the proposed R-2 Zoning designation, and delete the "Proposed Park" designation from this area.
2. Local Coastal Plan Amendment to amend the Local Coastal Plan Land Use Map in the Coastal Zone (SBMC §28.45.009.7)
3. Zoning Map Amendment to change the E-3/SD-3, Single Family Residential Zone/Coastal Overlay Zone, to R-2/SD-3, Two Family Residential Zone/Coastal Overlay Zone (SBMC §28.92.015).

Actions by the Planning Commission contingent upon above actions by the City Council and Coastal Commission:

1. Coastal Development Permit for a one lot subdivision to construct residential condominiums in the nonappealable jurisdiction of the Coastal Zone (SBMC §28.45.009)
2. Tentative Subdivision Map for a one lot subdivision to construct residential condominiums (SBMC Chapter 27.07).

ENVIRONMENTAL SETTING

Existing Site Characteristics

Topography:

The site has an average of an 8 percent slope, sloping to the south toward Meigs Road.

Seismic/Geologic Conditions:

According to the Master Environmental Assessment Map, the project site is located in an area of the "low damage level to one to three story structures." The site is not located in an area of known or mapped faults, but would be subject to ground shaking due to earthquakes on nearby faults.

Flooding/Fire Hazard:

The project site is not located within a flood hazard area or in the High Fire Hazard area of the City.

Creeks/Drainage:

The closest creek to the project site is located across Meigs Road, traversing La Mesa Park. Drainage on the project site sheet flows southeasterly across the property onto Meigs Road. The drainage on Meigs Road surface flows in an existing curb and gutter, southeasterly into an existing drop inlet and is then conveyed in a 24-inch concrete pipe that eventually outlets at the beach on the south side of Meigs Road.

Biological Resources:

The project site is located in an urban setting surrounded by Washington Elementary School and a neighborhood of single, multiple family residences, and commercial development. Existing vegetation of the site consists of common ornamental shrubs and trees. There are no sensitive, endangered, rare or threatened species known to occur on the site.

Archaeological Resources:

The site is not within any of the City's cultural sensitivity zones.

Noise:

According to the Master Environmental Assessment Map, the project site is within the less than 60 decibel (DBA Ldn) noise contour for average ambient noise levels.

Existing Land Use

Existing Facilities and Uses:

The project site is currently vacant. Vegetation within this site consists primarily of common ornamental shrubs (Pyrancantha, Myoporum) and trees (Acacia, California Pepper, Eucalyptus). Ground cover consists of non-native grasses (Bromus, Avena) and common weeds (mustard, radish, and thistle). There is one mature Coast Live Oak tree on the property that will remain.

Access and Parking:

The project site is vacant; access is currently taken from an easement at the terminus of Lighthouse Road. There are no existing parking spaces on the site.

PROPERTY CHARACTERISTICS

Assessor's Parcel Number:	045-110-011	**Existing General Plan Designation:**	Major Public & Institutional, with "Proposed Park" symbol
Existing Zoning:	E-3/SD-3, Single Family Residential Zone/Coastal Overlay Zone	**Proposed GP Designation:**	Residential, 12 units per acre
Proposed Zoning:	R-2/SD-3, Two Family Residential Zone/Coastal Overlay Zone	**Parcel Size:**	53,484 gross square feet (38,553 net square feet)
Existing Land Use:	Vacant	**Proposed Land Use:**	Multi-residential
Slope:	Eight percent average slope that slopes to the south towards Meigs Road		
SURROUNDING LAND USES:			
North:	Washington Elementary School		
South:	Across Meigs Rd. – La Mesa Park and U.S. Coast Guard Facility		
East:	Washington Elementary School		
West:	Across Meigs Rd. – La Mesa Park and U.S. Coast Guard Facility		

PLANS AND POLICY DISCUSSION

Land Use and Zoning Designations:

The subject lot is in the East Mesa Neighborhood as described in the Land Use Element of the General Plan. This area is described as mostly having a density classification of five dwelling units per the acre, which would be consistent with E-3 zoning classification. The discussion in the General Plan of both the East and West Mesa neighborhoods is that, despite the predominant single-family development, there has been in the past pressure for rezoning to allow multi-family developments along Cliff Drive. The General Plan has shown an area around the Mesa Shopping Center at a density classification of twelve dwelling units to the acre. Most of this area is now zoned R-2 and is developed with garden apartments, duplexes and condominiums. The subject site is located near the intersection of Cliff Drive and Meigs Road where the Mesa Shopping Center is located.

The property is currently zoned E-3, Single-Family Residential. This zoning designation allows for the development of ~~only~~ one single family residence on minimum lot sizes of 7,500 square feet. The subject property is 38,553 net square feet and could potentially be subdivided into four lots, under the current zoning. It appears the original intent of the E-3 zoning for this property was to match the other E-3 zoned properties that are common in the East Mesa neighborhood, although many of the lots in the immediate neighborhood are nonconforming to lot sizes, resulting in a relatively dense residential neighborhood. Washington School, immediately adjacent to the project site, is also zoned E-3. Residential use for the subject site would be a consistent and compatible use with the surrounding neighborhood – the school, the park, and the commercial/retail center. The project site is the only privately held property in the area and is surrounded by Public Institutional uses. The area north of the school is zoned R-2. The project would require a General Plan Amendment from Major Public/Institutional/Proposed Park to Residential, 12 units/acre.

Both the R-2 and E-3 residential zones require that one and two story structures observe a six foot interior yard setback. The eastern property line is shared with Washington School and proposed Units 7 and 8. The preliminary landscape plan includes the installation of several trees that will help screen the development from the school. The window on the east elevation of Unit 8 has been reconfigured to address privacy. Improvements at the school are subject to review by the City of Santa Barbara because the school is located in the Coastal Zone. New construction requires a Coastal Development Permit with the provision of required setbacks. The school intends to construct a library and replace the portable classrooms when funding becomes available.

The school has stated concerns regarding compatibility with the school and future residential units; sometimes adjacent residents have complained about the noise and activity that normally occur on a school site. As a project condition of approval, the private CC&Rs will include disclosure of school activities, after school activities, and future school expansion projects.

General Plan Policies:

The proposed General Plan Amendment and Zone Change would continue the multiple-family land use pattern occurring around the Cliff Drive/Meigs Road shopping center and would locate more intense residential development (10 units) in close proximity to shopping and limited work opportunities.

Housing Element:

The proposed project would provide two condominium units to middle-income residents (130% of the Area Median Income). This income group has been identified by the City as an important income level to target in the development of new homes, which is reflected in the City's recently adopted Housing Element and Inclusionary Housing Ordinance. Policy 4.1 of the Housing Element states that, all opportunities to construct new housing units that are affordable to low- and moderate-income owners and renters shall be pursued. One of the implementation strategies to meet this goal is to continue to assist in development of vacant infill parcels for new low or moderate income households.

Local Coastal Plan

The project must be found consistent with the City's Local Coastal Plan (LCP) because the site is located in the Coastal Zone. The Coastal Plan Map designation for the site is Major Public and Institutional. The proposed designation is Residential-12 units per acre. The project is located in Component Two of the LCP. The LCP acknowledges that this area is almost entirely developed with single-family residences with a few areas of multiple family residential located primarily around the commercial center at the intersection of Cliff Drive and Meigs Road.

Circulation Element

The Circulation Element of the General Plan contains goals and implementing measures to reduce adverse impacts to the City's street system and parking by reducing reliance on the automobile, encouraging alternative forms of transportation, reviewing traffic impact standards, and applying land use and planning strategies that support the City's mobility goals.

The project proposes access off of Meigs Road south of the northerly property boundary. In order to access the property from Meigs Road, the project would be conditioned to include roadway improvements along Meigs Road to ensure proper sight visibility from the project site. Please refer to discussion in section 11 of this study for additional detail.

The proposed project would be consistent with all applicable policies and development standards of the City's General Plan and Zoning Ordinance, with Planning Commission recommendations to the City Council to support the General Plan, Local Coastal Plan, and Zoning Map Amendments. Additional analysis of the project's consistency with the City's General Plan Elements, Zoning Ordinance, and policies will be provided in the Planning Commission Staff Report for the project, with a final determination of consistency to be made by the Commission.

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

A draft Mitigation Monitoring and Reporting Program has been prepared for the project in compliance with Public Resources Code §21081.6. The draft MMRP is attached here as ***Exhibit C***.

ENVIRONMENTAL CHECKLIST

The following checklist contains questions concerning potential changes to the environment that may result if this project is implemented. If no impact would occur, **NO** should be checked. If the project might result in an impact, check **YES** indicating the potential level of significance as follows:

Significant: Known substantial environmental impacts. Further review needed to determine if there are feasible mitigation measures and/or alternatives to reduce the impact.

Potentially Significant: Unknown, potentially significant impacts that need further review to determine significance level and whether mitigable.

Potentially Significant, Mitigable: Potentially significant impacts that can be avoided or reduced to less than significant levels with identified mitigation measures agreed-to by the applicant.

Less Than Significant: Impacts that are not substantial or significant.

1. AESTHETICS Could the project:	NO	YES *Level of Significance*
a) Affect a public scenic vista or designated scenic highway or highway/roadway eligible for designation as a scenic highway?		Potentially Significant, Mitigable
b) Have a demonstrable negative aesthetic effect in that it is inconsistent with Architectural Board of Review or Historic Landmarks Guidelines or guidelines/criteria adopted as part of the Local Coastal Program?		Potentially Significant, Mitigable
c) Create light or glare?		Potentially Significant, Mitigable

Visual Aesthetics - Discussion

Issues: Issues associated with visual aesthetics include the potential blockage of important public scenic views, project on-site visual aesthetics and compatibility with the surrounding area, and changes in exterior lighting.

Impact Evaluation Guidelines: Aesthetic quality, whether a project is visually pleasing or unpleasing, may be perceived and valued differently from one person to the next, and depends in part on the context of the environment in which a project is proposed. The significance of visual changes is assessed qualitatively based on consideration of the proposed physical change and project design within the context of the surrounding visual setting. First, the existing visual setting is reviewed to determine whether important existing visual aesthetics are involved, based on consideration of existing views, existing visual aesthetics on and around the site, and existing lighting conditions. Under CEQA, the evaluation of a project's potential impacts to scenic views is focused on views from public (as opposed to private) viewpoints. The importance of existing views is assessed qualitatively based on whether important visual resources such as mountains, skyline trees, or the coastline, can be seen, the extent and scenic quality of the views, and whether the views are experienced from public viewpoints. The visual changes associated with the project are then assessed qualitatively to determine whether the project would result in substantial effects associated with important public scenic views, on-site visual aesthetics, and lighting.

Significant visual aesthetics impacts may potentially result from:

- Substantial obstruction or degradation of important public scenic views, including important views from scenic highways; extensive grading and/or removal of substantial amounts of vegetation and trees visible from public areas without adequate landscaping; or substantial loss of important public open space.
- Substantial negative aesthetic effect or incompatibility with surrounding land uses or structures due to project size, massing, scale, density, architecture, signage, or other design features.
- Substantial light and/or glare that poses a hazard or substantial annoyance to adjacent land uses and sensitive receptors.

Visual Aesthetics – Existing Conditions and Project Impacts

1.a.) Scenic Views

The project site is not located along a scenic highway or roadway eligible for designation as a scenic highway. The site is located on the opposite La Mesa Park on Meigs Road, a fifty foot wide street. Major public views from the La Mesa Park would be directed to the south and southwest toward the ocean. The view from the park toward the north is obscured by the existing vegetation along the project site property frontage. Public views toward the north and the project site are considered somewhat degraded due to the surrounding urban setting. The proposed project 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. For these reasons, project impacts related to public scenic views are considered *potentially significant, mitigable* (see Mitigation AES-1, below).

1.b) On-Site Aesthetics

Currently, the project site is predominantly vegetated with a mature stand of eucalyptus trees, bordered by Washington Elementary School and a condominium development. The project proposes to remove the existing mature vegetation to

make way for the residential development. From a visual, aesthetic perspective, the project would result in a visual change from the public street and La Mesa Park due to the removal of the trees. The proposed landscaping design has received positive comments from the ABR and would result in a positive aesthetic effect to the site and to the surrounding neighborhood. The existing oak tree (diameter breast height of 14 inches) located at the northern edge of the site, is proposed to remain, with application of standard tree protection measures. The project received three concept reviews at the Architectural Board of Review (ABR), receiving overall positive aesthetic comments in terms of mass, bulk and scale and neighborhood compatibility. The following statements were made by the ABR highlighting the project elements that are considered aesthetically successful: overall site plan – internalization of automobile access allowing for the public experience from Meigs Road to be pedestrian and landscaped; incorporation of substantial landscaping in the courtyard areas; and stepping of the buildings into the natural terrain (Exhibit D, ABR minutes). The project would return to the ABR to receive preliminary and final approval for the architecture and landscape plan. Project impacts related to aesthetics would be *potentially significant, mitigable* (see Mitigation AES-1, below).

1.c) Lighting

Because the site is currently undeveloped, there is no light or glare generated from the existing condition. There are no street lights along the property frontage. La Mesa Park across Meigs Road from the project site closes at dusk and therefore does not have any lighting in the parking lot. Washington Elementary School, adjacent to the project site, does not have parking lot lighting, but does have standard exterior lighting on the outside of the buildings. Also, there is condominium development to the north of the site that generates minor amounts of light in the project area. The proposed project's outdoor lighting would be required to be in compliance with the City's Outdoor Lighting Ordinance, subject to review and approval of the ABR and therefore would be considered to result in a *potentially significant, mitigable* impact in creating light or glare from the project site (see Mitigation AES-2, below).

Visual Aesthetics - Mitigation

AES-1 Design Review. Prior to building permit issuance, proposed project grading and landform alteration, structural design, landscaping, and lighting is subject to preliminary and final review and approval by the Architectural Board of Review for consistency with design guidelines for views, visual aesthetics and compatibility, and lighting. The ABR shall give attention to privacy and an adequate landscape buffer along the east property line.

AES-2 Lighting. Exterior lighting design shall conform with City Lighting Ordinance requirements, including shielding and direction to the ground to avoid off-site lighting and glare effects, and shall be approved by the Architectural Board of Review.

Visual Aesthetics - Residual Impacts

Less than significant.

2. AIR QUALITY Could the project:		NO	YES *Level of Significance*
a)	Violate any air quality standard or contribute to an existing or projected air quality violation?		Less than Significant
b)	Expose sensitive receptors to pollutants?		Less than Significant
c)	Create objectionable odors?		Less than Significant
Is the project consistent with the County of Santa Barbara Air Quality Attainment Plan? Yes.			

Air Quality - Discussion

Issues. Air quality issues involve pollutant emissions from vehicle exhaust and industrial or other stationary sources that contribute to smog, particulates and nuisance dust associated with grading and construction processes, and nuisance odors.

Smog, or ozone, is formed in the atmosphere through a series of photochemical reactions involving interaction of oxides of nitrogen [NO_x] and reactive organic compounds [ROC] (referred to as ozone precursors) with sunlight over a period of several hours. Primary sources of ozone precursors in the South Coast area are vehicle emissions. Sources of particulate matter (PM_{10}) include demolition, grading, road dust, and vehicle exhaust, as well as agricultural tilling and mineral quarries.

The City of Santa Barbara is within the South Coast Air Basin. The City is subject to the California Ambient Air Quality Standards (CAAQS), which are more stringent than the national standards, for six pollutants: photochemical ozone, carbon monoxide, sulfur dioxide, nitrogen dioxide, particulate matter, and lead. The Santa Barbara County Air Pollution Control District (SBCAPCD) provides oversight on compliance with air quality standards and preparation of the County Clean Air Plan. Presently, the County of Santa Barbara is in non-attainment with the CAAQS for ozone (O_3) and particulate matter (PM_{10}). An area is in nonattainment for a pollutant if the applicable CAAQS for that pollutant has been exceeded more than once in three years. There are also heavily congested intersections within the City that may approach the California 1-hour standard of 20 parts per million for carbon monoxide (CO) during peak traffic hours.

Impact Evaluation Guidelines. A project may create a significant air quality impact from the following:

- Exceeding an APCD pollutant threshold; inconsistency with District regulations; or exceeding population forecasts in the adopted County Clean Air Plan.
- Exposing sensitive receptors, such as children, the elderly, or sick people to substantial pollutant exposure.
- Substantial unmitigated nuisance dust during earthwork or construction operations.
- Creation of nuisance odors inconsistent with APCD regulations.

Long-Term (Operational) Impact Guidelines: The City of Santa Barbara uses the SBCAPCD thresholds of significance for evaluating air quality impacts. The APCD has determined that a proposed project will not have a significant air quality impact on the environment if operation of the project will:

- Emit (from all project sources, both stationary and mobile) less than 240 pounds per day for ROC and NO_x, and 80 pounds per day for PM_{10};
- Emit less than 25 pounds per day of ROC or NO_x from motor vehicle trips only;
- For CO, contribute less than 800 peak hour trips to an individual intersection;
- Not cause a violation of any California or National Ambient Air Quality Standard (except ozone); and not exceed the APCD health risks public notification thresholds adopted by the APCD Board; and
- Be consistent with the adopted federal and state air quality plans for Santa Barbara.

Short-Term (Construction) Impacts Guidelines: Projects involving grading, paving, construction, and landscaping activities may cause localized nuisance dust impacts and increased particulate matter (PM_{10}). Substantial dust-related impacts may be potentially significant, but are generally considered mitigable with the application of standard dust control mitigation measures. Standard dust mitigation measures are applied to projects with either significant or less than significant effects.

Exhaust from construction equipment also contributes to air pollution. As a guideline, SBCAPCD Rule 202.F.3 identifies a substantial effect associated with projects having combined emissions from all construction equipment that exceed 25 tons of any pollutant except carbon monoxide) within a 12-month period.

Cumulative Impacts and Consistency with Clean Air Plan: If the project-specific impact exceeds the significance threshold, it is also considered to have a considerable contribution to cumulative impacts. When a project is not accounted for in the most recent Clean Air Plan growth projections, then the project's impact may also be considered to have a considerable contribution to cumulative air quality impacts. The Santa Barbara County Association of Governments and Air Resources Board on-road emissions forecasts are used as a basis for vehicle emission forecasting. If a project provides for increased population growth beyond that forecasted in the most recently adopted CAP, or if the project does not incorporate appropriate air quality mitigation and control measures, or is inconsistent with APCD rules and regulations, then the project may be found inconsistent with the CAP and may have a significant impact on air quality.

Air Quality – Existing Conditions and Project Impacts

2.a-b) Air Pollutant Emissions

Long-Term (Operational) Emissions:

The proposed project would emit 1.22 pounds per day of ROC, 1.81 NOx and 1.57 pounds per day of PM_{10} (based on results obtained by URBEMIS 2002 computer analysis). Thus, long-term emissions associated with the project would be far less than the Santa Barbara County Air Pollution Control District threshold of impact significance for air quality impacts; therefore, the project impact related to long-term air pollutant emissions is considered *less than significant*.

Short-Term (Construction) Emissions:

Exhaust from construction equipment also contributes to air pollution. The estimated length of construction is one year. As a guideline, SBCAPCD Rule 202.F.3 identifies a substantial effect associated with projects having combined emissions from all construction equipment that exceed 25 tons of any pollutant except carbon monoxide, within a 12-month period. Construction emissions for the proposed project are estimated to be less than the 25 ton per year maximum. Thus, construction emissions associated with the project would be less than the Santa Barbara County Air Pollution Control District threshold of significance for air quality impacts and therefore the project impact related to short term air pollutant emissions is considered *less than significant*. Although the project would not have a significant air quality impact, mitigation to minimize emissions are recommended.

Mitigation measures AQ-1 through AQ-6 address construction dust emissions. The recommended mitigation measure, N-3 in Section 7, Noise, specifies allowed construction hours. In order to reduce the length of exposure to noise and air quality concerns, the construction hours have been extended to allow weekend and holiday work.

Sensitive Receptors: Sensitive receptors are defined as children, elderly, or ill people that can be more adversely affected by air quality problems. Land uses typically associated with sensitive receptors include schools, parks, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and clinics. Stationary sources are of particular concern to sensitive receptors, as is construction dust and particulate matter. The project would not include stationary sources, but sensitive receptors at Washington School, adjacent to the project site and at La Mesa Park ~~the park~~ could be affected by dust and particulates during project site grading and construction. Nuisance dust and particulates would be minimized through application of dust control mitigation measures. The insignificant amounts of these pollutants would result in less than significant temporary exposure of sensitive receptors to pollutants.

2.c) Odors

The project is limited to residential uses, and would not include land uses involving odors or smoke. Odors from wood burning fireplaces would potentially result in a nuisance impact; therefore a recommendation to prohibit wood burning fireplaces is included. Project impacts related to odors would be considered *less than significant.*

Consistency with the Clean Air Plan: Direct and indirect emissions associated with the project are accounted for in the CAP emissions growth assumptions, because the project site is less than one acre in size. Because the increase in residential units is not substantial, appropriate air quality mitigation measures, including construction dust suppression, would be applied to the project, consistent with CAP and City policies. The project could be found consistent with the Clean Air Plan.

Air Quality – Recommended Mitigation

AQ-1 Construction Dust Control - Watering. During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

AQ-2 Construction Dust Control – Tarping. Trucks transporting fill material to and from the site shall be covered from the point of origin.

AQ-3 Construction Dust Control – Gravel Pads. Gravel pads shall be installed at all access points to prevent tracking of mud on to public roads.

AQ-4 Construction Dust Control – Disturbed Area Treatment. After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by:

A. Seeding and watering until grass cover is grown;

B. Spreading soil binders;

C. Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind;

D. Other methods approved in advance by the Air Pollution Control District.

AQ-5 Construction Dust Control – Paving. All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

AQ-6 Dust Control Monitor. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading for the structure.

AQ-7 Construction Equipment Requirements. The following shall be adhered to during project grading and construction to reduce NOx and particulate emissions from construction equipment:

A. Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be utilized wherever feasible.

B. Clean diesel fuel (Ultra-Low Sulfur Diesel) fuel shall be used.

C. The engine size of construction equipment shall be the minimum practical size.

D. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

E. Construction equipment shall be maintained in tune per the manufacturer specifications.

F. Construction equipment operating on-site shall be equipped with two to four degree engine timing retard or precombustion chamber engines.

G. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.

H. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.

I. Diesel powered equipment should be replaced by electric equipment whenever feasible.

J. Construction worker trips should be minimized by requiring carpooling and by providing for lunch on-site.

~~**AQ-8 Wood-burning Fireplaces.** Wood-burning fireplaces and wood stoves shall be prohibited.~~

Air Quality - Residual Impacts

Less than significant.

3. BIOLOGICAL RESOURCES Could the project result in impacts to:		NO	YES *Level of Significance*
a)	Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?		Potentially significant, mitigable
b)	Locally designated historic, Landmark or specimen trees?		Less than Significant
c)	Natural communities (e.g. oak woodland, coastal habitat, etc.).		Potentially significant, mitigable
d)	Wetland habitat (e.g. marsh, riparian, and vernal pool)?		Less than Significant
e)	Wildlife dispersal or migration corridors?		Potentially significant, mitigable

Biological Resources - Discussion

Issues: Biological resources issues involve the potential for a project to substantially affect biologically-important natural vegetation and wildlife, particularly species that are protected as rare, threatened, or endangered by federal or state wildlife agencies and their habitat, native specimen trees, and designated landmark or historic trees.

Impact Evaluation Guidelines: Existing native wildlife and vegetation on a project site are qualitatively assessed to identify whether they constitute important biological resources, based on the types, amounts, and quality of the resources within the context of the larger ecological community. If important biological resources exist, project effects to the resources are qualitatively evaluated to determine whether the project would substantially affect these important biological resources. Significant biological resource impacts may potentially result from substantial disturbance to important wildlife and vegetation in the following ways:

- Elimination or substantial reduction or disruption of important natural vegetative communities and wildlife habitat or migration corridors, such as oak woodland, coastal strand, riparian, and wetlands.
- Substantial effect on protected plant or animal species listed or otherwise identified or protected as endangered, threatened or rare.
- Substantial loss or damage to important native specimen trees or designated landmark or historic trees.

Biological Resources – Existing Conditions and Project Impacts

3.a,c,d,e) Native Wildlife and Habitat

The existing site conditions and impact analysis relative to biological resources were evaluated in a letters prepared by Rachel Tierney Consulting, dated June 3, 2005, September 13, 2004, and July 25, 2001 (see Exhibit E) and have been incorporated into this IS by reference. The site is surrounded by both residential and commercial development. Vegetation within this disturbed site consists of common ornamental shrubs (*Pyracantha, Myoporum*, and trees (*Acacia*, California Pepper, and *Eucalyptus)* and a Coast Live Oak tree. Ground cover consists of non-native grasses (*Bromus* and *Avena)* and common weeds (mustard, radish, and thistle). No listed or proposed rare or otherwise sensitive species were noted on-site, nor are any expected based on the existing conditions and local records.

The proposed project would remove approximately 57 existing 4 to 42 inch trees (mostly Eucalyptus Trees and other non-native trees) and plant 63 new trees, 43 of which would be 24" box trees, approximately 15 feet in height at the time of planting, in five years the height would be from 25-30 feet and at maturity in 10 years, 30 to 45 feet in height. According to the biologist, the removal of the eucalyptus grove would not result in a significant impact because no sensitive, endangered, rare or threatened species are known to use or be established at the subject site. The quality of the eucalyptus grove at this site is low because the thicket is small and open, with little understory or native plants established nearby. Although the trees provide roosting habitat for raptors (birds of prey), their use as a nesting site at this location is extremely limited due to the location and size of the thicket. Raptors are protected by laws and regulations administered by the US Department of Fish and Wildlife Service and the Department of Fish and Game. Tree removal or raptor nest disturbance would result in a *potentially significant, mitigable* impact on the raptors. To ensure that the raptors and other migratory birds are not harmed, construction and/or tree removal would begin before or after the breeding season (February 1st and August 15th). If tree removal or grading must be started during that time, a survey to locate active raptor nests should be conducted. If found, construction and tree removal could begin, but extend no closer than 200 feet from the nest, until fledglings leave. Removal of the eucalyptus trees would not cause a significant impact to migrating monarch butterflies because they have not been documented at the subject property and the likelihood of the butterflies using the eucalyptus trees as a transitory site during winter migration would be very minor.

There are two oak trees noted at the periphery of the subject site. There is a small sapling (dbh=4 inches) along the edge of Lighthouse Road, near the storm drain and catch basin, and a mature tree (dbh=14 inches) at the northeast corner of the site, near Washington School. The project would not impact the oak tree located adjacent to the storm drain. The biologist recommends that the existing mature oak be retained on-site, with standard oak tree protective measures as mitigation to reduce potential impacts to less than significant levels. When viewed as a percentage of the canopy cover, only a small portion of the oak root system would be disturbed. However the 24-inch DBH oak may have functioning roots that extend up to 24 feet from the tree trunk. If this were the case, about 1/3 of the root system would be impacted by development. Although the biologist concluded that he oak tree is expected to survive, the addition of five coast live oak trees to the landscape plan is required to further ensure that the project results in no significant impacts to oak trees. Project impacts related to native wildlife and habitat are considered *potentially significant, mitigable* with implementation of the mitigation measures below.

3.b) Specimen Trees

There are no specimen trees located on the project site; therefore, no significant impacts on specimen trees are anticipated.

Biological Resources – Mitigation

BIO -1 Raptor Seasonal Restriction Construction, grading, and/or tree removal shall begin before or after the raptor

breeding season (February 1st ~~and~~ through August 15th). ~~If tree removal or grading must be started during that time,~~ a survey by a biologist to locate active raptor nests shall be conducted. If active nests are found, construction, grading and tree removal may be conducted,~~could begin~~, but shall not occur within a circle around any active nest with a radius of 200 feet measured horizontally on the ground with a point directly below the active nest as the center,~~extend no closer than 200 feet from the nest,~~ until fledglings leave. If no active nests are found, the construction, tree removal, or grading restrictions specified in this section shall not apply,~~there would be no construction or grading restrictions~~.

BIO -2 Protective Fencing Prior to any ground disturbances, a temporary fence shall be installed, a minimum of 8 feet from the oak tree trunk. Fencing shall be supported by posts on minimum eight-foot centers and shall remain in place during all grading and construction activities. Protective fencing shall be shown on all grading and building plans. If removal of fencing is required at constricted areas adjacent to approved work, fencing shall be reinstalled immediately, and left in place until construction is completed.

BIO-3 Material Storage and Parking Construction equipment and vehicles shall not be driven or parked within five feet of the dripline of any oak tree. Storage of fill soil, rocks, or construction materials within the protected area shall be prohibited.

BIO-4 Trenching Excavation within the dripline of the oak shall be done by hand. All native tree roots encountered over 1 inch in diameter shall be cut cleanly by hand. If the root area will be backfilled (east of the wall), then the cut root shall be kept wrapped in moist burlap until backfilled. Soil area next to treated (cut) roots shall be irrigated to encourage regrowth.

BIO-5 Post-Construction Protection Measures The oak tree ~~All trees located near proposed buildings~~ shall be protected from stucco or paint during application of such materials to adjacent buildings. No permanent irrigation shall occur within the dripline of the existing oak. The oak tree shall receive deep feeding after grading activities are completed. A certified arborist or tree maintenance firm experienced in deep feeding of oak trees shall perform the deep feeding.

BIO-6 Mitigation Planting The oak tree is expected to survive construction under project circumstances; however, the addition of five coast live oak trees to the landscape plan is required to further ensure that the project results in no significant impacts to oak trees.

Biological Resources - Residual Impacts

Less than significant.

4. CULTURAL RESOURCES Could the project:		NO	YES *Level of Significance*
a)	Disturb archaeological resources?		Less than Significant
b)	Affect a historic structure or site designated or eligible for designation as a National, State or City landmark?	✓	
c)	Have the potential to cause a physical change which would affect ethnic cultural values or restrict religious uses in the project area?	✓	

Cultural Resources - Discussion

Issues: Archaeological resources are subsurface deposits dating from Prehistoric or Historical time periods. Native American culture appeared along the channel coast over 10,000 years ago, and numerous villages of the Barbareño Chumash flourished in coastal plains now encompassed by the City. Spanish explorers and eventual settlements in Santa Barbara occurred in the 1500's through 1700's. In the mid-1800's, the City began its transition from Mexican village to American city, and in the late 1800's through early 1900's experienced intensive urbanization. Historic resources are above-ground structures and sites from historical time periods with historic, architectural, or other cultural importance. The City's built environment has a rich cultural heritage with a variety of architectural styles, including the Spanish Colonial Revival style emphasized in the rebuilding of Santa Barbara's downtown following a destructive 1925 earthquake.

Impact Evaluation Guidelines: Archaeological and historical impacts are evaluated qualitatively by archeologists and historians. First, existing conditions on a site are assessed to identify whether important or unique archaeological or historical resources exist, based on criteria specified in the State CEQA *Guidelines* and City Master Environmental Assessment *Guidelines for Archaeological Resources and Historical Structures and Sites*, summarized as follows:

- Contains information needed to answer important scientific research questions and there exists a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with an important prehistoric or historic event or person.

If important archaeological or historic resources exist on the site, project changes are evaluated to determine whether they would substantially affect these important resources.

Cultural Resources – Existing Conditions and Project Impacts

4.a) Archaeological Resources

The City Master Environmental Assessment (MEA) *Cultural Resources Sensitivity Map* identifies that the project site is not located within any of the cultural sensitivity zones. Project impacts to archaeological resources are therefore, *less than significant.* Notification, further study, and recovery would be required in the event that archaeological resources are uncovered (see CR-1).

4.b) Historic Resources

The site is vacant and no known historic resources are known to exist on the site; therefore, no impact to a historic resource is anticipated.

4.c) Ethnic/Religious Resources

There is no evidence that the site involves any ethnic or religious use or importance. The project would have *no impact* on historic, ethnic or religious resources.

Cultural Resources – Mitigation

CR-1 Discovery Procedures and Mitigation. 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 during any grading or construction on the site such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and a City-approved archaeologist shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, including but not limited to redirection of grading and/or excavation activities. If the findings are potentially significant, further analysis and/or other mitigation shall be prepared and accepted by the Environmental Analyst and the Historic Landmarks Commission, and implemented by the project Work in the area may only proceed after the Environmental Analyst grants authorization.

If prehistoric or other Native American remains are encountered, a Native American representative shall be consulted, and the archaeologist and Native American representative shall monitor all further subsurface disturbances in the area of the find.

If the discovery consists of potentially human remains, the Santa Barbara County Coroner and the California Native American Heritage Commission must also be contacted.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to the issuance of final City permits.

Cultural Resources - Residual Impacts:

Less than significant.

5. GEOPHYSICAL CONDITIONS Could the project result in or expose people to:		*NO*	*YES* *Level of Significance*
a)	Seismicity: fault rupture?	✓	
b)	Seismicity: ground shaking or liquefaction?		Potentially significant, mitigable
c)	Seismicity: seiche or tsunami?		Less than Significant
d)	Landslides or mudslides?		Less than Significant
e)	Subsidence of the land?		Potentially significant, mitigable
f)	Expansive soils?		Less than Significant
g)	Excessive grading or permanent changes in the topography?		Less than Significant

Geophysical Conditions - Discussion

Issues: Geophysical impacts involve geologic and soil conditions and their potential to create physical hazards affecting persons or property; or substantial changes to the physical condition of the site. Included are earthquake-related conditions such as fault rupture, groundshaking, liquefaction (a condition in which saturated soil looses shear strength during earthquake shaking); or seismic sea waves; unstable soil or slope conditions, such as landslides, subsidence, expansive or compressible/collapsible soils; or erosion; and extensive grading or topographic changes.

Impact Evaluation Guidelines: Potentially significant geophysical impacts may result from:

- Exposure to or creation of unstable earth conditions due to seismic conditions, such as earthquake faulting, groundshaking, liquefaction, or seismic waves.
- Exposure to or creation of unstable earth conditions due to geologic or soil conditions, such as landslides, settlement, or expansive, collapsible/compressible, or expansive soils.
- Extensive grading on slopes exceeding 20%, substantial topographic change, destruction of unique physical features; substantial erosion of soils, overburden, or sedimentation of a water course.

Geophysical Conditions – Existing Conditions and Project Impacts

5.a-c) Seismic Hazards

Fault Rupture:

The site is located in an area of low damage level for residential structures of one and two stories based on the City's Master Environmental Assessment (MEA) Seismic Hazard Map. The potential for fault rupture on the site is low; no faults are located on the site according to the MEA. Therefore, fault rupture is unlikely and there would be no fault rupture impacts.

Ground Shaking and Liquefaction:

Ground shaking could occur on the site due to a seismic event. Adherence to the requirements of the Geological analysis, and structural requirements for the area in the California Building Code (CBC) would ensure these impacts are *less than significant*. The Liquefaction Hazard Map depicts the site to be within a zone of "Minimal Liquefaction Potential." A Preliminary Foundation Investigation prepared by Pacific Materials Laboratory, dated April 8, 2004 and incorporated into this IS by reference indicates that the potential for liquefaction to be considered very low. Therefore, project impacts would be *potentially significant, mitigable* (see Mitigation G-1 below).

Seiche or Tsunami:

Based on the City's Master Environmental Assessment map, the project site is not located in an area subject to seiche or tsunami. Therefore, project impacts related to seismic hazards such as fault rupture, ground shaking and liquefaction, seiche or tsunami are *less than significant*.

5.d-f) Geologic or Soil Instability

Landslides:

The project site is relatively flat, with an average slope of 8% toward the southwest. Due to the gentle slope and soil conditions, the site preparation and construction of the project would not be expected to result in the potential for a landslide; therefore the project impacts related to landslides are *less than significant.*

Subsidence/Expansive Soils:

The Preliminary Foundation Investigation prepared by Pacific Materials Laboratory analyzed borings taken from the site that found the soil to be loose and compressible when subjected to increased moisture content, encountered firm soil at depths ranging from 3-6 feet, and a very low potential for expansion. Based on the preliminary investigations, the project impacts related to subsidence and expansive soils would be *potentially significant, mitigable* (see Mitigation G-1 below).

5.g) Topography; Grading/ Erosion

Topographic Changes:

The project is not located in a hillside area and has an average slope of 8%. The existing site topography would not need to be substantially altered to construct the project. Therefore project impacts related to topography are *less than significant.*

Grading/ Erosion

The project proposes approximately 1,082 cubic yards of grading cut and fill each and recompaction under the main building footprints. Additionally, the project would require 3,380 cubic yards of cut and 10 cubic yards of fill outside the main building footprint. The grading cut would allow the structures to sit lower on the site in order to reduce the overall mass and scale of the project, but would not substantially alter the existing topography. The Preliminary Foundation Investigation prepared by Pacific Materials Laboratory provides grading and recompaction recommendations that shall be incorporated into the project design in addition to compliance with standard California Building Code requirements (see mitigation measure G-1). With incorporation of the items described above, project impacts related to grading and erosion are considered *less than significant.*

Geophysical Conditions - Mitigation

G-1 **Geotechnical Conditions and Design.** The project shall be constructed in accordance with California Building Code requirements and the recommendations contained in the Preliminary Foundation Investigation prepared by Pacific Materials Laboratory, dated April 5, 2004, regarding site preparation, grading, paving, foundation design, and construction plans, and any additional information required by Building Division Staff, and as approved by the City Building Division.

Geophysical Conditions – Residual Impacts

Less than significant.

6. HAZARDS Could the project involve:		**NO**	**YES** *Level of Significance*
a)	A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?		Less than Significant
b)	The creation of any health hazard or potential health hazards?		Less than Significant
c)	Exposure of people to existing sources of potential health hazards?		Less than Significant
d)	Increased fire hazard in areas with flammable brush, grass, or trees?		Less than Significant

Hazards - Discussion

Issues: Hazardous materials issues involve the potential for public health or safety impacts from exposure of persons or the environment to hazardous materials or risk of accidents involving combustible or toxic substances.

Impact Evaluation Guidelines: Significant impacts may result from the following:

- Siting of incompatible projects in close proximity to existing sources of safety risk, such as pipelines, industrial processes, railroads, airports, etc.
- Exposure of project occupants or construction workers to unremediated soil or groundwater contamination.
- Exposure of persons or the environment to hazardous substances due to improper use, storage, or disposal of hazardous materials.
- Siting of development in a high fire hazard areas or beyond adequate emergency response time, with inadequate access or water pressure, or otherwise in a manner that creates a fire hazard

Hazards – Existing Conditions and Project Impacts

6.a,b,c) Public Health and Safety

Hazardous Materials Exposure

The project site is not on any lists for known contaminated soils, groundwater, or hazardous materials use. The Department of Oil and Gas map located at the Building Division of the City indicates that there are no known oil wells on the project site. Because there are no hazardous materials known on the project site, the project impact relative to hazardous materials exposure would be *less than significant.*

The project site is not on a list for known contaminated sites. No known historic use of the site resulted in any release of hazardous wastes/substances; however, standard conditions of approval would be in place to address hazardous substances encountered during construction activities. No new mitigation measures are necessary.

The applicant could use pesticides during construction and would be required to comply with existing laws, regulations and manufacturers handling instructions. This use would not cause a significant impact on the environment.

Public Safety

The project site is not near any pipelines or other potential sources of safety hazards. Limited amounts of oils and chemicals may be used during construction and operations. Since there are minor potential sources of hazardous materials in the project area, the project impact relative to hazardous materials exposure would be *less than significant*

6.d) Fire Hazard

The project site is not located in a designated high fire hazard area of the City. The nearest City Fire Station is located at 1802 Cliff Drive, less than a ½ mile from the project site, with estimated emergency response time to the site of less than one minute. Staff from the Fire Department reviewed the proposed project plans and has confirmed that adequate fire access is provided ~~with all three access options~~. The project would be subject to Fire Code requirements regarding project structural design and materials, water pressure, vegetation management, and suppression facilities, all of which would be verified through the building permit process. Project impacts related to fire hazard would be *less than significant.*

Hazards – Residual Impacts

Less than Significant.

7. NOISE Could the project result in:		NO	YES *Level of Significance*
a)	Increases in existing noise levels?		Less than Significant
b)	Exposure of people to severe noise levels?		Potentially significant, mitigable

Noise - Discussion

Issues: Noise issues are associated with siting of a new noise-sensitive land use in an area subject to high ambient background noise levels, siting of a noise-generating land use next to existing noise-sensitive land uses, and/or short-term construction-related noise.

The primary source of ambient noise in the City is vehicle traffic noise. The City Master Environmental Assessment (MEA) *Noise Contour Map* identifies average ambient noise levels within the City.

Ambient noise levels are determined as averaged 24-hour weighted levels, using the Day-Night Noise Level (L_{dn}) or Community Noise Equivalence Level (CNEL) measurement scales. The L_{dn} averages the varying sound levels occurring over the 24-hour day and gives a 10 decibel penalty to noises occurring between the hours of 10:00 p.m. and 7:00 a.m. to take into account the greater annoyance of intrusive noise levels during nighttime hours. Since L_{dn} is a 24-hour average noise level, an area could have sporadic loud noise levels above 60 dB(A) which average out over the 24-hour period. CNEL is similar to L_{dn} but includes a separate 5 dB(A) penalty for noise occurring between the hours of 7:00 p.m. and 10:00 p.m. CNEL and L_{dn} values usually agree with one another within 1 dB(A). The Equivalent Noise Level (L_{eq}) is a single noise level, which, if held constant during the measurement time period, would represent the same total energy as a fluctuating noise. L_{eq} values are commonly expressed for periods of one hour, but longer or shorter time periods may be specified. In general, a change in noise level of less than three decibels is not audible. A doubling of the distance from a noise source will generally equate to a change in decibel level of six decibels.

Guidance for appropriate long-term background noise levels for various land uses are established in the City General Plan Noise Element Land Use Compatibility Guidelines. Building codes also establish maximum average ambient noise levels for the interiors of structures.

High construction noise levels occur with the use of heavy equipment such as scrapers, rollers, graders, trenchers and large trucks for demolition, grading, and construction. Equipment noise levels can vary substantially through a construction period, and depend on the type of equipment, number of pieces operating, and equipment maintenance. Construction equipment generates noise levels of more than 80 or 90 dB(A) at a distance of 50 feet, and the shorter impulsive noises from other construction equipment (such as pile drivers and drills) can be even higher, up to and exceeding 100 dB(A). Noise during construction is generally intermittent and sporadic, and after completion of the initial demolition, grading and site preparation activities, tends to be quieter.

The Noise Ordinance (Chapter 9.16 of the Santa Barbara Municipal Code) governs short-term or periodic noise, such as construction noise, operation of motorized equipment or amplified sound, or other sources of nuisance noise. The ordinance establishes limitations on hours of construction and motorized equipment operations, and provides criteria for defining nuisance noise in general.

Impact Evaluation Guidelines: A significant noise impact may result from:

- Siting of a project such that persons would be subject to long-term ambient noise levels in excess of Noise Element land use compatibility guidelines as follows:
    - Residential: Normally acceptable maximum exterior ambient noise level of 60 dB(A); maximum interior noise level of 45 dB(A).
- Substantial noise from grading and construction activity in close proximity to noise-sensitive receptors for an extensive duration.

Noise – Existing Conditions and Project Impacts

7.a-b) Increased Noise Level; Exposure to High Noise Levels

Long-Term Operational Noise:

The proposed project is not anticipated to have significant long-term noise impacts because the proposed residential use is not in an area where residents would be exposed to high noise levels. The site, immediately adjacent to Washington Elementary School, would be subjected to intermittent periods of noise due to the types of activities that would be expected to occur at an elementary school. Therefore, construction techniques are recommended in order to minimize potential nuisance noise for the residents of the development. The project impacts related to noise exposure are considered *potentially significant, mitigable.*

Temporary Construction Noise:

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 impacts to sensitive receptors in the area, including the school. The level of the adverse effect could be further reduced through limiting the hours of construction activities and use of equipment mufflers and barriers as needed. With implementation of standard short term construction related noise mitigations listed below, project impacts relative to short term noise impacts would be *potentially significant, mitigable.*

Each comment letter received and comments made by the Planning Commission at the August 25, 2005 hearing, raised concerns regarding the potential for temporary construction noise and air quality impacts on the children, sensitive

receptors, present at Washington School, which is adjacent to the project site. Further clarification of construction timing, in the mitigation measures below, would address both air quality and noise potential impacts to the sensitive receptors in the area.

Noise - Mitigation

N-1 **Construction Techniques.** Submit a noise analysis that identifies construction techniques to ensure that the project complies with the normally acceptable maximum exterior ambient noise level of 60 dB(A) and maximum interior noise level of 45 dB(A). The project design shall incorporate construction design measures to minimize potential interior noise nuisance impacts from the adjacent school use.

N-2 **Construction Notice.** At least 20 days prior to commencement of construction, the contractor shall provide written notice to all property owners and residents within 450 feet of the project area. The notice shall contain a description of the proposed project, a construction schedule including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) who can answer questions, and provide additional information or address problems that may arise during construction. A 24-hour construction hot line shall be provided. Informational signs with the PEC's name and telephone number shall also be posted at the site.

N-3: **Construction Hours.** ~~*Noise-generating*~~ cConstruction activities (which may include preparation for construction work), such as activities using heavy equipment, framing, sheathing, and roofing, shall be permitted weekdays between the hours of *7:00 a.m.* and ~~5:00~~7:00 p.m., excluding holidays observed by the City as legal holidays: New Year's Day (January 1st); Martin Luther King Jr.'s Birthday (3rd Monday in January); President's Day (3rd Monday in February); Memorial Day (Last Monday in May); Independence Day (July 4th); Labor Day (1st Monday in September); Thanksgiving Day (4th Thursday in November); Day Following Thanksgiving Day (Friday following Thanksgiving); Christmas Day (December 25th). *When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday respectively shall be observed as a legal holiday. No noise-generating activities, including but not limited to, activities using heavy equipment, framing, sheathing, and roofing shall occur during any school-wide testing at Washington School. To the degree feasible, noisy construction activities shall be coordinated with Washington School.

Construction activities, other than use of heavy equipment, framing, sheathing, and roofing, may occur on holidays and weekends between the hours of 8:00 a.m. and 5:00 p.m..

Occasional night work may be approved for the hours between ~~5~~7:00 p.m. and ~~8~~7:00 a.m. on weekdays by the Chief of Building and Zoning per Section 9.13.015 of the Municipal Code). ~~between the hours of 5 p.m. and 8 a.m. weekdays~~ In the event of such night work approval, the applicant shall provide written notice to all property owners and residents within 450 feet of the project property boundary and the City Planning and Building Divisions at least 48 hours prior to commencement of any night work. Night work shall not be permitted on weekends and holidays.

N-4: **Construction Equipment Mufflers and Shields**. All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices. Sound control devices and techniques, such as noise shields and blankets, shall be employed as needed to reduce the level of noise to surrounding uses. A noise control plan shall be submitted prior to any building permit issuance that shows how construction noise will be reduced for surrounding uses, with particular attention to Washington School. The plan shall include, but not be limited to, the use of sound control devices and techniques, such as noise shields and blankets.

N-5: **Portable Equipment**. Where portable power generation or air compressors are required on the site, locate these noise sources as far away from the property line as possible. Where required because of proximity to residential areas, utilize a three or four sided enclosure which is lined with a sound absorbing material. Locate portable equipment where the noise shielding provided by remaining building structure will be beneficial. Another approach is to utilize very quiet power generation and air compressors, similar to those utilized in the motion picture industry on location.

Noise – Residual Impact

Less than Significant.

8. POPULATION AND HOUSING Could the project:		NO	YES Level of Significance
a)	Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?		Less than Significant
b)	Displace existing housing, especially affordable housing?	✓	

Population and Housing - Discussion

Impact Evaluation Guidelines: Issues of potentially significant population and housing impacts may involve:

- Growth inducement, such as provision of substantial population or employment growth or creation of substantial housing demand; development in an undeveloped area, or extension/ expansion of major infrastructure that could support additional future growth.
- Loss of a substantial number of housing units, especially loss of more affordable housing.

Population and Housing – Existing Conditions and Project Impacts

8.a) Growth-Inducing Impacts

City utilities are already extended along the road frontage adjacent to the project site. The project would not involve a substantial increase in major public facilities such as extension of water or sewer lines or roads that would facilitate other growth in the area. The project would not involve substantial employment growth that would increase population and housing demand. Growth-inducing impacts would be *less than significant*.

8.b) Housing Displacement

No housing is currently located on the site. The project would not involve any housing displacement; therefore, *no impact* would result from the project.

Population and Housing - Mitigation

No mitigation is required.

Population and Housing – Residual Impact

Less than significant.

9. PUBLIC SERVICES Could the project have an effect upon, or result in a need for new or altered services in any of the following areas:		NO	YES *Level of Significance*
a)	Fire protection?		Less than Significant
b)	Police protection?		Less than Significant
c)	Schools?		Less than Significant
d)	Maintenance of public facilities, including roads?		Less than Significant
e)	Other governmental services?		Less than Significant
f)	Electrical power or natural gas?		Less than Significant
g)	Water treatment or distribution facilities?		Less than Significant
h)	Sewer or septic tanks?		Less than Significant
i)	Water distribution/demand?		Less than Significant
j)	Solid waste disposal?		Potentially significant, mitigable

Public Services - Discussion

Issues: This section evaluates project effects on fire and police protection services, schools, road maintenance and other governmental services, utilities, including electric and natural gas, water and sewer service, and solid waste disposal.

Impact Evaluation Guidelines: The following may be identified as significant public services and facilities impacts:

- Creation of a substantial need for increased police department, fire department, road maintenance, or government services staff or equipment.
- Generation of substantial numbers of students exceeding public school capacity where schools have been designated as overcrowded.
- Inadequate water, sewage disposal, or utility facilities.
- Substantial increase in solid waste disposal to area sanitary landfills.

Public Services – Existing Conditions and Project Impacts

9.a-b) Fire and Police Protection

The project site is not located within the Wildland High Fire Hazard Zone. The nearest City Fire Station is located at 1802 Cliff Drive, less than a half mile from the project site, with estimated emergency response time to the site of less than one minute. The site could also continue to be served by City Police. The site development in an existing urbanized area would intensify use on the site, but would not represent a substantial increase in demand for fire and police protection services. Periodic upgrade of Fire and Police Department equipment is an ongoing component of the City budget process. Should City population increases create the need for additional police or fire department staff, this would be addressed by the City Council. Police and Fire protection facilities would be adequate to serve the proposed project. Project impacts related to Fire and Police protection would be *less than significant*.

9.c) Schools

The project site is served by the Santa Barbara Elementary and High School District for elementary and high school. The project would provide a net increase of 10 residential units, which could generate additional students. None of the school districts in the South Coast have been designated "overcrowded" as defined by California State law. School impact fees would be applied to the project in accordance with State law. Project impacts to schools would be *less than significant*.

9.d,e, f) Public Facilities/Roads/Governmental Service/ Utilities

The project site is currently served by an existing public road and electrical service is available at the property line. Conditions of the subdivision approval would include on-site improvements to roads and electrical service. The project would result in *less than significant* impacts to public facilities.

9.g,h,i) Water and Sewer

Water

The City of Santa Barbara's water supply comes from the following sources, with the actual share of each determined by availability and level of customer demand: Cachuma Reservoir and Tecolote Tunnel, Gibraltar Reservoir and Mission Tunnel, 300 Acre Feet per Year (AFY) of contractual transfer from Montecito Water district, groundwater, State Water Project entitlement, desalination, and recycled water. Conservation and efficiency improvements are projected to contribute to the supply by displacing demand that would otherwise have to be supplied by additional sources. In 1994, based on the comprehensive review of the City's water supply in the Long Term Water Supply Alternatives Analysis (LTWSAA), the City Council approved the Long Term Water Supply Program (LTWSP). The LTWSP outlines a strategy to use the above sources to meet the projected demand of 17,900 AFY (including 1,500 AFY of demand projected to be met with conservation) plus a 10 percent safety margin for a total of 19,700 AFY. Therefore, the target for the amount of water the system will actually have to supply, including the safety margin, is 18,200 AFY. The 2003 Water Supply Management Report documents an actual system demand of 13,460 AFY and a theoretical commitment of 16,170 AFY. Of the total system production, 95% was potable water and 5% was reclaimed water.

The existing site is undeveloped and currently does not have water service provided by the City of Santa Barbara water supply, treatment, and distribution system, although facilities are available adjacent to the site. The proposed project is estimated to demand 2.80 AFY. The City's long-term water supply and existing water treatment and distribution facilities with proposed facility hook-ups for the new structures and landscaping would adequately serve the project. The potential increase in demand would constitute a *less than significant* impact to the City water supply.

Sewer

The project site is currently undeveloped. There is an existing sewer main in the public street that fronts the subject property. The proposed project would be subject to conditions of approval to provide sewer service for the 10 new residential units. The project's estimated net new sewer demand is 2.8 acre feet/year. The maximum capacity of the El Estero Treatment Plant is 11 million gallons per day and there is adequate capacity at the El Estero Treatment Plant for planned future growth. Increased sewage treatment associated by the project can be accommodated by the existing City sewer system and sewage treatment plant, and would represent a *less than significant* impact.

9.j) Solid Waste Generation/ Disposal

Most of the waste generated in the City is transported on a daily basis to seven landfills located around the County. The County of Santa Barbara, which operates the landfills, has developed impact significance thresholds related to the impacts of development on remaining landfill capacity. The County thresholds are based on the projected average solid waste generation for Santa Barbara County from 1990-2005. The County assumes a 1.2% annual increase (approximately 4000 tons per year) in solid waste generation over the 15-year period.

The County's threshold for project specific impacts to the solid waste system is 196 tons per year (this figure represents 5% of the expected average annual increase in solid waste generation [4000 tons/year]). Source reduction, recycling, and composting can reduce a project's waste stream by as much as 50%. If a proposed project generates 196 or more tons per year after reduction and recycling efforts, impacts would be considered significant and unavoidable.

Proposed projects with a project specific impact as identified above (196 tons/year or more) would also be considered cumulatively significant, as the project specific threshold of significance is based on a cumulative growth scenario. However, as landfill space is already extremely limited, any increase in solid waste of 1% or more of the expected average annual increase in solid waste generation [4000 tons/year], which equates to 40 tons per year, is considered an adverse cumulative impact.

Long-Term (Operational). There are no existing land uses on the site; therefore no solid waste is generated from the site. The project proposes 10 new condominium units, the project site is estimated to generate 25.175 TPY of solid waste (2.65 people/10 units x .95 tons/year), *a less than significant impact.*

Short-Term (Demolition and Construction). The project proposes 3,830 cubic yards of cut and 10 cubic yards of fill outside the main building footprint. Grading under the main building footprints would be balanced on-site involving 1,082 cubic yards. Construction-related waste generation would consist of tree and shrub debris and grading cut. The green waste would be transported to a facility to compost; the grading cut would be transported to another construction site that may require grading fill or to an appropriate disposal location. Short-term project related impacts to solid waste disposal would be *potentially significant, mitigable* with application of recommended standard mitigation to reduce, re-use, and recycle construction waste to the extent feasible would minimize this effect.

Public Services – Mitigation

PS-1 Demolition/Construction Materials Recycling. Recycling and/or reuse of demolition/construction materials shall be carried out and containers shall be provided on-site for that purpose in order to minimize construction-generated waste conveyed to the landfill.

Public Services – Residual Impacts

Less than significant.

10. RECREATION Could the project:		NO	YES *Level of Significance*
a)	Increase the demand for neighborhood or regional parks or other recreational facilities?		Less than Significant
b)	Affect existing parks or other public recreational facilities?		Less than Significant

Recreation - Discussion

Issues: Recreational issues are associated with increased demand for recreational facilities, or loss or impacts to existing recreational facilities.

Impact Evaluation Guidelines: Recreation impacts may be significant if they result in:

- Substantial increase in demand for park and recreation facilities in an area under-served by existing public park and recreation facilities.
- Substantial loss or interference with existing park space or other public recreational facilities such as hiking, cycling, or horse trails.

Recreation – Existing Conditions and Project Impacts

10.a) Recreational Demand

The project may increase the demand for recreational facilities. The project involves 10 new residential units which is considered an incremental increase in the number of potential users for existing recreational facilities. The minor increase in demand relative to recreational facilities would result in a *less than significant* impact because adequate recreation facilities are available to meet the anticipated increase in demand.

10.b) Existing Recreational Facilities

The project site is adjacent to existing recreational facilities including La Mesa Park, Washington Elementary School, and Shoreline Park. Other nearby recreational areas include the Waterfront, the beaches and parks, Los Baños pool, etc. Given the number of existing recreational facilities and the slight increase in demand associated with the project, impact to the existing recreational facilities would be *less than significant*.

Recreation – Residual Impacts

Less than significant.

11. TRANSPORTATION/CIRCULATION Could the project result in:		NO	YES *Level of Significance*
a)	Increased vehicle trips?		Less than significant
b)	Hazards to safety from design features (e.g. sharp curves, inadequate sight distance or dangerous intersections)?		Potentially significant, mitigable
c)	Inadequate emergency access or access to nearby uses?		Potentially significant, mitigable
d)	Insufficient parking capacity on-site or off-site?		Less than Significant
e)	Hazards or barriers for pedestrians or bicyclists?		Potentially significant, mitigable

Transportation - Discussion

Issues: Transportation issues include traffic, access, circulation, safety, and parking. Vehicle, bicycle and pedestrian, and transit modes of transportation are all considered, as well as emergency vehicle access. The City General Plan Circulation Element contains policies addressing circulation, traffic, and parking in the City.

Impact Evaluation Guidelines: A proposed project may have a significant impact on traffic/ circulation/ parking if it would:

Vehicle Traffic

- Cause an increase in traffic that is substantial in relation to the existing traffic load and street system capacity (see traffic thresholds below).
- Cause insufficiency in transit system.
- Conflict with the Congestion Management Plan (CMP) or Circulation Element or other adopted plan or policy pertaining to vehicle or transit systems.

Circulation and Traffic Safety

- Create potential hazards due to addition of traffic to a roadway that has design features (e.g., narrow width, roadside ditches, sharp curves, poor sight distance, inadequate pavement structure) or that supports uses that would be incompatible with substantial increases in traffic.
- Diminish or reduce safe pedestrian and/or bicycle circulation.
- Result in inadequate emergency access on-site or to nearby uses.

Parking

- Result in insufficient parking capacity for the projected amount of automobiles and bicycles.

Traffic Thresholds of Significance: The City uses Levels of Service (LOS) "A" through "F" to describe operating conditions at signalized intersections in terms of volume-to-capacity (V/C) ratios, with LOS A (0.50-0.60 V/C) representing free flowing conditions and LOS F (0.90+ V/C) describing conditions of substantial delay. The City General Plan Circulation Element establishes the goal for City intersections to not exceed LOS C (0.70-0.80 V/C).

For purposes of environmental assessment, LOS C at 0.77 V/C is the threshold Level of Service against which impacts are measured. An intersection is considered "impacted" if the volume to capacity ratio is .77 V/C or greater.

Project-Specific Significant Impact: A project-specific significant impact results when:

(a) Project peak-hour traffic would cause a signalized intersection to exceed 0.77 V/C, or

(b) The V/C of an intersection already exceeding 0.77 V/C would be increased by 0.01 (1%) or more as a result of project peak-hour traffic.

For non-signalized intersections, delay-time methodology is utilized in evaluating impacts.

Significant Cumulative Contribution: A project would result in a significant contribution to cumulative traffic impacts when:

(a) Project peak-hour traffic together with other cumulative traffic from existing and reasonably foreseeable pending projects would cause an intersection to exceed 0.77 V/C, or

(b) Project would contribute traffic to an intersection already exceeding 0.77 V/C.

Transportation – Existing Conditions and Project Impacts

11.a) Traffic

Long-Term Traffic

According to City Transportation Planning Staff, all area intersections are operating at Levels of Service B. According to City Transportation Planning Staff, based on the Institute of Traffic Engineers (ITE) trip generation rate for condominiums, tThe project is expected to generate approximately 4 additional a.m. peak hour trips, 5 p.m. peak hour trips and 59 average daily trips. When these trips are added to the existing street network, they would not result in significant traffic impacts. In distributing trips on the street network, Transportation Planning Staff follows the distribution until there are fewer than five trips through an intersection. Because there are only five peak hour trips, maximum, distribution of trips stops at the Cliff Drive Meigs Road intersection. This intersection does not exceed the City's threshold. The Level of Service of the intersections would remain at A or B operating levels after development of this project; therefore the project impacts relative to long term traffic impacts would be *less than significant.*

Short-Term Construction Traffic

The overall project construction process is estimated to last approximately 12 months. This would include grading for site preparation for approximately one month, and estimated construction duration of 11 months. Grading processes would involve eight workers, and construction of the structures would require up to 40 workers on-site, on occasion. Working hours during the construction process are proposed to be 7a.m. –5 p.m. weekdays, excluding holidays. Staging, equipment, materials storage, and temporary construction worker parking would occur on-site.

The project would generate construction-related traffic that would occur over the sixteen-month construction period and would vary depending on the stage of construction. Temporary construction traffic is generally considered an adverse but not significant impact for a project this size. In this case, given traffic levels in the area and the duration of the construction process, short-term construction-related traffic would be a *less than significant* impact. Standard mitigation measures would be recommended, including restrictions on the hours permitted for construction trips and approval of routes for construction traffic.

11.b, c, e) Access/ Circulation/ Safety

The project site access and circulation have continued to be debated issues throughout the project review process, with different access options reviewed and evaluated. Access directly from Meigs Road to the project site is the applicant's preferred option. Staff had concerns about this access option, but has reviewed additional information provided by the applicant indicating this option to be a viable and safe solution.

A sight visibility technical analysis by a Transportation Engineer was required by Staff to ensure that safe vehicular access could be provided without jeopardizing vehicular safety, bicycle safety, and fire access. Associated Transportation Engineers (ATE) performed the sight visibility technical analysis and found that 312 feet of sight distance would be required south of the driveway, based on a 37 mph speed survey (Exhibit E – Sight Visibility Technical Analysis). This would require a no parking zone at the property frontage which currently provides on-street parking. In addition, the following "traffic calming" measures would be required: an 8-10 foot wide center median, and a slight curb extension along the project frontage to accommodate a City standard sidewalk and parkway.

Early analysis indicated the potential for safety issues related to pedestrian crossing. In order to address potential safety issues for pedestrians, the project applicant proposes to install new sidewalk along the property and to install sidewalk along the frontage to the north of the subject site (parking lot at Washington School). The proposed sidewalk would provide a missing link between the project site and the existing safe crosswalk that crosses Meigs Road at Elise Way. In addition, the applicant proposes to install plantings in the median and parkway that would maintain a height to maximize visibility while discouraging pedestrians from crossing at unmarked or unsafe locations. An optimal circulation design is very important in this location; considering the close proximity of the project to Washington Elementary School, La Mesa Park, and to the commercial hub of the Mesa. The project includes the appropriate public improvements to ensure proper sight visibility and speeds with access directly off of Meigs Road, resulting in a *potentially significant, mitigable* impact relative to access and safety.

Access concerns were raised regarding construction traffic effects on Washington Elementary School, adjacent to the project site. According to the comments, access from Lighthouse Road via an easement raises safety issues for the school and may affect the school's existing traffic circulation. Driveway access to the project site has been proposed directly off of Meigs Road, in order to address the District's concerns. The issue of construction traffic through the easement was also raised. During the early stages of site preparation and until a temporary driveway access is installed from Meigs Road, the applicant would use the existing easement on Lighthouse Road for a period of approximately two weeks. Mitigation measure T-5 recommends restriction on timing for this temporary use to minimize potential impacts to the Washington School traffic circulation and safety issues.

The District also requested that the project provide no access between 210 Meigs Road and Washington School. However, the Planning Commission stated that the project should include a connection from Meigs to Lighthouse, if feasible. The school states that the convenience of a shorter distance of school children entering the school at the terminus of Lighthouse at Meigs would not offset the problems the school would face with unauthorized access during the school day and non school hours. However, unauthorized access during school and non school hours can occur regardless of the provision of additional access points to the school. The project design includes pedestrian access to the terminus of Lighthouse Road. Washington School would be responsible to maintain a fence around the parking lot to prevent access from the public right of way along Meigs to school property.

The Planning Commission stated concern about safety relative to the adequacy of the proposed project perimeter wall height and the adjacent school. The finished grade of the project site will be four feet lower than the school property at the highest point (to address ABR comments to lower the overall height of the buildings.) The project side of the wall would be eight feet high and the school side of the wall would be four feet high. The Commission requested that this configuration be further analyzed in reference to student safety. The project includes substantial landscaping on the project side of the wall that would serve as a deterrent for children tempted to scale the wall. Staff would support an additional foot added to the height of the wall, requiring a zoning modification that limits wall height in the setback to eight feet.

The Planning Commission asked for clarification regarding the City's sidewalk infill program and stated their desire for installation of a sidewalk along the Washington School playfield property frontage, south of the project site to connect to the existing sidewalk. Public Works staff has confirmed that the sidewalk in this location is considered a high priority and has a similar score to sidewalks that are proposed to be constructed in 2006. It is likely that this sidewalk would receive City funding in the next five years. The sidewalk installation along Washington School frontage would receive an even higher priority once the development improvements are installed because the most difficult portion of the sidewalk to construct is along the project frontage.

11.d) Parking

Existing Parking Supply and Parking Demand

There is no parking on the site and the site generates no parking demand.

Project Parking Supply and Parking Demand

The proposed 10 condominium require two parking spaces each and the development requires three guest parking spaces. The project provides all the required parking on-site with 10 two car garages and three open parking spaces for guests. The project impacts related to parking supply and demand are considered *less than significant.* Parking for construction workers would be provided on-site.

Transportation - Mitigation

T-1 **Meigs Road Improvements.** Roadway improvements along Meigs Road shall be installed in order to ensure proper sight visibility and to slow speeds sufficiently to allow safe vehicular movements at the driveway intersection. The improvements include a median, landscape plantings to discourage pedestrians from crossing in locations deemed unsafe, installation of sidewalk along the project site frontage and north of the site along the Washington School parking lot frontage, parkway, and curb extensions.

T-2 **Construction Traffic.** The haul routes for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Transportation Engineer. Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. and consider peak school traffic hours as well as surrounding area) to help reduce truck traffic and noise on adjacent streets and roadways. The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods.

T-3 **Construction Parking.** Construction parking and vehicle/equipment/materials storage shall be provided as follows:

A. During construction, free parking spaces for construction workers and storage for construction materials shall be provided on-site, ~~or off-site in a location subject to the approval of the Transportation and Parking Manager.~~

B. ~~On-site or off-site storage shall be provided for construction materials, equipment, and vehicles.~~ Storage of construction materials within the public right-of-way is prohibited.

T-4 **Disabled Accessibility.** Project circulation shall provide for disabled accessibility or equivalent facilitation in accordance with American Disabilities Act requirements.

Recommended Mitigation

T-5 Temporary construction access via Lighthouse Road shall occur during non-peak drop-off and pick-up school hours.

Transportation – Residual Impact

Less than significant.

12. WATER ENVIRONMENT		NO	YES
	Could the project result in:		*Level of Significance*
a)	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?		Potentially significant, mitigable
b)	Exposure of people or property to water related hazards such as flooding?		Less than Significant
c)	Discharge into surface waters?		Potentially significant, mitigable
d)	Change in the quantity, quality, direction or rate of flow of ground waters?		Potentially significant, mitigable
e)	Increased storm water drainage?		Potentially significant, mitigable

Water – Discussion

Issues: Water resources issues include changes in offsite drainage and infiltration/groundwater recharge; storm water runoff and flooding; and water quality.

Impact Evaluation Guidelines: A significant impact would result from:

Water Resources and Drainage

- Substantially changing the amount of surface water in any water body or the quantity of groundwater recharge.
- Substantially changing the drainage pattern or creating a substantially increased amount or rate of surface water runoff that would exceed the capacity of existing or planned drainage and storm water systems.

Flooding

- Locating development within 100-year flood hazard areas; substantially altering the course or flow of flood waters or otherwise exposing people or property to substantial flood hazard

Water Quality

- Substantial discharge of sediment or pollutants into surface water or groundwater, or otherwise degrading water quality, including temperature, dissolved oxygen, or turbidity.

Water Resources – Existing Conditions and Project Impacts

12.a,d,e) Drainage

The existing on-site drainage sheet flows southeasterly across the property, down an embankment, over an existing curb and gutter onto Meigs Road. Drainage on Meigs Road surface flows in existing curb and gutter southeasterly down the

street into an existing drop inlet located approximately 176 feet from the south easterly property corner. Drainage from the inlet is conveyed in a 24-inch reinforced concrete pipe and eventually outlets at the beach on the south side of Meigs Road.

The proposed on-site drainage would follow the same drainage course as the existing drainage except that all on-site drainage would be collected by a series of catch basins and transported to Meigs Road via curb outlet drains. Construction of the project would result in an increase of 0.2 cfs of flow, a minor increase in runoff that would be required to be retained on-site or required to demonstrate that the increase can adequately be served by the existing drainage system. Following project approval, grading and construction drawings and public improvements plans would be reviewed and subject to approval by City Building and Public Works staff to assure compliance with applicable codes and standards. Sufficient engineered design and adequate mitigation measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water quality pollutants, or groundwater pollutants would result from the project. Therefore, long-term project impacts related to drainage are considered to be *potentially significant, mitigable* with incorporation of mitigation measure W-1, described below.

12.b) Flooding

The project site is not located in a flood hazard zone or an area prone to flooding. The flooding potential would not change following project construction or substantially alter the course or flow of flood waters. Therefore, project impacts related to flooding are considered *less than significant.*

12.c, d) Water Quality

The project site is currently vacant; surface drainage is not treated.

All project runoff would be filtered by pollution interceptor devices prior to entering the storm drain system.

Construction/Short term. Project impacts of grading could result in erosion that would be a *potentially significant, mitigable* impact with implementation of standard drainage/erosion and water quality conditions to minimize runoff during grading and construction activities. During construction, all runoff from the site shall be retained on-site using properly designed and sited detention basins.

Water Resources - Mitigation

W-1 Drainage and Water Quality. Project plans for grading, drainage, stormwater facilities, and project development shall be subject to review and approval by City Building Division and Public Works Department per City regulations. The plans shall identify retention basins on-site sufficient to accommodate the 0.2 cfs increase in flow anticipated or a study prepared by a licensed civil engineer shall demonstrate that sufficient capacity in downstream drainage capacity exists to accommodate the 25-year statistical storm.

Water Resources – Residual Impact

Less than significant.

MANDATORY FINDINGS OF SIGNIFICANCE.		YES	NO
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildfire population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓
b)	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?		✓
c)	Does the project have potential impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		✓
d)	Does the project have potential environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?		✓

INITIAL STUDY CONCLUSION

On the basis of this initial evaluation it has been determined that with identified mitigation measures agreed-to by the applicant, potentially significant impacts would be avoided or reduced to less than significant levels. A Mitigated Negative Declaration will be prepared.

Initial Study Preparer: Irish Ahn

Environmental Analyst — Date: 10/13/05

EXHIBITS:

A. **Vicinity Map**

B. **Project Plans**

C. **Mitigation Monitoring and Reporting Program**

D. **ABR Minutes, February 9, July 19, and October 4, 2004**

E. **Biological Resources Evaluation letters prepared by Rachel Tierney Consulting, dated June 3, 2005, September 13, 2004, and July 25, 2001**

F. **Sight Visibility Technical Analysis, prepared by Associated Transportation Engineers, dated December 10, 2004**

G. **Public Comment letters**

H. **Planning Commission minutes, August 25, 2005 (draft)**

LIST OF SOURCES USED IN PREPARATION OF THIS INITIAL STUDY

The following sources used in the preparation of this Initial Study are located at the Community Development Department, Planning Division, 630 Garden Street, Santa Barbara and are available for review upon request.

Drainage Evaluation, prepared by Flowers & Associates, dated March 25, 2004

General Plan Circulation Element

General Plan Conservation Element

1995 Housing Element

General Plan Land Use Element

General Plan Noise Element w/appendices

General Plan Map

General Plan Seismic Safety/Safety Element

Geology Assessment for the City of Santa Barbara

Institute of Traffic Engineers Parking Generation Manual

Institute of Traffic Engineers Trip Generation Manual

Local Coastal Plan *(Main or Airport)*

Master Environmental Assessment

Parking Design Standards

Santa Barbara Municipal Code & City Charter

Special District Map

Uniform Building Code as adopted by City

Zoning Ordinance & Zoning Map

210 Meigs Rd.

Vicinity Map

APN: 045-110-011
Zone: E-3/S-D-3
Approx. Lot Area: 52071 sq.ft.

0 200 400 Feet

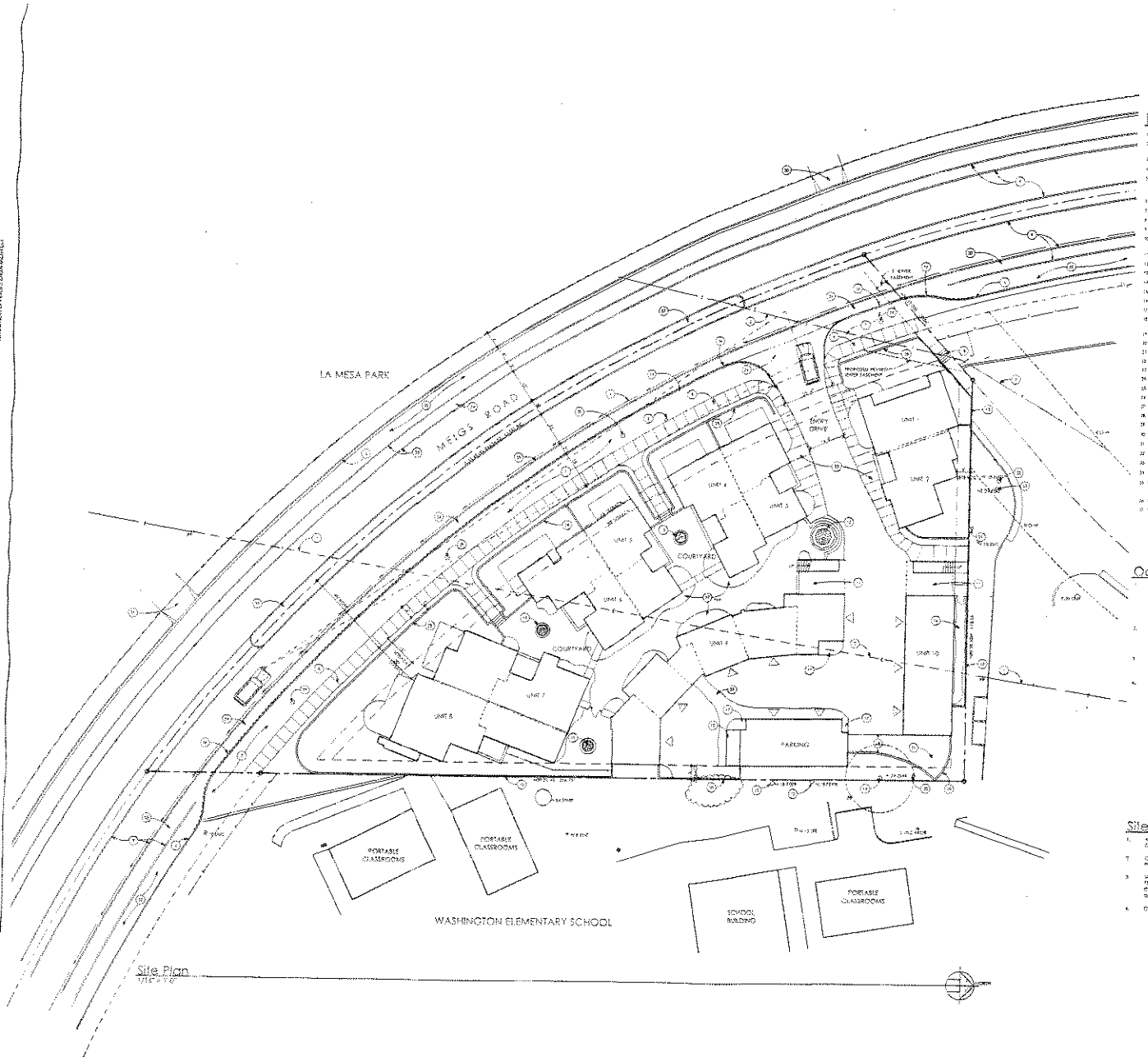
EXHIBIT A

LEGEND
Land Use Zone Lines
Parcel Lines
Building Rooflines
Retaining Wall
Fence

Date printed:
Mon Jan 06 11:35:45 2003

All topographic features are based on aerial photography which

EXHIBIT B



Site Plan

Keyed Notes

1. EXISTING SCE OVERHEAD POWER LINES
2. EXISTING OVERHEAD POWER LINES TO BE RELOCATED UNDERGROUND AT NO PERMITTEE FEE SEE END CITY REQUIREMENTS
3. EXISTING 8" VCP SEWER LINE
4. EXISTING 8" DIA. WATER LINE
5. EXISTING REGULAR RESIDENTIAL FIRE HYDRANT WITH 2-2½" & 1-4½" OUTLETS WITH A 750GPM RATE OF FLOW STANDING FOR MINIMUM 120 MINUTES AS DETERMINED ON MAY 26, 1999 PER SANTA BARBARA FIRE PREVENTION BUREAU
6. EXISTING CURB AND GUTTER
7. NEW LANDSCAPED PARKWAY IN RIGHT-OF-WAY
8. NEW SIDEWALK IN RIGHT-OF-WAY
9. EXISTING TRAFFIC STRIPING
10. PROPOSED 6'-0" HIGH SOLID CEDAR FENCE ON PROPERTY SIDE OF SITE WALL WITH PLASTER FINISH
11. PROPOSED GUEST PARKING
12. PROPOSED TRASH ENCLOSURE - ROOF TYPE AND FIRE SPRINKLED
13. EXISTING 18" PEPPER TREE TO REMAIN
14. EXISTING 24" OAK TO REMAIN
15. PROPOSED FOUNTAIN
16. PROPOSED CURB AND GUTTER PER CITY STANDARDS
17. PROPOSED PLANTER, SEE LANDSCAPE PLAN
18. PROPOSED SIDEWALK AND STAIRS PER CITY STANDARDS TO ALLOW PUBLIC PEDESTRIAN ACCESS THROUGH SITE
19. PROPOSED PERMEABLE PAVING TO ALLOW OAK ROOT FLOW
20. EXISTING 24" PEPPER TREE TO BE REMOVED
21. EXISTING 18" DIA. ALYPTUS TO REMAIN
22. EXISTING 8" DIA. ALYPTUS TO REMAIN
23. EXISTING 24" DIA. ALYPTUS TO REMAIN
24. PROPOSED CURB PER CITY STANDARDS
25. PROPOSED 5'-0" WIDE CONCRETE SIDEWALK
26. PEDESTRIAN GATE FOR GARAGE ACCESS
27. CONTINUE PAVING TO DEFINE PEDESTRIAN PATH
28. PROPOSED 6'0" RETAINING WALL - 2'-0" MAX HEIGHT - PLASTER FINISH
29. PROPOSED RESIDENTIAL STYLE STREETLIGHT PER PUBLIC WORKS STANDARDS
30. EXISTING DRIVEWAY ENTRANCE TO LA MESA PARK PARKING LOT
31. EXISTING DRIVEWAY EXIT FROM LA MESA PARK PARKING LOT
32. EXISTING ON-STREET PARKING
33. EXISTING BIKE LANE
34. PROPOSED BIKE LANE
35. PROPOSED TRAFFIC STRIPING PAINTED PER PROJECT FRONTAGE PER PUBLIC WORKS STANDARDS
36. PROPOSED RED CURB - NO PARKING BY CHANNEL LANE
37. PROPOSED PAVEMENT THICKNESS PER PUBLIC WORKS STANDARDS

Oak Tree Protection

1. FENCE TO ANY GROUND DISTURBANCE & TEMPORARY FENCE SHALL BE INSTALLED AND LOCATED AS FAR FROM THE TREE TRUNK AS POSSIBLE TO CONSTRUCTION WITH A MINIMUM SLOPE. FENCING SHALL BE SUPPORTED BY POSTS ON MAXIMUM 10'-0" CENTER AND SHALL REMAIN IN PLACE DURING ALL GRADING AND CONSTRUCTION ACTIVITIES. PROTECTIVE FENCING SHALL BE SHOWN ON ALL GRADING AND BUILDING PLANS.
2. CONSTRUCTION EQUIPMENT AND VEHICLES SHALL NOT BE DRIVEN OR PARKED WITHIN THE DRIP LINE (OR AS FAR FROM THE TRUNK AS POSSIBLE). STORAGE OF TILE, SOIL, PIPE, OR CONSTRUCTION MATERIALS WITHIN THESE AREAS IS ALSO PROHIBITED.
3. TRENCHING AND DIGGING WITHIN THE DRIP LINE SHALL BE DONE WITH RUBBER TIPPED, CONTINUOUS FLOW AIR POWER BY THE BEST HANDS AND KNOWLEDGE. ALL ROOTS OVER 2INCHES IN DIAMETER SHALL BE CUT CLEANLY AND PROPERLY TREATED.
4. TEMPORARY FENCE FOR THE PROTECTION OF TREES ALONG THE PROPERTY BOUNDARY SHALL BE BUILT AS FAR AS POSSIBLE FROM THE TRUNK OR CANOPY SIDE

Site Plan General Notes

1. ALL UTILITY SERVICE LINES SHALL BE PLACED UNDERGROUND PER MUNICIPAL CODE SECTIONS 27.08.15 AND 30.30.020
2. COORDINATE TO RETIRE THE EXISTING STREETLIGHTS FROM EXISTING POWER POLES
3. SUPPLY AND INSTALL NEW CITY STANDARD STREET LIGHTS APPROXIMATELY 150 FEET APART. FINAL PLACEMENT OF NEW STREET LIGHTS SHALL BE DETERMINED WITH THE CITY'S TRAFFIC ENGINEER DURING CONSTRUCTION DRAWING SUBMITTALS
4. CONTRACTOR TO PROTECT ALL EXISTING UTILITIES IN PLACE

EAST BEACH ENTITLES
513 E. MONTECITO STREET, SANTA BARBARA, CA 93103
805.966.1620 FAX 805.966.1630

Multifamily Residential Project
210 MEIGS ROAD
Santa Barbara, CA

Site Plan

PC.2

210 MEIGS ROAD PROJECT (MST2002-00710)

MITIGATION MONITORING AND REPORTING PROGRAM

PURPOSE

The purpose of the **210 Meigs Road Project** Mitigation Monitoring and Reporting Program (MMRP) is to ensure compliance with all mitigation measures identified in the Initial Study to mitigate or avoid potentially significant adverse environmental impacts resulting from the proposed project. The implementation of this MMRP shall be accomplished by City staff and the project developer's consultants and representatives. The program shall apply to the following phases of the project:

- Plan and specification preparation
- Pre-construction conference
- Construction of the site improvements
- Post Construction

I. RESPONSIBILITIES AND DUTIES

A qualified representative of the developer, approved by the City Planning Division and paid for by the developer, shall be designated as the Project Environmental Coordinator (PEC). The PEC shall be responsible for assuring full compliance with the provisions of this mitigation monitoring and reporting program to the City. The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in this program.

It is the responsibility of the contractor to comply with all mitigation measures listed in the attached MMRP matrix. Any problems or concerns between monitors and construction personnel shall be addressed by the PEC and the contractor. The contractor shall prepare a construction schedule subject to the review and approval of the PEC. The contractor shall inform the PEC of any major revisions to the construction schedule at least 48 hours in advance. The PEC and contractor shall meet on a weekly basis in order to assess compliance and review future construction activities.

A. PRE-CONSTRUCTION BRIEFING

The PEC shall prepare a pre-construction project briefing report. The report shall include a list of all mitigation measures and a plot plan delineating all sensitive areas to be avoided. This report shall be provided to all construction personnel.

The pre-construction briefing shall be conducted by the PEC. The briefing shall be attended by the PEC, construction manager, necessary consultants, Planning Division Case Planner, Public Works representative and all contractors and subcontractors associated with the project. Multiple pre-construction briefings shall be conducted as the work progresses and a change in contractor occurs.

The MMRP shall be presented to those in attendance. The briefing presentation shall include project background, the purpose of the MMRP, duties and responsibilities of each participant, communication procedures, monitoring criteria, compliance criteria, filling out of reports, and duties and responsibilities of the PEC and project consultants.

It shall be emphasized at this briefing that the PEC and project consultants have the authority to stop construction and redirect construction equipment in order to comply with all mitigation measures.

Once construction commences, field meetings between the PEC and project consultants, and contractors shall be held on an as-needed basis in order to create feasible mitigation measures for unanticipated impacts, assess potential effects, and resolve conflicts.

II. IMPLEMENTATION PROCEDURES

There are three types of activities which require monitoring. The first type pertains to the review of the Conditions of Approval and Construction Plans and Specifications. The second type relates to construction activities and the third to ongoing monitoring activities during operation of the project.

A. MONITORING PROCEDURES

The PEC and required consultant(s) shall monitor all field activities. The authority and responsibilities of the PEC and consultant(s) are described in the previous section.

B. REPORTING PROCEDURES

The following three (3) types of reports shall be prepared:

1. Schedule

   The PEC and contractor shall prepare a monthly construction schedule to be submitted to the City prior to or at the pre-construction briefing.

2. General Progress Reports

   The PEC shall be responsible for preparing written progress reports submitted to the City. These reports would be expected on a weekly basis during grading, excavation and construction, activities. The reports would document field activities and compliance with project mitigation measures, such as dust control and sound reduction construction.

3. Final Report

   A final report shall be submitted to the Planning Division when all monitoring (other than long term operational) has been completed and shall include the following:

   a. A brief summary of all monitoring activities.

   b. The date(s) the monitoring occurred.

   c. An identification of any violations and the manner in which they were dealt with.

d. Any technical reports required, such as noise measurements.

e. A list of all project mitigation monitors.

C. MMRP MATRIX

The following MMRP Matrix describes each initial study mitigation measure, monitoring activities and the responsibilities of the various parties, along with the timing and frequency of monitoring and reporting activities. For complete language of each condition, the matrix should be used in conjunction with the mitigation measures described in full in the Initial Study.

The MMRP Matrix is intended to be used by all parties involved in monitoring the project mitigation measures, as well as project contractors and others working in the field. The Matrix should be used as a compliance checklist to aid in compliance verification and monitoring requirements. A copy of the MMRP matrix shall be kept in the project file as verification that compliance with all mitigation measures has occurred.

210 MEIGS ROAD PROJECT (MST2002-00710)

MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

MITIGATION MEASURE	MONITORING REQUIREMENT	RESPONSIBLE ENTITY	MONITOR	ACTION BY MONITOR	TIMING FREQUENCY	COMPLIANCE CHECK	VERIF-ICATION
AES-1	Design Review Required.	Applicant/ Contractor	ABR/Planning Division	Check plans to ensure compliance w/ ABR approval	At building plan check and prior to finalizing building permit		
AES-2	Compliance w/ City Lighting Ordinance.	Applicant/ Contractor	ABR/Planning Division	Check plans to ensure compliance w/ ABR approval	At building plan check and prior to finalizing building permit	Planning Division	
AQ-1	Construction Dust Control - Watering	Contractor	PEC	Check for compliance on plans and check in field	At plan check and Spot check in field throughout grading; implement daily	Building & Safety Division	
AQ-2	Construction Dust Control - Tarping	Contractor	PEC	Check for compliance on plans and check in field	At plan check and Spot check in field throughout grading; implement daily	Building & Safety Division	
AQ-3	Construction Dust Control – Gravel Pads	Contractor	PEC	Check for compliance on plans and check in field	At plan check and Spot check in field throughout grading; implement daily	Building & Safety Division	
AQ-4	Construction Dust Control - Treatment	Contractor	PEC	Show on plans and check that implemented in field	At plan check and Spot check in field throughout grading; implement daily	Building & Safety Division	
AQ-5	Construction Dust Control – Paving	Contractor	PEC	Show on plans and check that implemented in field	At plan check and Spot check in field throughout grading; implement daily	Building & Safety Division	
AQ-6	Construction Dust Control - Monitor	Contractor	PEC	Show on plans and check that implemented in field	At plan check and Spot check in field throughout grading; implement daily	Building & Safety Division	

MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

MITIGATION MEASURE	MONITORING REQUIREMENT	RESPONSIBLE ENTITY	MONITOR	ACTION BY MONITOR	TIMING FREQUENCY	COMPLIANCE CHECK	VERIF-ICATION
AQ-7	Construction Equipment	Contractor	PEC	Show on plans and check that implemented in field	At plan check and Spot check in field throughout grading; implement daily	Building & Safety Division	
BIO-1	Raptor Seasonal Restriction	Contractor/ Consultant	ABR/ Planning Division/ Project Environmental Monitor (PEC)	Check for compliance on plans and implement	Show on all Grading and Construction Plans at plan submittal, and spot check during construction and prior to rains	Planning Division and Building & Safety Division	
BIO-2	Protective Fencing	Contractor/ Consultant	ABR/ Planning Division/ Project Environmental Monitor (PEC)	Check for compliance on plans and implement	Show on all Grading and Construction Plans at plan submittal, and spot check during construction and prior to rains	Planning Division and Building & Safety Division	
BIO-3	Material Storage and Parking	Contractor	PEC	Check for compliance on plans and implement	Show on all Grading and Construction Plans at plan submittal, and spot check during construction and prior to rains	Building & Safety Division	
BIO-4	Trenching	Contractor/ Consultant	PEC	Check for compliance on plans and implement	At plan check and Spot check in field throughout grading & construction; implement daily	Building & Safety Division	
BIO-5	Post-Construction Protection Measures	Contractor/ Consultant	PEC	Check for compliance on plans and implement	Post-construction check	Building & Safety Division	

MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

MITIGATION MEASURE	MONITORING REQUIREMENT	RESPONSIBLE ENTITY	MONITOR	ACTION BY MONITOR	TIMING FREQUENCY	COMPLIANCE CHECK	VERIF-ICATION
BIO-6	Mitigation Planting	Contractor/ PEC	PEC	Implement if necessary	Post-construction check	Planning Division	
CR-1	Discovery Procedures and Mitigation	Contractor/ Consultant	PEC	Show on plans and check that implemented in field	At plan check and Spot check in field throughout grading & construction; implement daily	Planning Division	
GEO-1	Geotechnical Conditions and Design	Applicant/ Contractor	Contractor/PEC	Submit at time of building permits and adhere to recommendations during grading and construction	Throughout Construction	Building & Safety Division	
N-1	Construction Techniques.	Applicant/ Contractor	Contractor/PEC	Check for compliance on plans and implement	Throughout Construction	Planning Division and Building & Safety Division	
N-2	Construction Notice	Contractor	PEC	Ensure notice provided and signage remains posted	Notice 20 days prior to commencement of grading and construction activities/Spot check that remains posted	Planning Division and Building & Safety Division	
N-3	Construction Hours	Contractor	PEC	Show on plans and ensure compliance on site during construction	Plan check and spot check throughout grading and construction activities	Planning Division and Building & Safety Division	
N-4	Construction Equipment	Contractor	PEC	Show on plans and ensure compliance on site during construction	Plan check and spot check throughout grading and construction activities	Planning Division and Building & Safety Division	

MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

MITIGATION MEASURE	MONITORING REQUIREMENT	RESPONSIBLE ENTITY	MONITOR	ACTION BY MONITOR	TIMING FREQUENCY	COMPLIANCE CHECK	VERIF-ICATION
N-5	Portable Equipment	Contractor	PEC	Show on plans and ensure compliance on site during construction	Plan check and spot check throughout grading and construction activities	Planning Division and Building & Safety Division	
PS-1	Construction Recycling	Contractor	PEC	Show on plans and implement on site	Plan check and spot check to confirm that area provided in the field	Building & Safety Division	
TC-1	Meigs Road Improvements	Contractor	PEC	Show on plans and implement on site	Plan check and spot check to confirm that area provided in the field	Public Works	
TC-2	Construction Traffic	Contractor	PEC	Submit Routes to Transportation Operations Manager and Environmental Analyst/Inform construction workers of routes	Plan check and spot check to confirm implementation on site during grading and construction	City Transportation Operations Division	
TC-3	Construction Parking	Contractor	PEC	Submit Routes to Transportation Operations Manager and Environmental Analyst/Inform construction workers of routes	Plan check and spot check to confirm implementation on site during grading and construction	City Transportation Operations Division	
TC-4	Disabled Accessibility	Contractor	PEC	Show on plans and implement on site	Plan check and spot check to confirm that area provided in the field	Building & Safety Division	
TC-5	Temporary Construction Access	Contractor	PEC	Show on plans and implement on site	Plan check and spot check to confirm that area provided in the field	Building & Safety Division	

MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

MITIGATION MEASURE	MONITORING REQUIREMENT	RESPONSIBLE ENTITY	MONITOR	ACTION BY MONITOR	TIMING FREQUENCY	COMPLIANCE CHECK	VERIF-ICATION
W-1	Drainage and Water Quality	Contractor	PEC	Submit Erosion Control Plan to Environmental Analyst prior to issuance of permits Monitor sediment during grading and construction and prior to rains	Show on all Grading and Construction Plans at plan submittal, and spot check during construction and prior to rains	Building & Safety Division	

ARCHITECTURAL BOARD OF REVIEW
CASE SUMMARY

210 MEIGS RD **MST2002-00710**

R-10 CONDOS

Project Description:

The project consists of a one lot subdivision with ten condominiums (8 market and 2 affordable) and 23 parking spaces on a 38,553 square foot vacant lot. A zone change from E-3/S-D-3 to R-2/S-D-3 is requested. A change in the existing General Plan designation from Major Public and Institutional to Residential, 12 units per acre, and removal of a proposed park symbol would also be necessary as well as a Local Coastal Plan Amendment because the General Plan Amendment would affect a parcel in the Coastal Zone.

Activities:

10/4/2004 ***ABR-Concept Review (Continued)***

(Third Concept Review.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL OF A TENTATIVE SUBDIVISION MAP, COASTAL DEVELOPMENT PERMIT, MODIFICATIONS, AND AMENDMENTS TO THE GENERAL AND LOCAL COASTAL PLAN.)

(5:23)

Peter Ehlen, Architect; David Black, Landscape Architect; and Jessica Grant, Case planner, present.

Public comment opened at 5:38 p.m.

Ed Gamble, 320 Lighthouse Rd. stated concerns about the density and deviation from single family homes.

Public comment closed at 5:40 p.m.

Motion: Continued indefinitely to the Planning Commission with the following comments: 1) The Board appreciates the applicant's response to the massing at Meigs Road. 2) The Board appreciates the stepping of the buildings into the natural terrain. 3) The two-foot wall separation and the pedestrian pathways internal to the site is a positive relationship to the street. 4) The Board appreciates the applicant's response of the relationship of the site planning to the adjacent school. 5) The Board appreciates the introduction of more landscaping in the courtyard areas. 6) The overall site-plan is successful with the internalization of the parking area, which is hidden from public view. 7)

Project Description:

The project consists of a one lot subdivision with ten condominiums (8 market and 2 affordable) and 23 parking spaces on a 38,553 square foot vacant lot. A zone change from E-3/S-D-3 to R-2/S-D-3 is requested. A change in the existing General Plan designation from Major Public and Institutional to Residential, 12 units per acre, and removal of a proposed park symbol would also be necessary as well as a Local Coastal Plan Amendment because the General Plan Amendment would affect a parcel in the Coastal Zone.

Activities:

The Board finds the overall mass, bulk and scale is moving in the right direction. 8) Units 3 through 6 need better grounding of the architectural elements. 9) Study distinguishing architecture elements, to be more like units 7 and 8. 10) The Board appreciates the introduction of the internal landscaping of the skyline trees to break up the building masses. 11) The Board appreciates the extension of the parkway and the narrowing of the road to provide more landscape to the project. 12) Provide more significant vertical break-ups on the first floor along Meigs Road.
Action: Pierron/Bartlett, 8/0/0.

9/17/2004 ***ABR-Resubmittal Received***

Resubmittal has been received. Dave Sullivan.

7/19/2004 ***ABR-Concept Review (Continued)***

(Second Concept Review.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL OF A TENTATIVE SUBDIVISION MAP, COASTAL DEVELOPMENT PERMIT, MODIFICATIONS, AND AMENDMENTS TO THE GENERAL AND LOCAL COASTAL PLAN.)

(3:38)

David Black, Landscape Architect; David Odell, Applicant; and Pete Ehlen, Architect, present.

Staff Comment: Jessica Grant, Case Planner, reiterated that at the last DART review, it was recommended that the applicant take access off of Lighthouse Road through an existing easement instead of taking access off Meigs Road.

Motion: Continued indefinitely with the following comments: 1) The Board appreciates the direction that the application has taken in reducing the scale and massing of the units. 2) The Board appreciates the significant pedestrian access points off of Meigs Road into the courtyards. 3) The Board views the overall site planning as positive. 4) The Board appreciates internalization of the automobile access in allowing the largely public experience from Meigs Road to be landscaping and pedestrian. 5) The skyline trees that come up through the units are favorable. 6) Further reduce the mass, bulk, and scale of the units, particularly in response to the natural terrain, by internal stepping of the units and manipulation of roof lines to create a cascading effect down the slope. 7) Study introducing more one-story elements, particularly as the architecture approaches the south. 8) Reduce the amount of two

Project Description:

The project consists of a one lot subdivision with ten condominiums (8 market and 2 affordable) and 23 parking spaces on a 38,553 square foot vacant lot. A zone change from E-3/S-D-3 to R-2/S-D-3 is requested. A change in the existing General Plan designation from Major Public and Institutional to Residential, 12 units per acre, and removal of a proposed park symbol would also be necessary as well as a Local Coastal Plan Amendment because the General Plan Amendment would affect a parcel in the Coastal Zone.

Activities:

and a half story volume architecture and further reduce the architecture along Meigs Road. 9) Further study smaller scale pieces of architecture. 10) Introduce more softscape into the courtyards because the design is too urban and needs to be more in keeping with the Mesa vernacular. 12) Introduce larger trees to the periphery of the site. 13) Rearrange the trees from the internal courtyard to make more useable space. 14) Some Board members feel that the architecture is too ornate for the Mesa. 15) Provide a composite elevation along Meigs Road and on the Eastern elevation, showing the grade elevation as it descends. 16) One Board member is concerned with the impact of the architecture and the privacy relative to the school in the Eastern property line. 17) Assure adequate landscape screening and that the architecture turn away from the school. 18) Study dropping the grade at the most internalized portion of the motor court and the adjacent unit number ten. 19) Create a more pedestrian friendly entry on unit ten.
Action: Pierron/Bartlett, 8/0/0.

2/9/2004 ***ABR-Concept Review (New)***

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL.)

(3:42)

Peter Ehlen, Architect, and Jessica Grant, Project Planner, present.

Motion: Continued indefinitely with the following comments: 1) The general concept of the project is appropriate. 2) Introduce more visual and real pedestrian connection to the units along Meigs Road. 3) The architecture needs to provide a more significant human scale. 4) Break down the massing to respond to the slope of the site through the reduction of plate heights, more one-story elements, etc. 5) Provide significant landscaping to break down the massing of project on the east side, along the property adjacent to the school, and to interrupt the architecture along the street. 6) Provide indication of the significant existing trees. 7) Provide opportunities for trees that can be saved. 8) Provide mitigation plans for the loss of the significant trees that will be removed.

Action: Pierron/Larson, 7/0/0.

RACHEL TIERNEY
CONSULTING

RECEIVED
JUN 0 6 2005
CITY OF SANTA BARBARA
PLANNING DIVISION

June 3, 2005

Amy Graham
TynanGroup
2927 de la Vina Street
Santa Barbara, CA 93105

RE: 210 Meigs Road (MST 2002-00710)

Dear Amy

This letter provides an updated review of potential impacts to biological resources within the proposed condo project. These comments are based on the most current site plans (East Beach Ventures, March 30, 2005). Previous letters, dated September 13, 2004 and July 27, 2001 addressed potential impacts to these resources under slightly different project designs.

The project would remove a number of eucalyptus and other non-native trees now established within the lot, which would potentially impact raptors and other birds when the trees are removed. Protective measures are also given for a mature oak tree located along the northern property line.

Projects Potential Affect on Raptors[1]: Habitat quality for birds in stands of eucalyptus varies and is dependant upon tree density, understory development, and the presence or absence of adjacent native plants. The quality of the grove at this site is low because the copse is small and open, with little understory or native plants established nearby. Although the trees provide roosting habitat for raptors including American kestrel (*Falco sparverius*), red-shouldered and red-tailed hawks (*Buteo linearus & B. jamaicensis*), barn owl (*Tyto alba*), and great-horned owl (*Bubo virginianus*), there use as a nesting site for most birds of prey would be extremely limited due to the location and size of the copse. The site is located at a busy intersection of Meigs and Cliff Drive. It is also adjacent to Washington Elementary School. These birds prefer stands of native trees. However in the urban setting tall trees with strong limbs that will support larger birds are often exotic.

Removal of a cluster of non-native trees within an urbanized area is typically not considered a potentially significant impact under CEQA unless a listed, candidate or otherwise sensitive species is known to use (in the case of animals) or be established at (in the case of plants) the site. Raptors (birds of prey) are protected by laws and regulations administered by USFWS (under the Migratory Bird Treaty Act) and California Department of Fish and Game.

[1] There is no change to this impact under the most recent plan (3/30/05)

Post Office Box 1113

To ensure that birds of prey and other migratory birds are not harmed, construction and/or tree removal should beginning before or after the breeding season (February 1st and August 15th). If tree removal or grading must be started during that time, a survey to locate active raptor nests should be conducted. If found, construction and tree removal could begin, but extend no closer than 200 feet from the nest until fledglings leave. This mitigation will reduce any impact to nesting raptors to less then significant levels.

Oak Tree Protection: The current site plan (March 30, 2005) reduces the potential impact to the single oak tree (24 inch) located in the northeast corner of the site next to Washington School. The current plan removes any potential for impacts to the tree by the storm drain and catch basin, which had crossed close to the trunk in previous plans, and is now located outside the dripline.

In addition, the perimeter CMU site wall is now curved into the site and around the tree canopy, rather then following the property line, which lies very close to the trunk. Construction of the retaining wall will remove the root system from about one-eight of the area of the total canopy cover, which is approximately 16 feet from the tree trunk.

OAK TREE PROTECTION PLAN

The following protective measures will further ensure that this tree survives construction and will reduce any impact to less then significant levels.

:

1. Fencing. Prior to any ground disturbances, a temporary fence shall be installed, a minimum of 8 feet from the trunk in the direction of the wall, moving outward toward the canopy edges towards the north and south. Fencing shall be supported by posts on minimum eight-foot centers and shall remain in place during all grading and construction activities. Protective fencing shall be shown on all grading and building plans. If removal of fencing is required at constricted areas adjacent to approved work, fencing shall be reinstalled immediately, and left in place until construction is completed.

2. Material Storage and Parking. Construction equipment and vehicles shall not be driven or parked within the fenced area. Storage of fill soil, rocks, or construction materials within this area is also prohibited.

3. Pruning. Prior to grading, all trees that do not have sufficient clearance for proposed grading, or sufficient clearance to meet requirements for Fire Department access, shall be pruned. Pruning of oak trees shall be performed only under the direction of an arborist.

4. Trenching Excavation within the dripline of the oak shall be done by hand. All native tree roots encountered over 1 inch in diameter shall be cut cleanly by hand. If the

root area shall be backfilled (east of the wall), then the cut root shall be kept wrapped in moist burlap until backfilled. Soil area next to treated (cut) roots shall be irrigated to encourage regrowth.

5. Post-Construction Protection Measures.

   All trees located near proposed buildings shall be protected from stucco or paint.

   No permanent irrigation shall occur within the dripline of the existing oak.

   The oak tree shall receive deep feeding after grading activities are completed. A certified arborist or tree maintenance firm experienced in deep feeding of oak trees shall perform the deep feeding.

6. Mitigation Planting. When viewed as a percentage of the canopy cover, only a small portion of the oak root system would be disturbed. However the 24-inch DBH oak may have functioning roots that extend up to 24 feet from the tree trunk. If this were the case, about 1/3 of the root system would be impacted by development. Although the tree is expected to survive construction even under these circumstances, the addition of five coast live oak trees to the Landscape Plan (Black, 2005) will further ensure that the project results in no significant impacts to oak trees.

Sincerely,

Rachel Tierney

Cc: Peter Ehlen (Architect); David Black (Landscape Architect); Trish Allen (City of Santa Barbara)

RACHEL· TIERNEY

CONSULTING

September 13, 2004

Terri Green
TynanGroup
2927 de la Vina Street
Santa Barbara, CA 93105

RE: 210 Meigs Road (MST 2002-00710)
Response to 30-Day Development Application Review Team Comments

Dear Terri,

This letter provides additional information regarding the potential impacts of the proposed condo project on biological resources, requested in the City of Santa Barbara 30-Day Development Application Review Team Comments (item IIIA), dated June 23, 2004. The project would remove a number of eucalyptus and other non-native trees now established within the lot. The 30-day incomplete letter asked for additional information regarding potential impacts to raptors and other birds when the trees are removed. Protective measures are also given for a mature oak tree located along the northern property line.

Projects Potential Affect on Raptors: Habitat quality for birds in stands of eucalyptus varies and is dependant upon tree density, understory development, and the presence or absence of adjacent native plants. The quality of the grove at this site is low because the copse is small and open, with little understory or native plants established nearby. Although the trees provide roosting habitat for raptors including American kestrel (*Falco sparverius*), red-shouldered and red-tailed hawks (*Buteo linearus & B. jamaicensis*), barn owl (*Tyto alba*), and great-horned owl (*Bubo virginianus*), there use as a nesting site for most birds of prey would be extremely limited due to the location and size of the copse. The site is located at a busy intersection of Meigs and Cliff Drive. It is also adjacent to Washington Elementary School. These birds prefer stands of native trees. However in the urban setting tall trees with strong limbs that will support larger birds are often exotic.

Removal of a cluster of non-native trees within an urbanized area is typically not considered a potentially significant impact under CEQA unless a listed, candidate or otherwise sensitive species is known to use (in the case of animals) or be established at (in the case of plants) the site. Raptors (birds of prey) are protected by laws and regulations administered by USFWS (under the Migratory Bird Treaty Act) and California Department of Fish and Game.

Post Office Box 1115
Santa Barbara
California
93102

Tel 805.957.1100
Fax 805.957.2050

To ensure that birds of prey and other migratory birds are not harmed, construction and/or tree removal should beginning before or after the breeding season (February 1st and August 15th). If tree removal or grading must be started during that time, a survey to locate active raptor nests should be conducted. If found, construction and tree removal could begin, but extend no closer than 200 feet from the nest until fledglings leave. This mitigation will reduce any impact to nesting raptors to less then significant levels.

Oak Tree Protection: The current site plan (August 19, 2004) provides adequate setback for the single oak tree (24 inch) located in the northeast corner of the site, next to Washington School. The following additional protective measures will further ensure this tree survives construction and will reduce any impact to less then significant levels.

:

1. Prior to any ground disturbances, a temporary fence shall be installed and located as far from the tree trunk as possible to construct the open parking slot. Fencing shall be supported by posts on minimum eight-foot centers and shall remain in place during all grading and construction activities. Protective fencing shall be shown on all grading and building plans.

2. Construction equipment and vehicles shall not be driven or parked within the dripline (or as far from the trunk as possible). Storage of fill soil, rocks, or construction materials within these areas is also prohibited.

3. Trenching and digging within the dripline shall be done with rubber tire, light-weight machinery or by hand, and monitored. All roots over one inch in diameter shall be cut cleanly and properly treated.

4. Footings for the fence established along this property boundary should be dug as far as possible from the trunk on either side.

Sincerely,

Rachel Tierney

RACHEL TIERNEY
CONSULTING

July 25, 2001

Don Erickson
TynanGroup
2927 de la Vina Street
Santa Barbara, CA 93105

RE: Lighthouse Road parcel

Dear Don,

This letter summarizes my findings concerning the biological resources existing at a parcel located along Cliff Drive, adjacent to Washington School at the terminus of Lighthouse Road. The site is situated in an area of Santa Barbara known as the Mesa, and is surrounded on all sides by development (residential and commercial). Vegetation within this disturbed site consists of common ornamental shrubs (*Pyracantha, Myoporum*) and trees (*Acacia,* California Pepper, *Eucalyptus*). Ground cover consists of non-native grasses (*Bromus, Avena*) and common weeds (mustard, radish, thistle).

Potentially Significant Resources

1. Coast Live Oak (*Quercus agrifolia*)

Two coast live oaks were noted at the periphery of the subject property: a small sapling (DBH = 4 inches) along the edge of Lighthouse Road within landscape material near the Washington School parking access road; and a mature tree (DBH = 14 inches) at the northern edge of the site, also near the school. Either tree may actually be located outside of the property boundary. **The mature tree should be retained.** It is in excellent health and displays very fine form.

2. Monarch Butterfly Habitat

The subject property contains a number of mature eucalyptus trees. A recent study of monarch butterfly overwintering use in Santa Barbara County (including the City of Santa Barbara) identifies a "transitory site" at La Mesa Park, located to the west of the subject property (Althouse and Meade, 1999). A "transitory site" is one that is used during winter migration for less than one week. It may harbor butterfly clusters for one or several nights during movement to a more permanent "aggregation site" such as the one located in Honda Valley to the east, or to other sites located up the coast.

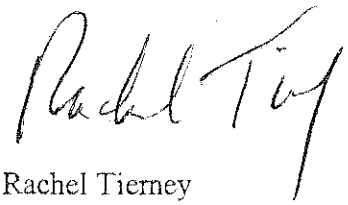
Removal of eucalyptus within the subject property would not constitute a significant impact to migrating monarchs (Meade, personal communication). Butterflies have not been seen at the subject property. Although the eucalyptus may provide a stopping off site between overwintering locations, their use would be very minor.

3. Sensitive Species

No listed or proposed rare or otherwise sensitive species were noted on-site, nor are any expected based on the existing conditions and local records (CNPS, 2001; CDFG 2001).

Please call if you need additional information

Sincerely,



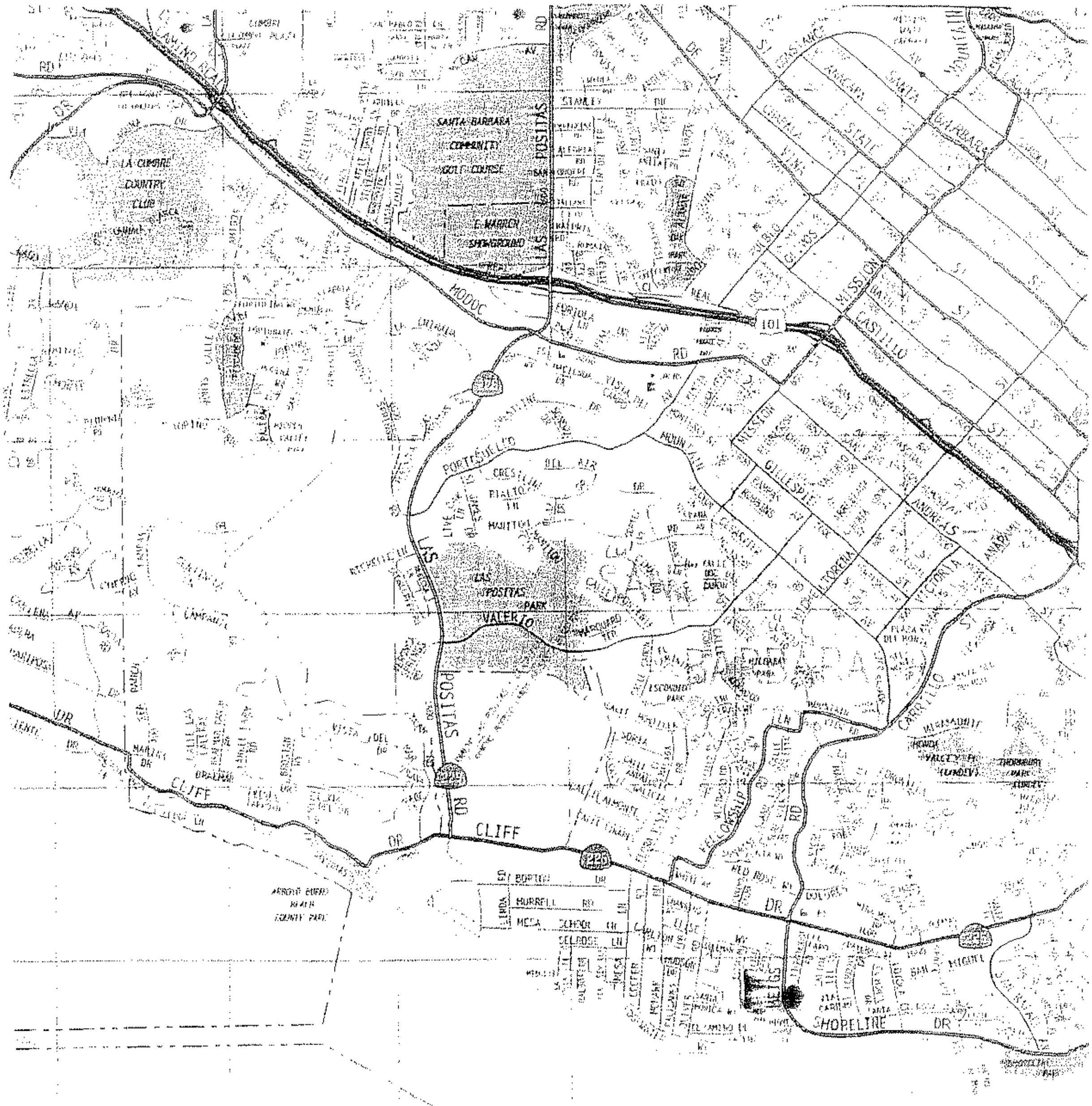
Rachel Tierney

References:

California Department of Fish and Game. 2000. Natural Diversity Data Base Special Plants and Special Animals. The Resources Agency, Non-game Heritage Program. April 2000.

California Native Plant Society. 2001. Inventory of Rare and Endangered Vascular Plants. (www.cnps.org/rareplants/inventory/6thEdition.txt).

Meade, Daniel. 1999. Monarch Butterfly Overwintering Sites in Santa Barbara County, California. Althouse and Meade, Inc. 1135 Stoney Creek Rd. Paso Robles, CA 93446. Prepared for the County of Santa Barbara. November 1999.



BIOLOGICAL RESOURCES

● Subject Property

"Transitory" Monarch Butterfly Site (Althouse and Meade, 1999)

RACHEL · TIERNEY

BOTANICAL · CONSULTING

ASSOCIATED TRANSPORTATION ENGINEERS
100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • (805) 687-4418 • FAX (805) 682-8509

Maynard Keith Franklin, P.E.
Richard L. Pool, P.E.
Scott A. Schell, AICP

December 10, 2004

04150L01.WP

Pete Ehlen
East Beach Ventures
East Haley Street
Santa Barbara, CA 93101

SIGHT DISTANCE ANALYSIS AND ACCESS EVALUATION FOR THE 210 MEIGS ROAD CONDOMINIUM PROJECT - CITY OF SANTA BARBARA

Associated Transportation Engineers (ATE) has completed the following sight distance analysis and access evaluation for the 210 Meigs Road Condominium Project, proposed in the City of Santa Barbara. The project is proposing to develop 10 condominium units on a currently vacant site located adjacent to Washington Elementary School. Access is proposed on Meigs Road across from La Mesa Park. The location of the project driveway on Meigs Road is illustrated in Figure 1 (see attached site plan).

Sight Distance Analysis

The driver of a vehicle departing from the driveway intersection should have an unobstructed view along Meigs Road sufficient in length to permit the driver to anticipate and avoid potential collisions. The unobstructed views form triangular areas known as sight triangles. Any object (such as buildings, vehicles, hedges, trees, bushes, walls, fences, etc.) within the sight triangles that would obstruct the driver's view of an approaching vehicle should be removed.

Meigs Road is constructed on a large-radii horizonal curve alignment along the western boundary of the project site, and the project driveway is located on the inside of the curve. The speed limit posted on Meigs Road adjacent to the site is 35 MPH. The project driveway would be located near the north end of the curve. Pursuant to Caltrans Design Manual section 405.1.(2)(c), the minimum sight distance required at a private road connection is 250 feet for a 35 MPH design speed (Caltrans criteria attached).

Field review of the existing conditions was completed to confirm vehicle speeds and the location of potential obstructions. The field review found that vehicles generally travel within the 35 MPH speed limit. There are also trees and vegetation located along the property line adjacent to Meigs Road that will need to be removed when the project is constructed.

Sight distances at the proposed driveway were evaluated assuming the street and driveway layout shown on the attached plan (Figure 2). The plan shows that a raised median would be installed on Meigs Road adjacent to the site. A turn pocket for left turns from southbound Meigs Road into the project site is shown. A curb bump-out is shown on the east side of Meigs Road, resulting in a 20-foot travel lane for northbound traffic. It is noted that the original site plan included the curb bump-out with a 16-foot travel lane for northbound traffic. That plan was modified to provide the 20-foot travel lane since the City Fire Department indicated that 20 feet will be their minimum requirement for this segment of Meigs Road. Figure 2 shows the site layout with the northbound lane set at 20 feet. This was accomplished by reducing the width of the curb bump-out along the project's frontage.

The results of the sight distance analysis found that adequate sight distance could be provided looking to the north. The proposed driveway is located near the north end of the horizontal curve on Meigs Road and the sight distance that could be provided to the north would be well over the Caltrans minimum requirement of 250 feet. It is important to note that this assumes that any landscaping or vegetation adjacent to the driveway would not extend above 3.5 feet, the level of the driver's eye.

Figure 1 shows that the 250-foot minimum sight distance could also be provided looking to the south. The sight distance triangle assumes that there would be no obstructions along the project's frontage between the roadway curb line and the area just behind the sidewalk. Given the location of the driveway on the inside of the curve on Meigs Road, it will be important to make sure that sight lines are not obstructed by street furniture, poles, bus stops, etc. along this section of Meigs Road. It is recommended that the curb bump-out shown on the site plan be extended further southeast along the frontage to ensure that vehicles do not park within the sight distance triangle.

If desired, additional sight distance could be provided from the driveway looking to the south by ensuring that there are no obstructions along the project's frontage between the roadway curb line and the patio areas shown adjacent to the condominium units. About 325 feet of sight distance could be provided from the driveway looking to the south if no obstructions are placed within this area. This additional sight distance would require that the curb bump-out be extended further south. The trade off would be that this would reduce the availability of on-street parking along the project's frontage.

Other Access Considerations

- There is a driveway on the west side of Meigs Road that is an inbound driveway to the parking lot that serves La Mesa Park. The project's driveway should align with the La Mesa Park driveway and the median will need to be designed to allow for left-turns from northbound Meigs Road into the La Mesa Park parking lot.

- The project driveway should be widened to better accommodate simultaneous inbound and outbound movements. The width shown on the preliminary site plan could result in queuing on Meigs Road.

- The turn pocket for left turns into the project site should be minimum of 100 feet long to provide an adequate area for vehicle deceleration and storage.

- The site design should provide a pedestrian connection between the project site and the adjacent Washington Elementary School.

- City staff have indicated that there may be a desire to provide a crosswalk for pedestrian access across Meigs Road at the site access driveway. The need for a crosswalk should consider that there is an existing painted crosswalk for crossing Meigs Road at the Elise Way intersection about 600 feet north of the project access driveway. There is an existing sign on Meigs Road adjacent to La Mesa Park directing pedestrians in this area to use the crosswalk at Elise Way. The existing painted crosswalk at Elise Way is also part of the safe route to school for Washington Elementary School and a crossing guard is assigned to the crosswalk before and after school. Placing a striped crosswalk at the site access driveway may require modification of the school's pedestrian access plan and the placement of crossing guards in the area if it is to be connected to the school. The design of the site access driveway intersection on Meigs Road would also need to be modified to accommodate the crosswalk.

Alternative Access Connection

The preliminary site plan shows an alternative connection to Meigs Road on the adjacent Washington School property just north of the project site. Adequate sight lines could also be achieved at this driveway location looking to the north and to the south, provided that there are no obstructions along the project's frontage between the roadway curb line and the area just behind the sidewalk.

This concludes our sight distance analysis and access evaluation for the 210 Meigs Road Condominium Project. Please call our office if you have questions regarding the analysis or findings.

Associated Transportation Engineers

Scott A. Schell, AICP
Principal Transportation Planner

SAS/DLD

Attachments

CHAPTER 200
GEOMETRIC DESIGN AND STRUCTURE STANDARDS

Topic 201 - Sight Distance

Index 201.1 - General

Sight distance is the continuous length of highway ahead visible to the driver. Three types of sight distance are considered here: passing, stopping, and decision. Stopping sight distance is the minimum sight distance to be provided on multilane highways and on 2-lane roads when passing sight distance is not economically obtainable. Stopping sight distance also is to be provided for all elements of interchanges and intersections at grade, including private road connections (see Topic 504, Index 405.1, & Figure 405.7). Decision sight distance is used at major decision points (see Indexes 201.7 and 504.2).

The following table shows the standards for passing and stopping sight distance related to design speed. **These shall be the minimum values used in design.**

Table 201.1
Sight Distance Standards

Design Speed[1] (mph)	Stopping[2] (ft)	Passing (ft)
20	125	800
25	150	950
30	200	1100
35	250	1300
40	300	1500
45	360	1650
50	430	1800
55	500	1950
60	580	2100
65	660	2300
70	750	2500
75	840	2600
80	930	2700

(1) See Topic 101 for selection of design speed.

(2) Increase by 20% on sustained downgrades >3% & >1 mile.

Chapter III of "A Policy on Geometric Design of Highways and Streets," AASHTO, 1984, contains a thorough discussion of the derivation of stopping sight distance.

201.2 Passing Sight Distance

Passing sight distance is the minimum sight distance required for the driver of one vehicle to pass another vehicle safely and comfortably. Passing must be accomplished without reducing the speed of an oncoming vehicle traveling at the design speed should it come into view after the overtaking maneuver is started. The sight distance available for passing at any place is the longest distance at which a driver whose eyes are 3.5 feet above the pavement surface can see the top of an object 4.25 feet high on the road.

Passing sight distance is considered only on 2-lane roads. At critical locations, a stretch of 3- or 4-lane passing section with stopping sight distance is sometimes more economical than two lanes with passing sight distance (see Index 204.4).

Figure 201.2 shows graphically the relationship among length of vertical curve, design speed, and algebraic difference in grades. Any one factor can be determined when the other two are known.

See Chapter 6 of the Traffic Manual for criteria relating to barrier striping of no-passing zones.

201.3 Stopping Sight Distance

The minimum stopping sight distance is the distance required by the driver of a vehicle, traveling at a given speed, to bring his vehicle to a stop after an object on the road becomes visible. Stopping sight distance is measured from the driver's eyes, which are assumed to be 3.5 feet above the pavement surface, to an object 0.5-foot high on the road.

The stopping sight distances in Table 201.1 should be increased by 20% on sustained downgrades steeper than 3% and longer than 1 mile.

and the type of community being served may limit the use of the STAA templates. In those cases, other appropriate templates should be used.

The minimum practical turning radius is 50 feet. However, the 60-foot radius develops less swept width and may have an advantage. Both the 50-foot radius and 60-foot radius should be tested.

(3) California Truck. The California truck-turn template should be used in the design of highways not on the National Network. The minimum practical turning radius is 50 feet.

(4) Bus. At intersections where truck volumes are light or where the predominate truck traffic consists of mostly 3-axle and 4-axle units, the bus turning template may be used. Its wheel paths sweep a greater width than 3-axle delivery trucks and the smaller buses such as school buses, but a slightly lesser width than a 4-axle truck.

Topic 405 - Intersection Design Standards

405.1 Sight Distance

(1) Stopping Sight Distance. See Index 201.1 for minimum stopping sight distance requirements.

(2) Corner Sight Distance.

(a) General--At unsignalized intersections a substantially clear line of sight should be maintained between the driver of a vehicle waiting at the crossroad and the driver of an approaching vehicle. Adequate time must be provided for the waiting vehicle to either cross all lanes of through traffic, cross the near lanes and turn left, or turn right, without requiring through traffic to radically alter their speed.

The values given in Table 405.1A provide 7-1/2 seconds for the driver on the crossroad to complete the necessary maneuver while the approaching vehicle travels at the assumed design speed of the main highway. The 7-1/2 second criterion is normally applied to all lanes of through traffic in order to cover all possible maneuvers by the vehicle at the crossroad. However, by providing the standard corner sight distance to the lane nearest to and farthest from the waiting vehicle, adequate time should be obtained to make the necessary movement. On multilane highways a 7-1/2 second criterion for the outside lane, in both directions of travel, normally will provide increased sight distance to the inside lanes. Consideration should be given to increasing these values on downgrades steeper than 3% and longer than 1 mile (see Index 201.3), where there are high truck volumes on the crossroad, or where the skew of the intersection substantially increases the distance traveled by the crossing vehicle.

In determining corner sight distance, a set back distance for the vehicle waiting at the crossroad must be assumed. **Set back for the driver on the crossroad shall be a minimum of 15 feet, measured from edge of the traveled way.** The 15 foot set back distance assumes six feet from the edge of travelled way to the stop bar, one foot for the width of the stop bar, and eight feet from the front bumper to the driver. If the stop bar is more than six feet from the edge of traveled way, additional allowance should be considered. Corner sight distance is to be measured from a 3.5 foot height at the location of the driver on the minor road to a 4.25 foot object height in the center of the approaching lane of the major road.

In some cases the cost to obtain 7-1/2 seconds of corner sight distances may be excessive. High costs may be attributable to right of way acquisition, building removal, extensive excavation, or environmental costs (e.g., tree removal, avoidance of wetlands, historic or archaeological sites). In such cases a lesser value of corner sight distance, as described under the following headings, may be used.

(b) Public Road Intersections--At unsignalized public road intersections (see Index 405.7) corner sight distance values given in Table 405.1A should be provided.

At signalized intersections the values for corner sight distances given in Table 405.1A should also be applied whenever possible. Even though traffic flows are designed to move at separate times, unanticipated vehicle conflicts can occur due to violation of signal, right turns on red, malfunction of the signal, or use of flashing red/yellow mode.

Where restrictive conditions similar to those listed in Index 405.1(2)(a), the minimum value for corner sight distance at both

signalized and unsignalized intersections shall be equal to the stopping sight distance as given in Table 201.1, measured as previously described.

(c) Private Road Intersections--**The minimum corner sight distance shall be equal to the stopping sight distance as given in Table 201.1, measured as previously described.**

(d) Urban Driveways--Corner sight distance requirements as described above are not applied to urban driveways.

(3) Decision Sight Distance. At intersections where the State route turns or crosses another State route, the decision sight distance values given in Table 405.1B should be used. In computing and measuring decision sight distance, the 3.5-foot eye height and the 0.5-foot object height should be used, the object being located on the side of the intersection nearest the approaching driver.

The application of the various sight distance requirements for the different types of intersections is summarized in Table 405.1C.

405.2 Left-turn Channelization

(1) General. The purpose of a left-turn lane is to expedite the movement of through traffic, control the movement of turning traffic, increase the capacity of the intersection, and improve safety characteristics.

The District Traffic Branch normally establishes the need for left-turn lanes. See "Guidelines for Reconstruction of Intersections," August 1985, published by the California Division of Transportation Operations.

(2) Design Elements.

(a) Lane Width -- **The lane width for both single and double left-turn lanes on State highways shall be 12 feet.** Under certain circumstances (listed below), left-turn lane widths of 11 feet or as narrow as 10 feet may be used on RRR or other projects on existing State highways and on roads or streets under other jurisdictions when supported by an approved design exception pursuant to Index 82.2.

- On high speed rural highways or moderate speed suburban highways where width is restricted, the minimum width of single or dual left-turn lanes may be reduced to 11 feet.

Table 405.1A
Corner Sight Distance
(7-1/2 Second Criteria)

Design Speed (mph)	Corner Sight Distance (ft)
30	330
40	440
50	550
60	660
70	770

Table 405.1B
Decision Sight Distance

Design Speed (mph)	Decision Sight Distance (ft)
30	450
40	600
50	750
60	1000

Table 405.1C
Application of Sight Distance Requirements

Intersection Types	Sight Distance		
	Stopping	Corner	Decision
Private Roads	X	X(1)	
Public Streets and Roads	X	X	
Signalized Intersections	X	(2)	
State Route Intersections & Route Direction Changes, with or without Signals	X	X	X

(1) Using stopping sight distance between an eye height of 3.50 ft. and an object height of 4.25 ft. See Index 405.1(2)(a) for setback requirements.

(2) Apply corner sight distance requirements at signalized intersections whenever possible due to unanticipated violations of the signals or malfunctions of the signals. See Index 405.1(2)(b).

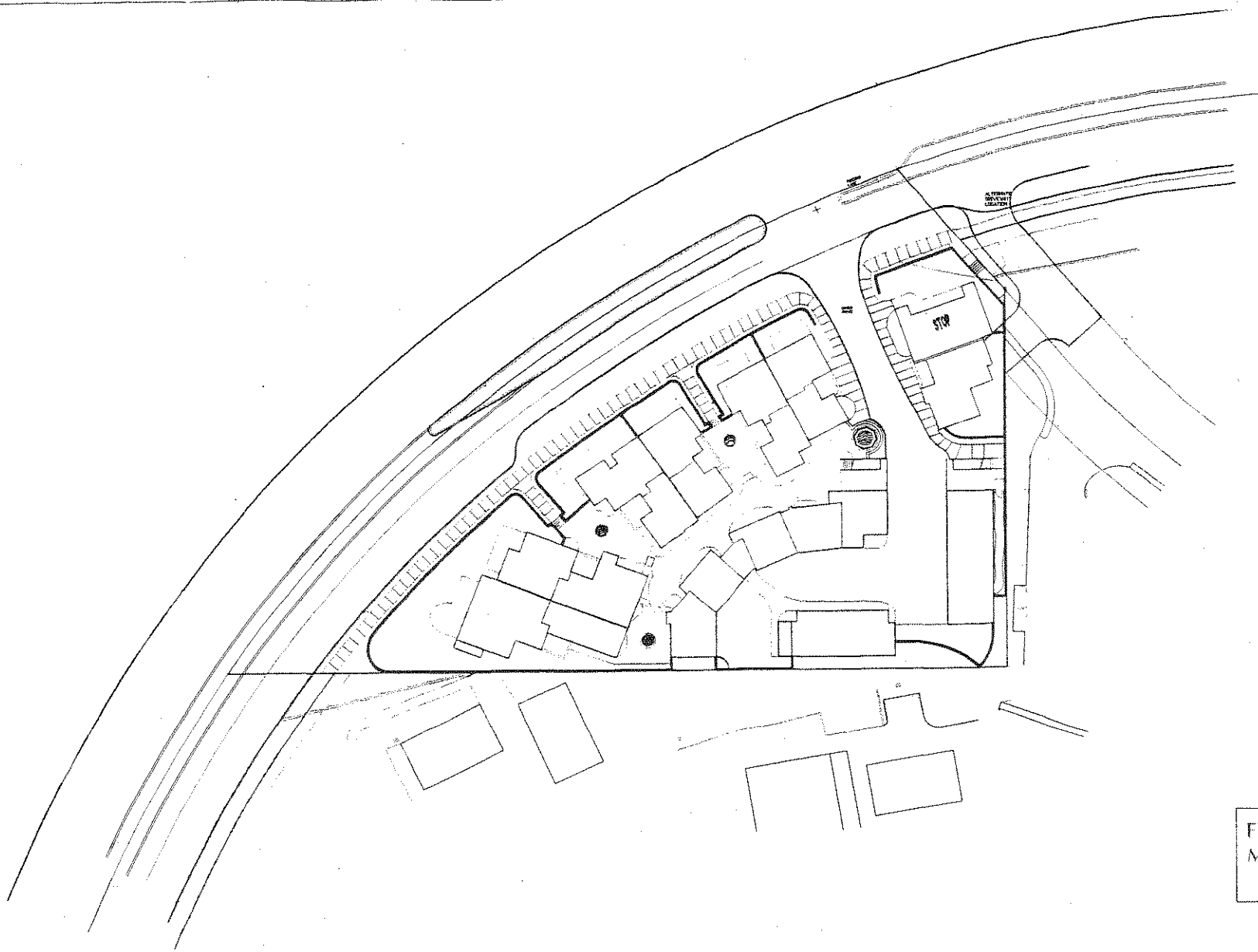


FIGURE 1
MODIFIED SITE PLAN
NOT TO SCALE

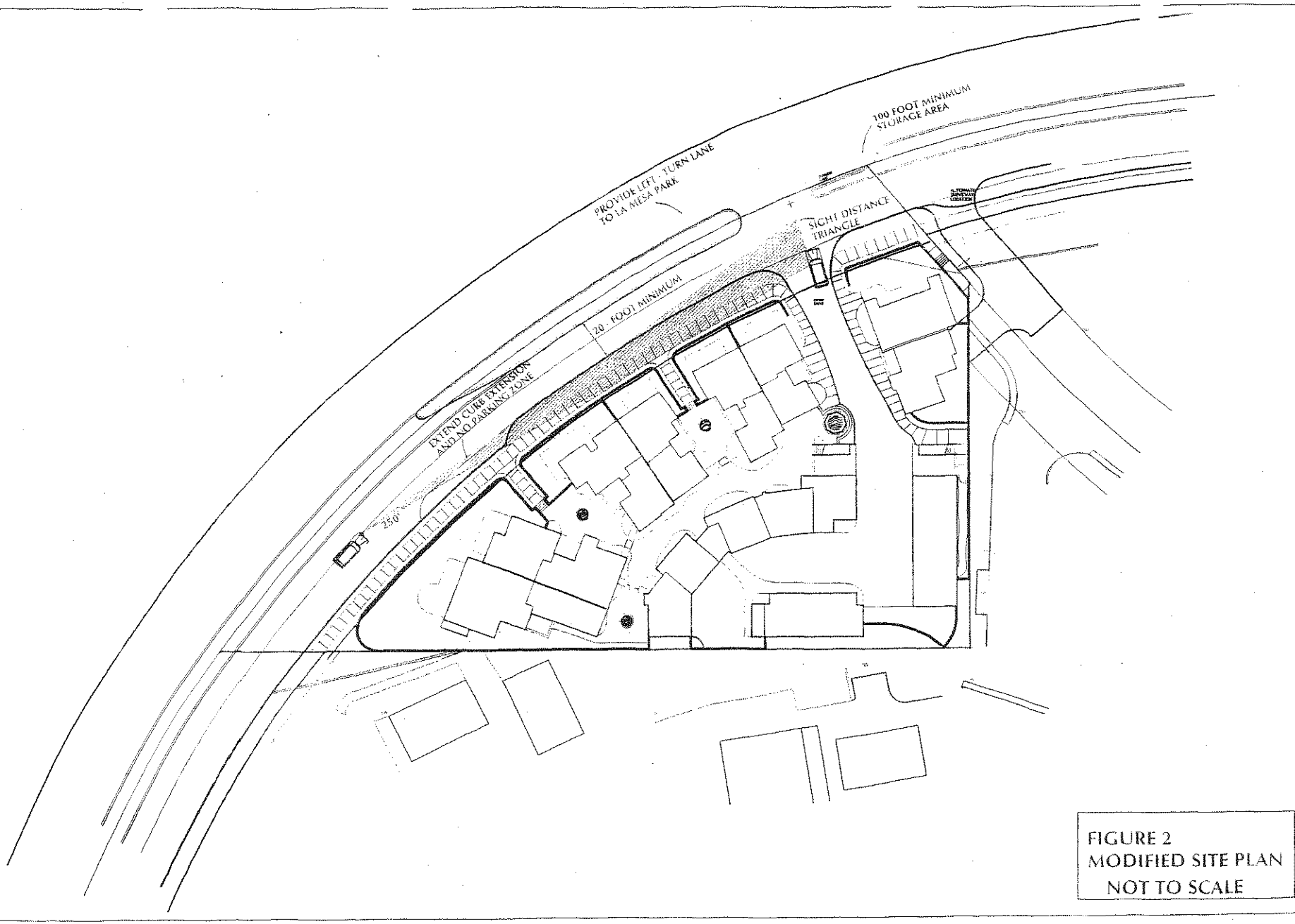


FIGURE 2
MODIFIED SITE PLAN
NOT TO SCALE

Santa Barbara School Districts

ADMINISTRATION CENTER

September 6 , 2005

City of Santa Barbara Planning Commission
Attn: Trish Allen, Associate Planner
Santa Barbara City Hall
735 Anacapa Street
Santa Barbara, CA 93101

Re: Draft Mitigated Negative Declaration for 210 Meigs Rd. (MST2002-00710) comments and other comments concerning 210 Meigs Rd.

Dear Commissioners:

Thank you for the opportunity to comment on the Draft Mitigated Negative Declaration (MND) for the ten unit condominium project proposed on Meigs Road adjacent to Washington School. We have several concerns about potential environmental impacts of the proposed project as it relates to Washington School. We have 22 school sites throughout the community, most of which are located in residential areas. This has given us considerable experience with compatibility issues and impacts of schools and residences located in close proximity to each other. The following comments are based on this experience as well as the specifics of Washington School where several classrooms, portables and a playing area are located immediately adjacent to the proposed project.

Access

Over the last year or so the District has worked with the applicant to determine the appropriate access to their site and we strongly support access off Meigs Road as proposed. We detailed our concerns about access off Lighthouse Road through the Washington School parking in a letter to the Planning Commission dated April 19, 2005 (attached). Access from Lighthouse Road via an easement raises serious safety issues, disrupts Washington School traffic circulation, and exceeds the scope of what is permitted under the easement between the District and adjacent property owner. While that access is not proposed, we would like to have the attached letter included as part of the record so that future decision-makers are aware of the safety issues of that option. The district also opposes access between the 210 Meigs and the school site. The convenience of a few school children walking a shorter distance to school would not offset the problems with unauthorized access and use not only during the school day, but during non school hours. Experience has shown that over time, property owners with direct access to School District property consider the District property to be at their disposal for activities prohibited by Board policy and applicable law.

Compatibility of school and condos

Past experience has shown that homes immediately adjacent to school sites, particularly play areas, can create compatibility issues. Once a project is built next to a school, the new owners tend to forget that the school was there first. Because of the close proximity of the proposed development to the school, we strongly suggest there be a condition added to require a covenant or other title documentation acknowledging that the adjacent school facility is and will continue to be used for school, after-school and non-school related activities. These activities will occur during the daytime, evenings and weekends which residents may find interfere with their quiet and enjoyment of their home. The covenant should also mention that additional school facility construction, both currently planned and in the future, could be carried out in a manner which might adversely impact residents, including in reference to viewsheds.

Construction Activities

The Draft MND notes that grading will require one month and hours of construction run from 7 am to 5 pm which coincides with the school day. The discussion of sensitive receptors on page 7 states, "...but sensitive receptors at the park [across Meigs Road] could be affected by dust and particulates during project site grading and construction." School children are definitely considered "sensitive receptors" in terms of noise & air quality but they are not mentioned as possibly being affected by particulates and dust. We believe the potential impact on students from grading is significant, especially given the project's proximity to the school and the sensitivity of children to air pollution. We believe the following mitigation measures would reduce this impact to a level of insignificance:

1. The Draft MND recommends that the site be watered during grading and other standard dust control measures. While this is a partial mitigation, we don't believe it is sufficient. We suggest limiting grading activities to non-school hours as mitigation. We recognize this presents a hardship to the applicant but we see no alternative.

2. The Draft MND (p. 15) states that construction equipment generates noise levels of more than 80 or 90 db(A) at 50 feet. There are several classrooms near the common property line that are considerably closer than 50 feet and construction in that area would be particularly disruptive to the students. What if construction of those units occurs during testing or quiet periods when students are reading? The ND needs to do more than state what the noise standards are. The ND needs to analyze what the effects might be on the students adjacent to the site. Limiting construction hours, at a minimum for the units along the common property line, would help to mitigate noise impacts. Another possibility would be to limit noise producing construction activities to non-school hours.

3. Past experience has shown us that construction vehicle and materials storage can be an issue, especially on a small, constrained site. The Draft MND (Mitigation T-3 on p. 23) defers finding appropriate locations for construction vehicles and materials but those should be determined now to avoid impacts later.

Privacy and Safety of Students

We have a major concern with the proximity of the eastern units, particularly those with balconies that overlook the school site, in terms of privacy & safety of the students. We are concerned about people using their balconies for various activities while in full view of the students. There are site design changes that would be effective in addressing this concern, including possibly moving the balconies so that they don't overlook the school and adding significant screen landscaping.

Pesticide Use

The District requests that pesticides not be applied at the project during construction. School age children will occupy buildings and playgrounds and may come in contact with or be exposed to pesticides if their use is allowed. This is a major concern to the District as well as parents of school age children at Washington Elementary School.

Thank you for the opportunity to comment on these important issues.

Very truly yours,

David Hetyonk
Director of Facilities and Operations
Santa Barbara School Districts

cc: Letter to Planning Commission on access issue, April 19, 2005

Santa Barbara School Districts

April 19, 2005

City of Santa Barbara Planning Commission
Santa Barbara City Hall
735 Anacapa Street
Santa Barbara, CA 93101

Re 210 Meigs Rd. (MST2002-00710)

Dear Commissioners:

The Santa Barbara School District (District) has two principal concerns with the proposed conditions of approval and accompanying staff report: (1) the staff-recommended access along the private Lighthouse Road easement raises serious safety issues, disrupts Washington School traffic circulation, and exceeds the scope of what is permitted under the easement; and (2) because of the close proximity of the proposed development to the school, there needs to be a new condition added to require a covenant or other title documentation acknowledging that the adjacent school facility is and will continue to be used for school, after-school and non-school related activities, including evenings and weekends, which residents may find interfere with their quiet enjoyment, and that additional school facility construction, both currently planned and in the future, could be carried out in a manner which might adversely impact residents, including in reference to viewsheds.

ACCESS

The private access easement in question extends from the south end of Lighthouse Road through the middle of the Washington School parking lot to the corner of the applicant's parcel at Meigs Road. This easement dates back to the time before the construction of Meigs Road. Originally, the easement would have served the properties on the lower portion of Lighthouse Road, south of La Mesa Park, as well as the applicant's parcel. However, when Meigs Road was constructed some thirty years ago, thereby providing access to the lower Lighthouse Road properties, including the applicant's parcel, the easement became redundant. Given the District's continuous use of the easement area over many years, it is highly questionable whether any use may be made of the easement at this time which conflicts with the District's long established utilization of its property.

It does not appear that the staff report has adequately considered the impact of its recommendation upon the existing utilization of the Washington School parking lot, including circulation for autos, bicyclists, pedestrians, and buses. Both the district and applicant oppose the use of the private access easement at the terminus of Lighthouse Road to serve the project. The staff recommended access consists of a roadway improved to city standards, including curbs, gutters, parkways, sidewalks, streetlights, landscaping and utilities, which would bisect the Washington School parking lot, thereby causing significant safety issues and impairing school parking lot circulation. Although there is provision for pedestrian crossing signage and striping, there is no recognition of the need for automobile and bus traffic to cross the easement area as part of the long established circulation pattern providing ingress and

egress to the site. These impacts have not been adequately explored by staff, including in the environmental review for this project.

It is to be noted that the staff recommended improvements would be placed within an easement which does not allow a right-of-way for public roadway use. Rather the easement in question is a nonexclusive private easement limited to ingress and egress only. When exercising the right to use an easement, the owner of the easement must give due regard to the rights of the owner of the underlying fee title. The owner must use the easement in the manner that imposes the least burden on the property. To impose a requirement for the construction of a roadway meeting standard city specifications would greatly exceed the allowable use for this easement. A private nonexclusive easement for ingress and egress does not contemplate curbs, gutters, sidewalks, parkways, streetlights, landscaping, and utilities, and the same, if constructed, would greatly burden and disrupt the use of the property by the District.

The District would further object to utilizing the easement in such a way that would extend Lighthouse Road to Meigs Road, due to a number of safety and circulation issues which have previously been the subject of discussion and correspondence with the applicant. Please see the attached August 6, 2004 letter to applicant outlining District's objections.

In short, the District believes that the staff recommendation fails to adequately address critical student safety issues, the impact of bisecting the Washington School parking lot with an improved public roadway, and the applicable limitations upon the use of the private easement.

The District urges the Commission to select the so-called third access option, which takes access directly from Meigs Road without utilization of the private easement. The staff report acknowledges that the applicant has provided an appropriate means for direct access from Meigs Road, which ensures proper sight visibility and speeds, so that the design could be approved in accordance with safety precautions. This option would avoid the very significant impacts to the school and associated legal issues related to the use of the easement.

ADDED REQUIREMENT FOR RESIDENTS TO ACKNOWLEDGE POTENTIAL INTERFERENCE WITH QUIET ENJOYMENT

Under the proposed rezone, the side and rear setbacks from District property will only be six feet (three feet for parking). With the recent placement of the story poles, the close proximity of the proposed units to the existing school buildings and facilities is readily apparent. This raises the potential for future conflicts to arise between project residents and the school in relation to noise, lighting, and traffic associated with the normal functioning of a school. Also, future school additions may further impact neighbors. Although the District believes that project residents and the school community can co-exist harmoniously, as is generally the case around District schools, because it has previously encountered neighbor concerns at Washington and other schools relating to these kinds of issues, the District would

like for there to be a requirement for record title to contain an acknowledgment that residents' quiet enjoyment may be adversely impacted.

School facilities are subject to a wide variety of uses, including before and after school and weekend usage by school and non-school related groups (Civic Center Act). Facility improvements are currently being planned, which may further impact residents in the proposed development. The District wishes to avoid or minimize future conflicts with project residents by recording covenants or other title documentation acknowledging this potential.

The situation is somewhat analogous to new development adjacent to agriculture, in which case the development is subject to the Right to Farm Ordinance. This is intended to minimize the development's impact on adjacent farming operations. We think that suitable language can be crafted to effectuate a similar result in connection with minimizing impacts on public school operations.

Thank you for your attention to these important issues.

Very truly yours,

David Hetyonk
Director of Facilities and Operations
Santa Barbara School Districts

Cc: Jan Hubbell
Jessica Grant
David Odell

COPY

Santa Barbara School Districts

August 6, 2004

Mr. David Odell
Tynan Group
2927 De la Vina Street
Santa Barbara, CA 93105

Re: Access issues relating to Washington School Master Plan and Tynan condominium project

Dear David:

Thank you for meeting recently with Santa Barbara School District representatives Craig Price, Pat Saley and myself to discuss access issues relating to your proposed condominium project and Washington School. As you know, the District has been discussing the construction of a new library/building and other accessibility improvements at Washington Elementary School as part of the I-98 bond funded improvements for elementary district. Our understanding is that Tynan and its partner are proposing 10 condominium units on the triangular-shaped parcel that is bounded on two sides by the school and the third by Meigs Road.

As you know, there is an existing access easement extending from the south end of Lighthouse Road, across the two school parcels, to the corner of your parcel at Meigs Road. Our collective understanding is that this easement dates back to the time before the construction of Meigs Road. The easement would have served the properties on the lower portion of Lighthouse Road, south of La Mesa Park, as well as your parcel. When Meigs was constructed some thirty years ago, thereby providing access to the lower Lighthouse Road properties and your parcel, apparently the easement was not removed.

At this point, we understand that the City of Santa Barbara has taken a position that a shared vehicular access off Meigs is preferable for both the school and the condos. Under this scenario, the school would retain the Lighthouse Road access as well. We understand that a concern expressed by City staff is that they don't want two access points on this portion of Meigs Road. You've asked the District to officially comment on the appropriateness and practicality of having access to the school off Meigs Road, presumably off one driveway that would be shared with the condos. We assume that the access off Meigs would be for ingress and egress for both the condos and school.

As we told you at our meeting, we are pursuing a plan with access solely off Lighthouse Road. We see several serious problems with the concept of shared access for the school and the condos off Meigs Road. Our concerns about two access points for the school include:

1. **Increase in traffic during school drop off and pick up times** – Every school has two peak hours when parents are dropping off their children in the morning and picking them up in the afternoon. The morning peak hour generally coincides with the peak hour on adjacent public streets in the 7:30 to 8:30 am time frame. At the same time that parents would be entering and exiting the school site off Meigs, many residents of the condos would be leaving for work or appointments. The condo owners leaving during the morning drop off time might have to wait quite a while to make the left out of the condo project onto the shared access drive and then onto Meigs Road. We are very concerned about the

increase in traffic in and around the school parking lot from the condos, especially in the morning. We would imagine that you are also concerned about the inconvenience of having the condo residents wait for the school traffic to subside before leaving their property.

2. **People taking short cuts across the school parking lot** - Those condo residents that work to the east of the site, e.g., in the lower Downtown area, would be tempted to turn right from their property and cross the school parking lot to go to their destination. More serious, however, is the tendency for people to take the shortest route from 'A' to 'B.' For example, someone driving up Meigs Road might be tempted to turn right onto the condo/school shared driveway, cross the school parking lot and exit the school site on Lighthouse Road, then onto Cliff Drive. This would save them negotiating the Cliff Drive/Meigs Road intersection. The same could occur for those traveling west on Cliff Drive who might turn left onto Lighthouse Road, cross the school parking lot and exit onto Meigs in order to avoid the left turn from Cliff to Meigs. This potential increase in traffic through the parking lot is a major concern for the District.
3. **Enticements for students to cross Meigs at uncontrolled intersection** – Pedestrians on the west side of Meigs are currently encouraged to cross at Elise Way, a short distance to the north. There is a corresponding pedestrian path between the existing condos and Lazy Acres Market that directs students away from Meigs Road. We believe that the addition of an access to the school, even if it is fenced off or controlled in some manner, would encourage students to cross Meigs at a location that is not as safe as Elise Way.
4. **Legality of use of easement** – The existing easement was established for one purpose that is now moot. Given its intent and the specific language, we are concerned about the legality of use of the easement by the condo owners and others who might enter the school property off Meigs.

Finally, we understand the City is requesting a gate be added on the east property line between the condos and school. We understand the desire to provide direct access between the two properties for parents and students immediately before and after school, but we are concerned that the gate will cause more problems than it would ever solve. The gate would need to be locked at all other times. The district does not want the public to access the site from this gate during schools hours as there is no one to monitor who is coming on campus. Currently there are problems with the way the public is using the school grounds during non school hours and the district feels that an additional entrance would add to this unauthorized use. We do not have security or other personnel who could lock and unlock the gate at the appropriate times and we doubt there would be anyone living in the condo project who would want to be responsible for those tasks. We appreciate the intent but we think, as a practical matter, the gate is not a good idea.

Thank you again for meeting with us. We look forward to continuing our discussions as the two projects move forward through the review process.

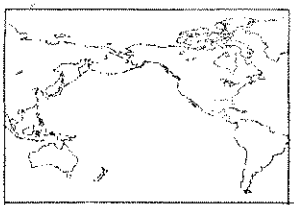
Please let me know if you need any additional information about the District's position on access.

Sincerely,

David Hetyonk
Director of Facilities and Operations

cc:

Peter Ehlen, Condo Project Architect
Richard Fogg, Tynan Counsel
Teri Green, Tynan Group
Craig Price, District Counsel
Pat Saley, District Land Use Consultant
Dr. J. Brian Sarvis, Superintendent



PLANNING COMMISSION (7) 7-7-05
SR. PLANNER, ASST. CITY ATTY.
CASE PLANNER APPLICANT('S)
AGENT PC SEC, ENTERED AS INT
PARTY ON DATE
BY:

PACIFIC RIM ENVIRONMENTAL

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Julia Witz Baucke
Principal

WBE

September 7, 2005

City of Santa Barbara
Planning Division
Attn: Trish Allen, Associate Planner
P.O. Box 1990
Santa Barbara, CA 93102-1990

SUBJECT: 210 Meigs Road Project (MST2002-00710)

Dear Ms. Allen,

Thank you for the opportunity to comment on the Draft Mitigated Negative Declaration (MND) for the 210 Meigs Road Project. I am an Environmental Planning Consultant and CEQA practitioner, with experience spanning 25 years for the public sector and CEQA Planning firms throughout California. My experience includes working on large EIRs (including those for Ahmanson Ranch, Santa Monica Civic Center Specific Plan, Playa Vista in Los Angeles, and the LAX Airport Master Plan) to moderate projects, including many school project MNDs for varying school districts.

I would like to note for the record that in my 25 years working on CEQA documents (and principally as a CEQA reviewer under contract for jurisdictions), the proposed MND is extremely vague, inadequate, and not very specific to the existing setting. This includes the cookie-cutter standard mitigation measures of which there appears to be no effort to tailor them to the project or existing setting/surrounding land uses at hand. Given my tenure as a CEQA specialist for both large and moderate sized jurisdictions, I understand that typically, there is a lack of time and resources available for staff to prepare an adequate MND, and that the need and desire to expeditiously process environmental documents for projects which provide badly needed housing sometimes overrides the effort to prepare an adequate MND. Hence, my comments below are not meant to be critical or obstructionist in any way, but meant to be solution-oriented to the greatest extent possible in order to meet both the spirit and intent of CEQA.

I have provided recommended revisions to mitigation measures (showing proposed new text in underline and proposed text to be deleted in strikeout) in order to make them more specific to the proposed project, more likely to be properly implemented, and more effective in mitigating the very impacts they are intended to mitigate. Also, note that, in spite of my serious concerns regarding the lack of disclosure of impacts and the inappropriateness of the proposed density increase given the surrounding setting, I am of the professional opinion that an EIR is not required for the proposed project, providing the potentially significant effects of the proposed project are adequately mitigated. However, in order for the proposed project environmental impacts to be adequately mitigated, they first need to be adequately disclosed. This is where the MND falls seriously short.

Below are my specific comments on the MND and CEQA process for this project.

1. Noticing Error. The Notice of Availability and Intent to Adopt the Draft MND for the proposed project contains a fatal flaw in that it omits a critical noticing information requirement of the State CEQA Guidelines. Pursuant to Section 15072(f)(4) of the State CEQA Guidelines, the public notice for the ND or MND **shall** specify the following…"(4) The address or addresses where copies of the proposed negative declaration or mitigated negative declaration including…**all documents referenced in the proposed negative declaration or mitigated negative declaration** are available for review. This location or locations shall be readily accessible to the public during the lead agency's normal working hours." (emphasis added). Note this is also a requirement in Public Resources Code Section 21092(b)(1).

   Under the heading "Document Availability" for the project notice, it only states that the Draft MND is available for review at the Planning Division. The hearing notice, by law, is mandated to include the statement that the Draft MND and all documents referenced in the proposed MND are available for review at specified locations. Although this may appear at first glance to be a minor error, please note that it has serious legal consequences. Your City Attorney should be contacted regarding this noticing error, and the Draft MND needs to be re-noticed and recirculated. Your City Attorney may want to contact the City Attorney from other jurisdictions regarding the seriousness of this matter, including those from the City of Santa Monica, the

City of Hercules, and the County of Ventura. Note that I recently prepared an MND for a project in Hercules (The Bayfront Boulevard Mixed-Use/Live-Work Project), wherein the City of Hercules made the same noticing error. A commenter noted the error and the City was required to renotice the MND and provide a new 30-day review period. This also occurred when I worked on the Ahmanson Ranch Project in Ventura County. (The City may also want to seriously consider revising it's template for notices for MNDs and EIRs to include this mandatory CEQA requirement, which was added to the State CEQA Guidelines during the 1998 revisions).

It is also highly recommended, from a public-review and CEQA practitioner's standpoint, that when the MND for this project is re-noticed and the Draft MND re-circulated, as I'm sure your City Attorney will require, the revised Draft MND include the revisions requested by the public that are appropriately related to environmental issues. This would facilitate a more effective public review and provide a more useful environmental impact disclosure document for the decision-makers, which is the backbone of the entire CEQA process.

Note that failure of the City to properly re-notice the Draft MND in accordance with the requirements of CEQA would leave the City vulnerable to a lawsuit. ***Because there is no discretion regarding this issue for public agencies, (this requirement is provided not only in the State CEQA Guidelines, but by statute (PRC) as well), a court would have to rule that the notice was in violation of CEQA.*** I urge you to consider this error at this early junction in the process, as opposed to when the Notice of Determination is filed and additional time is lost. A statement from the City Attorney should be included in the response to this comment. (Also, please note my comments regarding this issue in the Traffic section below).

2. **Air Quality**. Surprisingly, there is absolutely no discussion of the presence of the Washington Elementary School, nor the hundreds of students under the age of 11, who, during exertion from physical activity on the playfields (including required outdoor P.E. classes, recess, and lunch periods) will be breathing in dust related particulate matter. The Air Quality section is woefully inadequate and violates the provisions and requirements of CEQA by not even acknowledging the presence of a major sensitive receptor (the School), nor providing ANY discussion whatsoever regarding the potential

effects of construction activities, and particularly grading, on hundreds of small children playing outdoors. The ONLY discussion regarding construction activities in the MND is the following, "Substantial dust-related impacts may be potentially significant, but are generally considered mitigatble with the application of standard dust control mitigation measures" and "...sensitive receptors at the park could be affected by dust and particulates during project site grading and construction." The reference regarding the "park" is presumably the park across Shoreline. But what about the school immediately adjacent to the project site. Are approximately 600 young children right next to the site not sensitive receptors, but a park accorss a four lane road is? This is clearly a serious oversight in the Air Quality section and needs to be revised.

Specifically, the Air Quality section needs to be revised to include a detailed discussion of the following: the presence of the sensitive receptor, Washington School, the hours of operation of the school, the potential effects on the sensitive receptor, etc. The MND needs to include a brief summary of the volumes of scientific data available documenting adverse health effects on children (sensitive receptors) and particularly adverse health effects of very small particulate matter (e.g., dust) on children. This is even more seriously complicated by the fact that these hundreds of small children will be required to use physical exertion on the playground and other outdoor areas in direct proximatity of the grading activities for the proposed project. In addition, some children are more sensitive to these types of exposures due to asthma and severe allergies. Again, the potential significance of the adverse health impacts given such a scenario is not speculation, but has well-documented scientific data supporting it. It is recommended that the APCD be consulted regarding this issue and for more appropriate mitigation measures regarding this specific impact.

A mitigation measure is recommended below for this potentially significant adverse impact, in addition to a minor revision to Mitigation Measure AQ-6. Failure to adopt these feasible mitigation measures would make the MND inadequate and out of compliance with the requirements of CEQA to adopt feasible mitigation measures for potentially significant adverse impacts.

AQ-6 Dust Control Monitor. After the phrase "The name and telephone number of such persons shall be provided to the Air Pollution Control District..." please also add, "and to the Washington Elementary School Principal".

Add the following mitigation measure:

AQ-9. Minimization of Dust and Noxious Fumes on Washington School. Due to the proximity of the proposed project to Washington Elementary School, which is a sensitive receptor, a Construction and Dust Suppression Plan shall be submitted to the APCD and the Washington School Principal which provides the provisions listed below. Said Construction Plan shall be approved by the City and APCD prior to issuance of a grading permit. A copy of said Final Construction and Dust Suppression Plan shall be provided to the Washington Elementary School Principal prior to commencement of any grading activities on site:

a. Specific contractor provisions which minimizing grading activities that have the potential to generate dust during school hours. Said provisions shall be noted on the grading plans.
b. Coordination of lunch hours/break times of construction workers with the lunch/recess period of Washington Elementary School students, so as to not generate dust when the students are on the playfields.
c. No construction traffic is to be allowed through the Washington School parking lot/easement during school hours when school is in session.
d. Construction schedule shall be provided on a biweekly basis to the Washington Elementary School Principal setting forth the construction activities that are likely to generate dust or other air quality impacts (e.g., noxious fumes) for each two-week period until construction activity is complete.
e. Cessation of grading activities during the following special events (school carnival and jogathon), with specific dates to be provided by the Washington School PTO (Parent Teacher Organization) President.
f. No grading activities during wind speeds exceeding 25 mph.

g. Allowance of grading activities on weekends and holidays and after 5:00 pm, when the school is closed.

3. **Noise.** The Noise Section of the Draft MND does not provide any level of discussion of the project's construction impacts on the school, which is a sensitive receptor. The Noise Section needs to be revised to include a discussion regarding the proximity of the proposed construction activities to the nearest classrooms, a discussion regarding the lack of noise insulation in the many portable classrooms on the school campus, and the anticipated hours of construction activity which generate excessive amounts of noise in relation to the hours of operation of the school and it's activities. There is absolutely no information whatsoever providing decision makers with information on, for example, how close pile drivers will be to classrooms in session, and whether these classrooms have the ability to close their windows and use air conditioning (it is not discussed whether there is even air conditioning in the permanent classrooms). There are also absolutely no projections regarding noise intrusion into the classrooms from construction activity in regards to dbA. This is relatively easy to provide without modeling, using the standard drop-off rates of noise with distance. The reasonable worst-case scenario is required by CEQA to be disclosed and mitigated. This means providing a projection of reasonable worst-case dBA in the classrooms during school session. Failure of the MND to provide this information in a revised Draft MND makes the environmental document relatively useless to decision makers, violates the spirit of CEQA and makes the document vulnerable to a lawsuit.

The mitigation measures provided have not acknowledged the existing environmental setting in any way. As noted above, these are boiler plate mitigations that have not been fashioned specifically for the proposed project and its surrounding environment. This is particularly evident in Mitigation Measure N-2, which allows construction ONLY during school hours and generally, at no other time. Perhaps it makes more sense to revise the measure and City's standard boiler plate to fit the environmental setting, as required by CEQA, and allow construction during those times when the school is

not in session (e.g., Martin Luther King Jr's Birthday, etc.). Measure N-2 needs to be revised accordingly, so as to allow the developer reasonable construction periods while also mitigating potentially significant adverse impacts on the school.

In addition, Measure N-2 should be revised to specifically prohibit construction activities which generate noise (e.g., inside painting could still be allowed) during statewide testing in the spring, which lasts approximate 10 days (the School District should be contacted for exact dates). It is in the best interest of the entire community of Santa Barbara, including the applicant's representatives, the City Council, and the future residents of the proposed housing project, if the students test scores, and hence future funding, are not compromised by construction activities that were not adequately disclosed and mitigated as required by CEQA.

4. **Traffic.** Under the heading "Long-Term Traffic" there is but a very short paragraph merely stating the number of project trips to be generated. There is no reference to a traffic study or how these calculations were arrived at. This violates the provisions of CEQA, especially since no traffic study was provided in an appendix, and the hearing notice did not state where a traffic study was available for review by the public. Notwithstanding this error and inability of the public to questions how these traffic numbers were arrived at, the revised Draft MND should include what hours the City considers peak hour in the project area. Was the fact that Washington Elementary School, which has a relatively high number of transfer students that travel to school in vehicles, has its peak hour between 2-3 pm, as opposed to the traditional peak hour at approximately 4-6 pm even considered? Please provide more information and state where the traffic report may be reviewed by the public, who prepared the traffic report, etc.

Under the heading, "Short-Term Construction Traffic" there are statements which are internally inconsistent, in that one sentence states construction is estimated to last approximately 12 months (first

sentence) and one that states it is estimated that construction related traffic would occur for 16 months. Please explain.

This section (nor any section in the Draft MND) states where construction traffic will access the site from. Although the discussion under Access/Circulation/Safety discusses project *operation* access would be taken from Meigs Road, there is no discussion of whether project *construction* traffic would be allowed to access the project site via Lighthouse Road through the Washington Elementary School parking lot/easement. This is critical information which needs to be disclosed. It is strongly recommended that absolutely no access be allowed by construction vehicles through the Washington Elementary School parking lot during school hours when school is in session, since this would result in potentially significant safety impacts. These safety impacts include impacts to pedestrians and bicyclists who are predominantly children. The safety issue regarding construction trips and the school parking lot needs to be addressed and mitigated. The project planner needs to visit the school access road and parking lot between 7:55 and 8:20 a.m. and between 2:20 through 2:50 p.m. in order to appropriately understand this critical safety issue.

Mitigation Measure T-2 should be revised to include the following provision:
In order to minimize safety-related impacts, construction-related traffic shall not utilize the Washington Elementary School parking lot or access road/easement during school hours on the days that school is in session, as specified by the Washington Elementary School Principal.

In addition, the afternoon peak hour restriction of 4-6 pm in Measure T-2 should be re-evaluated given that hundreds of parents are picking up their children from the area between the hours of 2:20 and 2:50 each school day.

Mitigation Measure T-3 should be revised to include the following provision:
C. In order to minimize safety-related impacts, construction parking and/or vehicle/equipment/materials storage shall not be permitted within the Washington Elementary School parking lot area.

5. **Land Use**. The MND fails to provide a Land Use Section, even though this is provided in all standard Initial Study Checklists throughout California. Although a brief discussion of the proposed project density changes are provided in the Introduction section, the MND needs to more specifically discuss the environmental setting and potential impacts with respect to Land Use in order for the decision-makers to make a more informed decision regarding the proposed changes requested for the project related to the General Plan and Zoning Ordinance. In addition, the MND needs to provide a more in-depth discussion of Washington Elementary School, including its times of operation, activities, number of students, and outdoor and other programs. This discussion is critical in order for the decision makers to make an informed decision regarding the land use compatibility issues as they relate to the proposed General Plan Amendment and Rezone. The proximity of the proposed structures to existing structures on the Washington Elementary School campus needs to be discussed, including proposed setbacks between structures and parking areas in order to adequately assess potential land use conflicts.

In previous written correspondence, the school District has stated that under the proposed rezone, the side and rear setbacks from District property will only be six feet (three feet for parking). The District further stated that this raises the potential for future conflicts to arise between project residents and the school in relation to noise, lighting, and traffic associated with the normal functioning of a school. Also, future school additions may further impact neighbors. The District stated that the nearby sports fields are used during recess, P.E., and after school hours by recreation programs and for practice for various children's sports teams (e.g., YMCA, City, and other soccer, baseball, and football leagues). Further, the District requested that there be a requirement for record title to contain an acknowledgment that future

residents' quiet enjoyment may be adversely impacted. However, none of the District's concerns were even discussed in the MND.

There absolutely needs to be a Land Use Section in the Initial Study/MND for this project, particularly given the substantial increase in density requested and sensitive use next door. The proposed project is requesting more than twice the permitted density, with only 20% for affordable housing. Housing needs of the City notwithstanding, the City is not doing its constituents any favors by blatantly ignoring the most basic disclosure requirements of CEQA, circumventing the public review process, and ignoring the heart and spirit of CEQA.

Consequently, the Land Use Section needs to detail all potential land use conflicts with the school, and provide a more in-depth discussion of the fact that there are generally single-family residences that surround elementary schools, and not high-density units as proposed.

The Land Use section also needs to discuss what the buffer between uses will be (i.e., between the existing school and proposed structures), and whether the buffer can and should be increased, even if it requires a decrease in requested density. If a Land Use Section meeting these minimum requirements is not provided, the MND will violate the letter and intent of CEQA and as such, can be legally challenged.

6. **Mitigation Monitoring and Report Program (MMRP)**. The Draft MMRP is included in the back of the Draft MND. The City should be commended for including the Draft MMRP in the Draft MND, as this is not required by CEQA, but aids in the environmental review/mitigation process. However, the MMRP provides a paragraph listing those persons that should be included in the Pre-Construction Briefing. It is critical that this list be revised to include the appropriate representative from Washington Elementary School. This would likely either be the Principal or the President of the PTO, or other appropriate person. Because that person is yet to be assigned this task, the paragraph should be revised to include "The Washington Elementary School Principal or her designee". This is critical in order to ensure that construction activities are appropriately coordinated

with school activities and to help minimize construction effects on the young student population.

Thank you for your thorough consideration of my comments. If you need to contact me, I can be reached at (805) 698-0656, or PacRimEnv@cox.net.

Sincerely,

Julia Witz Baucke

Julia Witz Baucke
Principal

cc: Dr. J. Brian Sarvis, Superintendent, Santa Barbara School Districts
David Hetyonk, Director of Facilities and Operations, Santa Barbara School Districts
Patricia Santiago, Washington Elementary School, Interim Principal
President, Washington School Parent Teacher Organization
Cameron Bensen, Environmental Defense Council
Citizens Planning Association
Paul Casey, City of Santa Barbara
Chair, City Planning Commission
City Attorney, City of Santa Barbara

Sept 7, 2005
~~August 7,~~ 2005

Trish Allen
Community Development
630 Garden Street
Santa Barbara, CA 93109

RE: 210 Meigs Road Draft ND

Dear Ms. Allen:

I'm sorry that I was unable to attend the scheduled hearing on the Draft Negative Declaration. The hearing was held on our last weekday of summer vacation and many Washington School families were escaping for one last trip before the beginning of the school year, that following Monday. I and all but one of the other parents from Washington School, who have been involved in following the project at 210 Meigs, were out of town the day of the hearing.

The comments in this letter are not meant to represent the Washington School Foundation or any other parent group. These comments address only my personal opinions and concerns as a Washington School parent and, in part, based on my professional experience reviewing development projects within Santa Barbara County since 1987.

Environmental Setting and Land Use Compatibility: The subject parcel is somewhat constrained for development, however, this is not evident from the text of the environmental setting. The environmental setting section should be expanded to better describe both the parcel and the surrounding area. The site is a triangular shaped, somewhat narrow, tree filled, "wedge" parcel, which is squeezed in between the Washington School campus and Meigs Road. Meigs Road runs along the entire length of the longest side of the triangle. Because of this setting, especially the relatively narrow depth of the parcel, the design, size and layout of the condominiums result in very little setback area available to provide an effective buffer between the historic/existing school uses and future residential uses.

This setting information is important in order to have a broader understanding of the site and its surrounding area, as well as in understanding the potential for air quality impacts on the school population, nuisance noise impacts on the school and future residential population, as well as other long-term land use compatibility issues (e.g., potential for future night-lighting in the playground area or planned new library structure).

The areas of the school closest to the proposed development are playground area, single story permanent and portable classrooms, and the portable which is used for the school's after school hours child-care program. The *closest* school structures are the long-term portable units. These units have little insulation, increasing the short and long-term effects of the residential development for students and teachers in these classrooms. I am not aware of any plan or funding for the replacement of these portable units with permanent classrooms in the near future, if ever.

All of the structures at the Washington School campus are single story. While there are many other residential parcels that abut Washington School, all of these other parcels contain single family dwellings. In addition, it is their backyard areas that abut the school property, providing a considerable setback and buffer between the actual homes and the school property. In addition, these other residential parcels are located primarily in the outlying playground areas of the school campus, a considerable distance from any classrooms or other school structures, which again creates a buffer for the differing land uses and potential land use conflicts. The fairly new condominiums to the north of the Washington School parking lot are the only multi-family dwelling units on the west side of Meigs Road and south of Cliff Drive. It is interesting to note that these units (located across Lighthouse Road from the school structures) have previously complained about nuisance noise from both the school's bells and from noise and activity in the school parking lot.

The proposed project design locates the largest structure at the closest point to the school structures, providing only a six feet setback from the property line. This structure is multi-storied, includes significant window area facing the school classrooms as well as a second floor deck looking toward both the adjacent school classrooms and outdoor play field area.

Noise: The students at Washington School should be clearly defined as the closest sensitive receptors that would be affected by the project, both during the short-term construction phase and potentially during the long-term

operational phase. The standard noise mitigation of limiting grading and construction activities to the precise times when the students would be present (including the standard school day and after school kid-care hours) should be revised to exclude grading and loud construction activities during the regular school calendar and hours.

Air Quality: Because children are more sensitive than healthy adults to dust as well as toxic fumes (e.g., from paint, wood sealers, glues, roofing tars, etc.,), the grading and construction limitations identified above (i.e., outside of school and kid-care hours) should be expanded to address activities that could result in exposure of school children to air quality related health impacts. There is a significant increase in childhood asthma world-wide. While an average child is already more sensitive to toxic exposures and dust than would be healthy adults, there are many additional children who are even more highly sensitive and adversely affected by such exposures. I believe that Rebecca Gaffney, who has considerable expertise in the air quality field, has written a separate letter that addresses this issue in more detail.

Potential for Future Conflicts limiting school site uses: We have several portable classrooms in close proximity to the new units and these portables are actually fairly permanent, given available classroom space. One of the portables, adjacent to the new project, houses our after school recreation program. The nearby sports fields are used during recess, p.e., and after school hours by our recreation program and for practice for various children's sports teams (e.g., YMCA, City, and other soccer, baseball, and football leagues). The units should include a "buyer beware" type statement similar to projects developed near existing agricultural properties, that states that the buyer is aware and understands that they are buying property adjacent to a public school with associated activities and noises both during and after school hours. Washington has been here for over 50 years and should not have to alter their existing and reasonably foreseeable and expected activities as a result of new development nextdoor. The adjacent lot has a number of constraints and depending upon how it is developed, an extensive setback buffer could be provided to minimize any land use conflicts between the differing school and residential uses. The current plans call for approval of an up-zone for the property that greatly increases the density to a total of 10 residential units on-site. A buyer beware condition is especially important given that accommodating the additional units on-site reduces the area available for an optimum buffer along the common property line. My understanding is that the school's experience with other recent condo project on Lighthouse Road is that they call and complain about school bells and the parking lot on a regular basis. Another example is the Timm residential development in the City of Carpinteria, built adjacent to a park used for children's sports activities. Once occupied, the residents complained about balls, noise and other nuisances associated with these activities. There should be a very clear understanding, somehow written into the deeds, that these units should expect noise and activities levels typical of a public school site.

Summary: Currently the site could be developed with one single family zoning, given the General Plan designation of Major Public/Institutional/Park and the zoning of E-3. Although the General Plan is normally considered the "Constitution" regarding planning, the General Plan designation could be amended to be consistent with the zoning designation. However, even this more minor amendment to the General Plan (allowing 3 or 4 units) would require approval by both the City Council and the Coastal Commission. All General Plan amendments are subject to Government Code §65358, which requires that decision-makers deem that the amendment would be in the public interest. Washington School has been located and operated at its current location for over 50 years. Maintaining and enhancing this school is certainly in the public interest, at least to the approximately 500 children and their families that attend the school now, not to mention the many future families that will benefit from the school's excellence. Conversely it is hard to understand how adversely impacting this school could be deemed in the public interest. While I am not opposed to a specific number of residential units on the project site, the project design dictates that there would be inadequate room for an effective setback between the school and the new residences to buffer these differing land uses. I am concerned that this will create land use conflicts in the future, significant hassles for school operations, potential problems with pursuing our long-term plans for school improvements, and ultimately reduced flexibility and use of the school grounds. In response, I think that the ND should provide more detailed information on land use compatibility.

Thank you for your consideration,

Natasha Heifetz Campbell
1130 Del Sol Avenue
Santa Barbara, CA 93109
805-962-9312
sbcampbells@cox.net

Department of Toxic Substances Control

Alan C. Lloyd, Ph.D.
Agency Secretary
Cal/EPA

1011 North Grandview Avenue
Glendale, California 91201

Arnold Schwarzenegger
Governor

September 2, 2005

Ms. Trish Allen
Associate Planner
City of Santa Barbara Planning Division
P. O. Box 1990
Santa Barbara, California 93102-1990

NOTICE OF COMPLETION OF DRAFT MITIGATED NEGATIVE DECLARATION/INITIAL STUDY FOR 210 MEIGS ROAD PROJECT (MST2002-00710) SCH NO. 2005081041

Dear Ms. Allen:

The Department of Toxic Substances Control (DTSC) has received your Notice of Completion of a draft Mitigated Negative Declaration/Initial Study (MND/IS) for the project mentioned above.

Based on the review of the document, DTSC comments are as follows:

1. The MND/IS states that the Project site is currently vacant. The MND/IS, therefore, needs to identify and determine whether historic uses at the Project site have resulted in any release of hazardous wastes/substances.

2. The MND/IS needs to identify any known or potentially contaminated area within the Project site. For all identified areas, the MND/IS need to evaluate whether conditions at the site pose a threat to human health or the environment.

3. All environmental investigation and/or remediation should be conducted under a Workplan which is approved by a regulatory agency who has jurisdiction to oversee hazardous waste cleanups. Proper investigation and remedial actions should be conducted at the Site prior to its development.

4. If during construction of the project, soil contamination is suspected, construction in the area should stop, and appropriate health and safety procedures should be implemented. If it is determined that contaminated soils exists, the MND/IS should identify how any required investigation and/or remediation will be conducted, and which government agency will provide regulatory oversight.

DTSC provides guidance for Preliminary Endangerment Assessment preparation and cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on the VCP please visit DTSC's web site at www.dtsc.ca.gov. If you would like to meet and discuss this matter further, please contact Mr. Alberto Valmidiano, Project Manager, at (818) 551-2870 or me at (818) 551-2973.

Sincerely,

Jennifer Jones
Unit Chief
Southern California Cleanup Operations Branch – Glendale Office

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Planning and Environmental Analysis Section
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

Allen, Trish

From: Carol Kallman [ckallman@cox.net]
Sent: Wednesday, September 07, 2005 11:09 AM
To: Allen, Trish; jhubbell@santabarbarca.gov
Cc: Greg Johnson; Don Barthelmess
Subject: 210 Meigs Road

Trish,
My husband, Don Barthelmess and I live at 222 Meigs Road and wish to made a few comments above the proposed project located at 210 Meigs Rd. First of all, I would like to say that I have lived on Meigs Road almost all of my life.

We are opposed to changing the existing General Plan designation from Major Public and Institutional to residential, but would not have a problem with the project if they were to build four single family units. We are also very concerned with the removal of the 57 existing trees and the very dangerous entry/exit off of Meigs Road.

We understand the need for more housing in the community and should the zoning be changed to allow 12 units we would like to see the following mitigation measures:

1. Extend the sidewalk on Meigs Road all around the development - to join existing sidewalks 2. Remove the wire fencing around the proposed project and the Washington School parking lot and replace it with a nice wall similar to the wall around the condos located at 222 Meigs 3. Remove existing utility polls and underground the utilities serving the project (Lighthouse Road) and Washington School 4. Provide a safe entry and exit to the property 5. Assist Washington School in landscaping their parking area

Thank you very much for allowing input.

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Recessed at 2:20 p.m., and reconvened at 3:20 p.m.

V. ENVIRONMENTAL HEARING:

APPROXIMATE TIME: 3:20 P.M.

NOTICE OF AVAILABILITY AND INTENT TO ADOPT DRAFT MITIGATED NEGATIVE DECLARATION – MST2002-00710

A Draft Mitigated Negative Declaration has been prepared for the following project, pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970," as amended to date.

PROJECT LOCATION: 210 MEIGS ROAD

PROJECT DESCRIPTION: The project consists of a one lot subdivision with ten condominium units, 8 of which are market and 2 affordable at middle income. The units are composed of two and three bedrooms and range in size from 1,080 to 2,409 square feet. Each unit would have a two-car garage and three guest parking spaces would be provided on site. The project proposes 3,830 cubic yards of cut and 10 cubic yards of fill outside the main building footprint. Grading under the main building footprints would be balanced on site involving 1,082 cubic yards.

The project includes the removal of approximately 57 existing 4 to 42 inch trees, composed primarily of Eucalyptus and other non-natives and the installation of 63 new trees, 43 of which would be 24" box trees.

A zone change from E-3/S-D-3 to R-2/S-D-3 is requested. A change in the existing General Plan designation from Major Public and Institutional to Residential, 12 units per acre, and removal of a Proposed Park designation would also be necessary, as well as a Local Coastal Plan (LCP) Amendment because the General Plan Amendment would affect a parcel in the Coastal Zone.

To avoid the appearance of a conflict of interest, Vice-Chair Jostes stepped down from hearing this item.

Ms. Allen briefly reviewed the steps of the draft mitigated negative declaration and CEQA process, and gave a brief overview of the project.

Amy Graham, Tynan Group, gave a brief presentation of the project.

Pete Ehlen, Architect, addressed the Planning Commission; described the various reviews with the Architectural Board of Review, and gave a presentation of the project.

The public hearing was opened at 3:45 p.m., and the following people expressed concerns regarding the project:

David Hetyonk, Santa Barbara School District's Director of Facilities and Operations, expressed concerns about construction activities and suggested limiting grading activities to non-school hours.

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Concern was expressed over the safety and privacy of students. In regard to long term use concern, suggested a deed restriction to each condo that clearly states that there is an existing school adjacent and typical school activities take place, as well as the school district's future construction projects, such as library plans for its site.

Commissioners had the following comments and questions:

1. Asked Mr. Hetyonk if this school has operations all year round.
2. Asked Mr. Hetyonk if it would be acceptable if grading took place during the summer break.
3. Asked Mr. Hetyonk about the policy of the school regarding neighborhood visitation.

Mr. Hetyonk responded to the commissioner's questions, and also said that dogs are not allowed on campus.

Laurel Perez, Washington School parent, commented that, in the air quality section the school should be included as a sensitive receptor, but also the adjacent Washington School. Suggested Project Environmental Coordinator, or someone from contractor's team, coordinate with school regarding construction activities with assemblies, testing, and special school activities to avoid noise impacts. Advocated for use of occasional night work to schedule noise conflicting construction activities. Requested long term compatibility of land use issue be addressed as part of staff report.

With no one else wishing to speak, the public hearing was closed at 3:57 p.m.

Commissioners had the following comments and questions:

1. Asked if there was ever any consideration to two entrances, one off of Meigs and one off of Lighthouse.
2. Asked if median is intended to prevent a left hand turns onto Meigs.
3. Asked if there is any consideration to having a sidewalk extension to the south east where it terminates at the school property frontage.
4. Asked for confirmation on total of three guest parking spaces for the whole project.
5. Asked for clarification in DND that currently reads raptor breeding season is Feb 1 and Aug 15 and asked for correction if it is meant to be period in between. Pointed out that scheduling would need to consider raptor breeding and school calendar when grading is scheduled to take place.
6. Asked if school has a one month break at Christmas time.
7. Asked what rules apply to schools for developing at school sites, such as setbacks and permit procedures.
8. Asked that the boundaries of the school property be outlined.
9. Asked about the future location of the school's library being proposed and to please point out area.
10. Stated it would be good to have school plan in the environmental document.
11. Asked if the portable classrooms have solid walls facing proposed project site. Suggested pictures of the modular classrooms be included in the document.

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12. Asked if height of wall, that is 8 feet applicant side/4 feet school side is at established maximum or could school side be higher and thus higher on applicant side.
13. Asked if section on safety could include discussion on whether 4 feet is adequate to protect children.
14. Asked about fire access to modular classrooms.
15. Asked if easement is considered on project site to provide access to school site.
16. Asked if gate going into bottom of school yard at lower slope could be used for egress to modular unites.
17. Asked if there is anything in writing for using project site for access if school buildings catch on fire.
18. Asked if possible for trees to be cleared in January and grading to occur in summertime to consider raptor nesting schedule.

Mr. Tully Clifford, Supervising Transportation Engineer, addressed the Planning Commission regarding the design of a median.

Mr. Hetyonk also clarified that at best Christmas break would be three weeks. Will check on set backs.

Ms. Hubbell stated normally we do not have jurisdiction over schools, however, since Washington School is located in the Coastal Zone, a City Coastal Development Permit is required to do any new construction on the school site; (adequate setbacks would be encouraged.).

During the discussion, the Commissioners either individually or collectively made the following comments with respect to the Environmental Document.:

1. Consider and evaluate further extending the sidewalk to the south (fronting the Washington School playfield) because of the amount of pedestrian activity in this area.
2. Explore flexible construction days and hours to minimize noise duration, considering the limited residential activity nearby.
3. Verify that the left hand turn from the project site is safe.
4. Design the right hand turn from the project site with adequate space for a safe transition with the bike lane.
5. Consider a pedestrian connection from the project site to Lighthouse road, if feasible.
6. Requested more informed detail on sidewalk infill program criteria with respect to proximity to schools and this project. Possibly 4-5 criteria involved and provision of sidewalk proposed could possibly receive higher priority in the system.
7. Feels that extending sidewalk does not resolve pedestrian access between Mesa Park and Shoreline. Current situation across street parallels discussed situation with regard to pedestrian sidewalk access. Notes that a big Eucalyptus tree blocks out a sidewalk and prevents pedestrian traffic from being able to easily access Mesa Park from Shoreline. This situation impacts proposed project pedestrian walkway.

Ms. Graham addressed the issue of the sidewalk.

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Ms. Hubbell stated that by the project extending the sidewalk from the northern end of property to condos reduces the gap and moves the remaining piece up the priority list for the sidewalk infill program because less would need to be done and the sidewalk would be used more.

Ms. Hubbell informed the Planning Commission via a telephone call that the Transportation Circulation Committee will be meeting tonight to give information on the criteria for the sidewalk infill program.

VI. ADMINISTRATIVE AGENDA

A. Committee and Liaison Reports.

Commissioner Mahan reported on 101 Bridge and Design Review, and Airport Design Review Committee.

Commissioner Myers reported on the bi-monthly Enhanced Transit Ad Hoc Sub Committee.

Chair Maguire stated he would have to step down from the Enhanced Transit Ad Hoc Sub Committee, due to not being able to attend meetings, and someone else will have to be appointed.

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

None.

VII. ADJOURNMENT

The meeting was adjourned at 4:37 p.m.

Submitted by,

_____

Deana Rae McMillion, Admin/Clerical Supervisor for Liz N. Ruiz, Planning Commission Secretary

Recessed from 2:11 p.m. to 3:52

To avoid the appearance of a conflict of interest, Commissioner Ehlen stepped down prior to the next item being heard.

ACTUAL TIME: 3:52 P.M.

B. **APPLICATION OF THERESA ZUNIGA, AGENT FOR MICHAEL STEVENS, PROPERTY OWNER, 210 MEIGS ROAD, APN 045-110-011, E-3, SINGLE FAMILY, SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: MAJOR PUBLIC & INSTITUTIONAL (MST2002-00710)**

The applicant is requesting that the City initiate a Zone Change of a vacant parcel located at 210 Meigs Road (APN 045-110-011) from E-3/SD-3, Single Family Residential Zone/Coastal Overlay Zone, to R-2/SD-3, Two Family Residential Zone/Coastal Overlay Zone. If the zone change is initiated, a change in the existing General Plan designation from Major Public & Institutional to Residential, 12 units per acre would be necessary, as well as a Local Coastal Plan (LCP) Amendment, because the General Plan Amendment would affect a parcel in the Coastal Zone. A Proposed Park designation is also proposed to be removed. At this time, the discretionary applications required for this project are an Initiation of a Zone Change, an Initiation of a General Plan Amendment, and an Initiation of a Local Coastal Plan Amendment. If the initiation request goes forward, the proposed project will ultimately also require a Tentative Subdivision Map for a condominium development and a Coastal Development Permit. If rezoning is not initiated, it would still be necessary to proceed with a General Plan and Local Coastal Plan amendment in order to proceed with a subdivision for two or more single-family residences.

The Planning Commission will not review the specific development project at this time; however, Staff is requesting a Concept Review from the Planning Commission for discussion on the potential development and density that could be built out on the subject site. The Planning Commission will conceptually review the proposed project, and consider the request for the Initiation of the Zone Change, General Plan Amendment, and Local Coastal Plan Amendment. No action on the project will be taken at this time, nor will any determination be made regarding environmental review of the proposed project.

Jessica Grant, Assistant Planner, gave a brief presentation of the project.

Rob Dayton, Supervising Transportation Planner, briefly reviewed public access issues.

Commissioners' questions and comments:

1. Asked for Staff comments on the absence of sidewalks on north side of Meigs Rd.
2. Asked for clarification of the large setback for future road widening.
3. Asked if net lot area had been calculated based on the wide right-of-way, and if the net lot area will increase if the right-of-way size decreases.
4. Asked for clarification of Applicant's request.

Mr. Dayton stated that this portion on the north side of Meigs Road is currently on the Sidewalk Infill Program, and that if the project is approved, sidewalks will be required as part of the project. The extent of new sidewalk, however, is yet to be determined. He also clarified that Transportation has not yet considered narrowing the right-of-way and he was speaking more about the physical street, and that Transportation Engineering would need to be consulted.

Ms. Hubbell clarified that the property line extends to the centerline of Meigs Road, with an easement held by the City across the front portion of the property for the existing part of Meigs Road. She stated that narrowing Meigs Road had not been previously mentioned, but if this were to occur, the net area of the lot would increase and options for lot use would be expanded.

Theresa Zuniga, Agent, gave a presentation of the project details.

The public comment was opened at 4:16 p.m., and with no one wishing to speak, it was closed.

During the discussion, the Commissioners either individually or collectively:

1. Asked why the small parcel to the north has been left out of the discussion.
2. Asked if the ratio of affordable units to market rate units is fixed or if it can be adjusted.
3. Did not support Staff's position on affordability requirements.
4. Did not feel that this particular neighborhood adjacent to the ocean is a place where affordable houses must go. Felt that a continuation of the R-2 zone seemed logical and would support a zone change to R-2 without a mandate of affordable units.
5. Believed the road is integral, but recognized that the curve is dangerous. Stated that with the school and park in such close proximity to each other, they need to be connected.
6. Asked if some of the units could be conditioned as dual income workforce housing.
7. Asked for clarification of the different categories of affordability.
8. Asked if federal financing or other assistance is available to this dual income category.
9. Asked if resale restrictions would apply on units in the upper middle income categories.
10. Asked if affordable units could be satisfied in the category of middle income.
11. Disagreed with Staff's position on the appropriateness of density and thought this an ideal location for increased density because of the close proximity to shopping, transit, recreation, Washington School, and Santa Barbara City College.
12. Might support the rezone with assurance that there will be significant public benefit such as sidewalks, improvements to the right-of-way, and affordability.
13. Did not believe sidewalks are a big benefit because they are required anyway.
14. If density is increased, thus the marketability of the site, then there needs to be a public benefit of affordability and a mix of housing. Stated that this is the approach being used on the project at Cliff Drive and Oliver Road.

15. Cited the Housing Element Update and stated that it may not be economically viable for the developer if six of the 10 units must be affordable.

16. Felt that rezoning to R-2 is a benefit to our community, given the housing shortage.

17. If rezone is approved to R-2, Staff is directed to work with the Applicant.

18. Would expect to see some number of affordable units back for review by the Planning Commission in the future.

19. Could support a rezone to R-2, but without affordability requirements, as these are extremely desirable as market rate units.

20. Could not support the 6:4 ratio, however, some form of affordability is desired.

21. Called attention to Item 4 in Recommendations and Findings which states a contingency that increased density be used for affordable units.

Ms. Hubbell stated that the parcel to the north, which is owned by Washington School and is zoned P-R, should be included in a rezone to either E-3 or R-2. However, Staff does not support an R-2 zone amendment without affordable housing, and the Applicant understands this. She emphasized that a project around the corner from this property, at Cliff Drive at Oliver Road, has included additional units that will be affordable. She stated that it is at the Planning Commission's discretion to set and approve the ratio of affordable units to market rate units, however, Staff will continue to recommend that any units proposed over what is currently allowed under the existing zoning must be affordable. While the maximum number of units would be 10, the Applicant could choose to build fewer units. She gave a brief history of how the current zoning came about, and stated that the City does not feel that this is an ideal location for increased density of any kind, affordable or otherwise, because of the site's proximity to the curve, the slope of the site, the odd shape of the parcel, and the grove of eucalyptus trees which provide a visual and minor biological resource amenity. She went on to say that the only reason the City will consider more density is if it is affordable, and that the Applicant will most likely have a hard time building just four units as a standard subdivision, given the site constraints. She suggested that the Planning Commission initiate the General Plan and Local Coastal Plan amendments so that the findings can be made for the Tentative Subdivision Map and the Coastal Development Permit to do a standard subdivision. She stated that this project would come back before the Planning Commission before any further action could occur.

Steven Faulstich, Housing Programs Supervisor, is supportive of including affordable units in any proposed rezone project, and stated that the affordable component of the development at Cliff Drive and Oliver Road is restricted to middle income residents, priced at $220,000-$240,000. He clarified "dual income" (upper middle), and the other varying categories of income. He stated that no federal financing or other assistance or subsidy is available for middle to upper middle-income residents. He concluded that the proposed affordable units could be satisfied in the category of units to middle income residents, but not upper-middle.

Ms. Zuniga clarified that if the site warrants an R-2 rezone, then the Applicant would like it without the affordability restriction. The Applicant can then go back and work with Staff on something that works for everyone in the community.

Mr. Wiley stated that this is just the first step in the development process for this project.

MOTION: Barnwell/Maguire **Assigned Resolution No. 004-03**
To initiate the rezone and the Local Coastal Plan Amendment and the General Plan Amendment to change the Land Use Designation from Major Public and Institutional to Residential, 12 units per acre.

This motion carried by the following vote:

Ayes: 3 Noes: 1 (Lowenthal) Abstain: 0 Absent: 2 (House, White)

Commissioner Lowenthal could not support the rezone because she felt that the affordable component should have been required.

V. ~~ADMINISTRATIVE AGENDA~~

A. Committee and Liaison Reports.

Commissioner Maguire reported that, at the last Planning Commission meeting, it was reported that the City Council letter to Caltrans regarding the 101 Improvement Project had omitted a certain item about inclusion of a signage plan, when, in fact, the letter had not omitted this item.

Chair Mahan reported that the Park and Recreation Commission discussed proposed changes to 800-1200 Shoreline Drive. This item will come before the Planning Commission on February 6, 2003.

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

None were requested.

C. Action on the review and consideration of the following Planning Commission Resolutions and Minutes:

a. Minutes of January 9, 2003

b. Resolution No. 001-03
2016 Mission Ridge Road

c. Resolution No. 002-03
110 S. Hope Avenue