



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** December 10, 2009  
**AGENDA DATE:** December 17, 2009  
**PROJECT ADDRESS:** 3714-3744 State Street (MST2007-00591)  
 "Sandman Inn Redevelopment"  
**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *DK*  
 Allison De Busk, Project Planner *AD*

### I. PROJECT DESCRIPTION

The project consists of the demolition of the existing 113 room Sandman Inn Hotel, Downtown Brewing Co. restaurant building, and all site improvements, and the construction of a new office complex consisting of 13,075 net square feet on Lot A, and two commercial condominiums totaling 1,537 net square feet and 73 residential condominium units on Lot B.

Ingress and egress for the offices would be provided by a driveway located on State Street between the offices and the commercial condominiums. This driveway would also provide secondary access to the residential units. Primary ingress and egress for the residential condominiums would be provided by a separate driveway on State Street at the eastern property line, leading to the underground parking garage. Access to the Town and Country Apartments (APN 053-300-032), which are located immediately north of the subject parcels, is currently provided through the project site. The proposed project would include permanent closure of that access. Access to the Town and Country Apartments would be provided by a new driveway on San Remo Drive, necessitating demolition of one unit of an existing duplex on a parcel north of the project site. The construction of this new driveway for the Town and Country Apartments is not a part of this application (MST2007-000591) but is considered in the CEQA environmental review, as it is a direct result of the proposed project.

The office development on Lot A would be contained within a two-story building with a maximum height of approximately 31 feet. A majority of the parking (46 of 63 required spaces) would be provided in an at-grade parking lot located behind the building. The remaining required parking spaces would be located along the at-grade driveway (3 spaces), in an existing adjacent parking lot onsite (4 spaces), and in the proposed underground parking garage on Lot B (10 spaces).

The commercial development on Lot B would have a maximum height of approximately 24 feet. Parking would be provided along the proposed at-grade driveway (5 spaces) and in the underground parking garage (3 spaces).

The residential development on Lot B would have a maximum height of 35 feet above finished grade, with parking provided in an underground parking garage. Of the 73 residential condominium units, two units would be one-bedroom units of approximately 873 square feet, 52 units would be two-bedroom units of between 1,080-1,350 square feet, and 19 units would be three bedroom units of between 1,425-1,520 square feet. The applicant proposes to provide 11 of the 73 project units (2 one-bedroom units, 5 two-bedroom unit and 4 three-bedroom units) at sales prices targeted to middle-income households earning from 120-160% of area median income, pursuant to the City of Santa Barbara's Affordable Housing requirements. The residential development would also include a Community Room of approximately 1,200 square feet, an enclosed service area and common open space areas located east and west of the driveway turn-around.

## II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. A Lot Line Adjustment to transfer 2.22 acres from APN 053-300-031 to APN 053-300-023.

*For the Office Portion:*

2. A Development Plan to allow construction of a building of 10,000 square feet or more of total floor area in the C-P Zone (SBMC §28.54.120).

*For the Condominium Portion:*

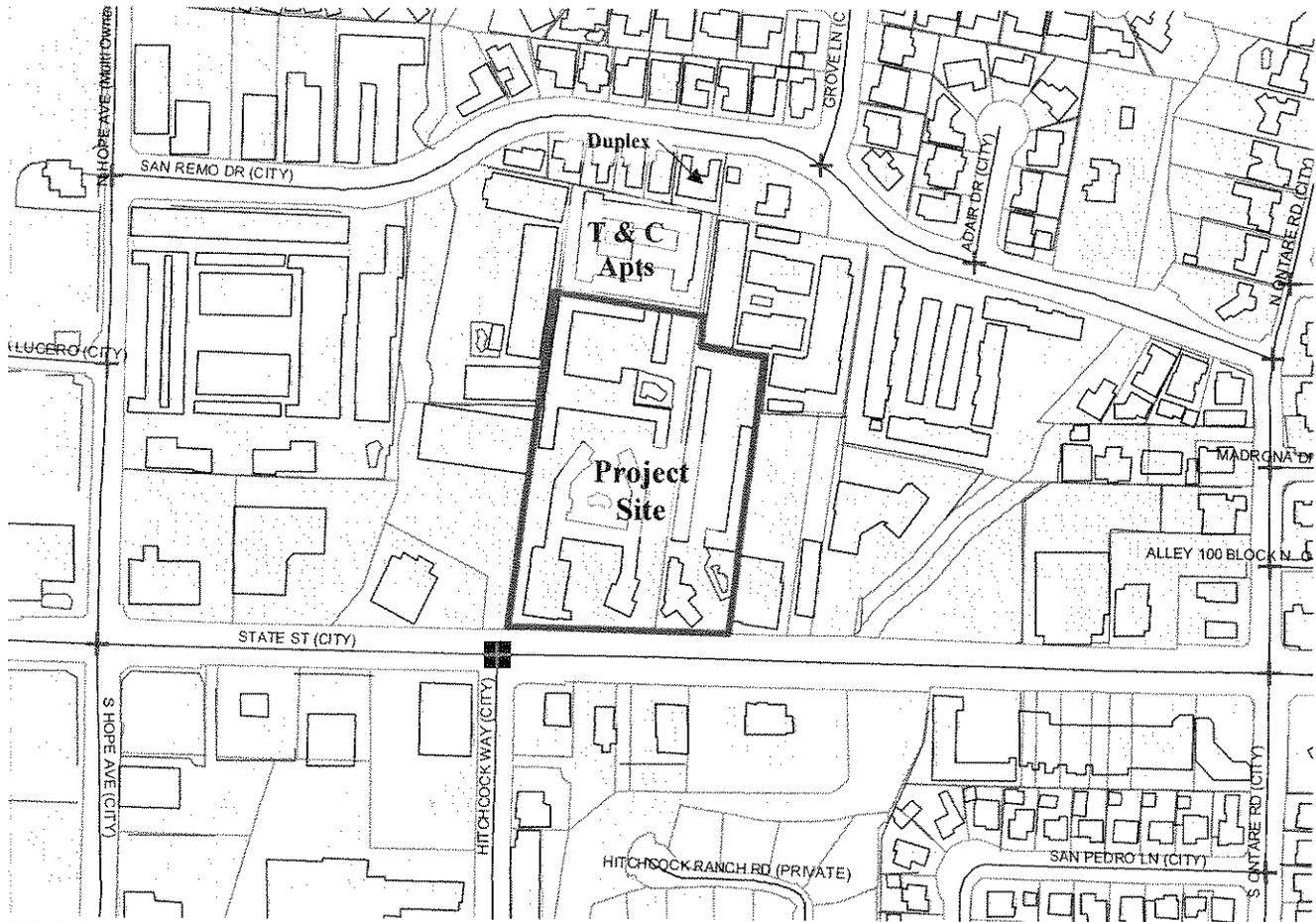
3. A Modification of the lot area requirements to allow one over-density unit (bonus density) on a lot in the C-P/S-D-2, R-3/S-D-2 and R-4/S-D-2 zone districts (SBMC Section 28.92.110.A.2).
4. A Tentative Subdivision Map (TSM) for a one-lot subdivision to create 73 residential condominium units and two commercial condominium units (SBMC Chapters 27.07 and 27.13).

## III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission certify the Final Environmental Impact Report (EIR), and approve the project, making the findings outlined in Section IX of this report, and subject to the conditions of approval in Exhibit A.

**DATE ACTION REQUIRED:**

Within 50 days of Final EIR Certification



Vicinity Map – 3714-3744 State Street

#### **IV. BACKGROUND / HISTORY**

This project has gone through several iterations as part of the development review process. The following is a brief history of the project changes:

- The original proposal, submitted in 2003, consisted of construction of a three-story 113-room hotel and 64 residential condominiums (28 one-bedroom units and 36 two-bedroom units). It included underground parking for the hotel, and required front setback modifications for the hotel and residential development. The Planning Commission conceptually reviewed this version on July 17, 2003.
- In 2004, the project was revised such that some of the residential parking was relocated underground, and an interior setback modification was requested for portions of the residential development.
- In 2005, the project was revised to a three-story 112-room hotel and 73 residential condominiums (22 one-bedroom units, 14 two-bedroom units and 37 three-bedroom units). Access to the hotel was relocated to a driveway at the center of the site, and all residential parking was placed underground, with access at the eastern property line. The previously

requested interior setback modification request was eliminated. This version of the project was analyzed in an Initial Study, and an environmental scoping hearing was held on February 8, 2007. Although a Request for Proposals for preparation of an EIR was sent out, no consultant was ever hired, and the project was essentially put on hold pending conclusion of the Upper State Street Study.

- In November 2007, the hotel was revised to 106-rooms and the previously requested front setback modification was eliminated from the project. A revised Initial Study was prepared for this project, and an environmental scoping hearing was held on June 12, 2008.
- In 2008, prior to preparation of the EIR, the applicant submitted an “Applicant’s Alternative” for consideration in the EIR, which consisted of construction of 14,254 square feet of office space in two two-story buildings and 73 residential condominiums (18 one-bedroom units, 14 two-bedroom units and 41 three-bedroom units). Parking for the offices was proposed in an at-grade parking lot behind the buildings, and residential parking remained underground. A concept review hearing was held on May 14, 2009, concurrent with the Draft EIR hearing.

The current project proposal was submitted on September 22, 2009 to respond to comments made by the Planning Commission and Architectural board of Review, and is very similar to the “Applicant’s Alternative” described above. The primary changes, as compared to the Applicant’s Alternative, include: adding office condominiums along State Street in place of open space area, and moving that open space area towards the center of the site; changing the residential unit mix to primarily two-bedroom units; and redesigning the underground garage, which now includes more open parking and common stairwells and elevators.

**V. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant:	Brent Daniels, L&P Consultants	Property Owner:	Kellogg Associates
Parcel Number:	053-300-023 and -031	Lot Area:	4.58 acres
General Plan:	General Commerce/Offices, Buffer, Residential - 12 units per acre	Zoning:	CP, R-3, R-4, SD-2 overlay
Existing Use:	hotel, restaurant, commercial	Topography:	flat
Adjacent Land Uses:			
North – residential		East – commercial	
South – State Street and commercial		West – office, commercial	

**B. PROJECT STATISTICS**

		<b>Proposed</b>	
Non-Residential Square Footage	<b>14,612 net sq. ft.</b>	Offices	13,075 sq. ft.
		Commercial Condos	1,537 sq. ft.
Residential Square Footage	<b>91,081 net sq. ft.</b> (includes 1,185 net sq. ft. community room)	1 Bd units (2)	873 sq. ft. ea.
		2 Bd units (52)	1,080 – 1,350 sq. ft. ea.
		3 Bd units (19)	1,425 – 1,520 sq. ft. ea.
<b>TOTAL</b>	<b>105,693 net sq. ft.</b>		

**VI. ZONING ORDINANCE CONSISTENCY**

Standard	Requirement/ Allowance		Proposed	
	Lot A	Lot B	Lot A	Lot B
Lot Area	14,000 sq. ft. min.		43,458 sq. ft.	156,054 sq. ft.
Lot Frontage	60 ft. min. on public street		228 ft.	144.5 ft.
Setbacks				
Front	20 ft	20 ft	20 ft	20 ft
Interior	None Required	1- or 2-story bldg = 6 ft, 3-story bldg = 10 ft <sup>1</sup>	10 ft. min.	Generally 10 ft; 7 ft (1 <sup>st</sup> floor) for buildings with small 3 <sup>rd</sup> floor <sup>1</sup>
Rear	None Required	1 <sup>st</sup> floor = 6 ft, 2 <sup>nd</sup> and 3 <sup>rd</sup> floor = 10 ft	2 ft min. to trash enclosure	10 ft
Building Height	45 feet, 3 stories		31 feet, 2 stories	35 feet, 3 stories
Parking	63 spaces	Commercial = 8 spaces Residential = 163 spaces	63 spaces	Commercial: 8 spaces Residential: 163 spaces Extra: 7 shared spaces
Density	63 market-rate units <sup>2</sup>		0 units <sup>3</sup>	73 units (62 market-rate units, 11 affordable units) <sup>3</sup>
	12 market-rate units	51 market rate units		

<sup>1</sup> If the net floor area of the third floor is less than 50% of the net floor area of the first floor building footprint, the interior setbacks shall be reduced to: 1st and 2nd floor = 6 ft, 3rd floor = 10 ft.

<sup>2</sup> Refer to attachment E for a detailed breakdown of allowed density.

<sup>3</sup> Entire residential density allowance transferred to Lot B as part of the Lot Line Adjustment.

15% Common Open Space	N/A	23,408 sq. ft.	N/A	25,883 sq. ft.
Private Outdoor Living Space	N/A		N/A	At least 190 sq. ft. per unit
Lot Coverage	N/A	7,483 sq. ft.	17.2%	57,217 sq. ft. 36.7%
-Building	N/A	26,527 sq. ft.	61.1%	50,366 sq. ft. 32.3%
-Paving/Driveway	N/A	9,448 sq. ft.	21.7%	48,471 sq. ft. 31.0%
-Landscaping	N/A	64,700 sq. ft.		32.5%
	N/A	76,893 sq. ft.		38.5%
	N/A	57,919 sq. ft.		29.0%

The proposed project would meet the requirements of the CP, R-3, R-4 and SD-2 Zones, as applicable, with the exception of lot area. Please see Lot Area Modification discussion below.

**A. INCLUSIONARY HOUSING ORDINANCE**

Under the Inclusionary Housing Ordinance, for any project with 10 or more market-rate dwelling units, 15% of the total market-rate units must be constructed and offered for sale as inclusionary units restricted for owner-occupancy by either Middle Income or Upper Middle Income Households. In this case, the requirement is being met by the provision of nine (9) Middle Income units (15% of 62 is 9). Applicants who propose inclusionary housing units as part of the project are entitled to a density bonus for the number of inclusionary units provided onsite. Also, the proposed project is consistent with the requirement that the affordable units be integrated into the development and that the affordable units equal or exceed the average number of bedrooms in the market rate units.

**B. LOT AREA MODIFICATION**

Since the Inclusionary Housing Ordinance (IHO) applies to the project, the lot area modification is only necessary to provide the one affordable unit that is above and beyond both the site's density allowances and the requirements of the Inclusionary Housing Ordinance. As identified in the Zoning Ordinance Consistency Table above, the project site has an allowed maximum residential density of 63 market-rate units. The project is proposing 62 market-rate units. The project also includes nine inclusionary housing units pursuant to the requirements of the IHO (see discussion above). Two additional affordable units are proposed as part of the project. One of these units can be counted as part of the site's allowed density (63 units), while the other unit requires a modification because it exceeds the maximum density allowed on the site (exclusive of the IHO requirements). Staff is supportive of this lot area modification because it allows for the creation of an additional Middle Income housing unit in the City, while the overall site layout and design remains compatible with surrounding development.

**C. LOT LINE ADJUSTMENT**

As part of the proposed Lot Line Adjustment, the applicant must allocate their non-residential square footage for tracking pursuant to SBMC §28.87.300.

### **Measure E – Non-Residential Square Footage**

The project site (two parcels) currently contains approximately 52,000 square feet of existing non-residential development. Each of the two parcels is also entitled to 3,000 square feet of minor and small addition square footage. The applicant has proposed to allocate all existing development rights to Lot A, and each newly adjusted lot would retain their 3,000 square feet of minor and small addition square footage.

The proposed development of Lots A and B would utilize some of this development potential; however, Lot A would retain a large amount of non-residential square footage. Under the current Development Plan and Transfer of Existing Development Rights Chapters of the Zoning Ordinance, this square footage could be transferred to another parcel for use in a non-residential development. This would require future approval of a Development Plan and Transfer of Existing Development Rights. Please note that the applicant would have the option of transferring the non-residential area as either hotel rooms or square footage.

### **Residential Development Potential**

As part of the Lot Line Adjustment, the applicant has proposed to allocate all residential density to Lot B. This proposed transfer of density will be recorded as part of the Lot Line Adjustment. Staff is supportive of this proposal as it does not increase the overall development potential of the site.

## **VII. ISSUES**

### **A. DESIGN REVIEW**

This project was reviewed by the ABR on five separate occasions (three times to consider the originally proposed hotel/residential project, and two times to review the office and residential development).

The most recent and relevant review occurred on November 16, 2009. At this meeting, the ABR expressed support for the project, and stated that the project was moving in a very positive direction. They noted that the site planning was good, and the mass, bulk and scale were appropriate. The project was found to comply with the Compatibility Criteria and be consistent with the City Charter and applicable Design Guidelines. Suggestions were made to study the mail area, Community Room, and garage ramp and stairwells, as well as the architectural detailing to add variety. Minutes from this meeting are attached as Exhibit F. All prior ABR meeting minutes are included as Exhibit G.

### **Upper State Street Area Design Guidelines**

In 2009, the Upper State Street Area Design Guidelines were updated to reflect the direction that came out of the Upper State Street Study. The EIR prepared for the project includes an extensive analysis of the project's compliance with the original Design Guidelines (1992); however, the updated Design Guidelines were adopted following completion of the EIR, so no specific analysis of the updated Design Guidelines was prepared. As the updated Design Guidelines are based closely on the direction provided in the Upper State Street Study, please

refer to that analysis as provided in Appendix 5.0 of the EIR (Exhibit D) and in the following section of this staff report. Particularly related to three-story buildings, the Guidelines identify the following development features as contributing toward achieving a size, mass, bulk and scale that is compatible with development in the Upper State Street Area:

- View opportunities or easements.
- Usable open space.
- Pedestrian amenities.
- Improved circulation and connectivity.
- Long-term easements, operations and maintenance agreements to assure pedestrian and transit amenities and future transit improvements and tight-of-way needs.
- Removal of parking lot barrier between separate properties.

Staff believes that the project provides many of these features and is therefore consistent with this guideline. Overall, staff finds that the project is consistent with the Guidelines, specifically related to site planning, parking layout, public streetscape and mountain views. A list of applicable Upper State Street Area Design Guidelines' Goals is attached as Exhibit O for reference.

#### **B. UPPER STATE STREET STUDY**

The Upper State Street Study (USSS) was adopted by the City Council on May 8, 2007. The purpose of the USSS was to identify improvements to benefit urban design and transportation, and to provide guidance for review of development applications. The following discussions address key aspects of the USSS as it related to the proposed project. A complete analysis of all USSS direction and improvement measures is provided in Section 5.5.4 and Appendix 5.0 of the EIR (Exhibit D).

##### **Building Height Limits**

The USSS calls for the establishment of decision-maker findings for approval of three-story buildings. The Study proposes findings that would require that three-story buildings should only be approved when substantial community benefits are provided by the project. Although the specific findings have not yet been established by the City Council, some of the possible community benefits cited in the Study include: views, open space, creek buffers, pedestrian amenities, improved circulation or connectivity, and/or affordable housing.

The residential development proposed as part of this project includes three-story buildings. Staff believes that the project's provision of affordable housing (nine middle-income units as required by the Inclusionary Housing Ordinance, plus two additional middle-income units) is a community benefit that warrants consideration of the three-story buildings. In addition to the affordable units, the project is providing all residential parking in an underground parking garage, which opens up the site and allows for provision of additional open space for residents; and the three-story buildings are set back from the street, which minimizes their impact on mountain views from public viewing locations. Additionally, the portion of the project closest to the intersection of Hitchcock Way and State Street has been reduced to one story in order to maximize mountain views from the south side of this intersection.

### **Left-Turn Lane / Median Extension**

The USSS recommends that the existing raised median along State Street between Hitchcock Way and Ontare Road be extended in order to improve the flow of traffic along this block. Generally, the purpose of the additional raised medians along State Street is to reduce the number of mid-block conflict points between through- and turning traffic. The USSS concludes that adding the raised medians would smooth mid-block traffic flow and reduce vehicle collisions caused by mid-block left turns; however, it could also affect access and emergency response. Additional medians mean more U-turns at area intersections, which would slightly lower the level of service at signalized intersections. The concept plan presented in the USSS showed two median openings provided between Hitchcock Way and Ontare Road. The preferred median opening(s) is midway between the traffic signals in order to minimize impacts on left turns from queues at the downstream traffic signals, or at locations where a large volume of left turn traffic is expected.

The project proposes to reduce the length of the existing State Street median in order to create an eastbound left-turn lane into the proposed easternmost residential driveway. The applicant believes that the left turn lane is important to the project, and that it is consistent with the intent of the Upper State Street Study due to the scale of the development, the distance from the intersection and the reduction in on-site curb cuts.

This change to circulation along State Street was analyzed in the project's Environmental Impact Report (EIR). The EIR analysis concluded that the left-turn lane would result in a less than significant impact to traffic and circulation.

Even though the proposed left turn lane was not identified as creating a significant traffic impact for purposes of the CEQA analysis, the Traffic Study prepared as part of the EIR recommends that the left turn lane not be installed because:

- the lane would be located relatively close to the Hitchcock intersection, and would provide minimal car storage capacity;
- the left turn lane would preclude future expansion of the existing westbound to southbound left turn lane at the State Street/Hitchcock Way intersection,
- the remaining median would be too narrow to place the necessary "No U-Turn" control sign,
- it would be difficult to control illegal U-turns at this location, and
- the project would not generate a large enough volume of left turn traffic to warrant the lane,
- the left-turn lane would eliminate median landscaping.

Furthermore, the Traffic Study recommends extending the existing median to at least the eastern property line in order to prevent illegal left turns into the site and reduce the potential for illegal U-turns to access the commercial driveway. Given all these factors, staff's recommendation is that the median be extended, rather than reduced. The proposed conditions of approval for the project include a requirement that the median be extended (Exhibit A).

### **Driveway Frequency / Spacing**

The project proposes to reduce the number of driveways accessing the site from four to two. Eliminating driveways is recommended by the USSS in order to reduce access points that conflict with through traffic. The USSS recommends driveway spacing of at least 220 feet and a preferred spacing of 440 feet, locating driveways at median openings or offset by at least 150 feet, and locating driveways at least 110 feet from the intersection (ideally beyond the intersection turning lanes).

Although the project would reduce the number of driveways currently serving the site, the proposal would not be fully consistent with the recommended driveway spacing guidelines identified in the USSS. Due to the size and location of the parcel, it is not possible to have two driveways and comply with the spacing recommendations. The driveway spacing proposed by the project does not present a significant traffic impact for purposes of the CEQA analysis.

Staff and the Planning Commission have previously expressed a desire to access the site via the existing driveway at the northern end of the State/Hitchcock intersection. However, due to legal issues regarding the access easement, the applicant has indicated that that is not a feasible option.

Although the development could provide one driveway and have adequate access to the site, due to the number of residential units, the separate office development, the distance from the intersection and between the two driveways, and the overall site layout, staff does not believe that two driveways are excessive for the development. Staff finds that the project results in a net benefit related to driveway access points as compared to existing conditions, and therefore supports the two driveways in their proposed locations. Staff support for the two driveway proposal presumes the extension of the median and the elimination of left turns in to and out of the project site, as these changes would reduce potential conflicts along the State Street corridor.

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

Before a condominium project and a tentative subdivision map can be approved, they must be found consistent with the City's General Plan. Please refer to Appendix 5.0 of the EIR (Exhibit D) for additional analysis of project compliance with the General Plan.

### **Land Use Element and Designation**

The project site is located within the North State neighborhood, which is described as "an intensely developed commercial strip, with a scattering of multiple family residential development." The General Plan anticipated "little or no residential growth" in this area. A mix of commercial and office uses surround the project site to the east, south and west, with residential development located north of the project site.

The subject site has General Plan designations of General Commerce/Offices, Buffer, and Residential (12 units per acre). The commercial portion of the development is located entirely within the General Commerce designated area, which is consistent with the designation. Due to the application of variable density in the R-3 and R-4 zones, and the requirement for Inclusionary Housing units, the project density is approximately 20.4 units per acre based on

the condominium site area. If the entire 4.58-acre site is used for the calculation, the density is approximately 16 units per acre. The General Plan Land Use Element recognizes that, in zones where variable density standards apply, development may exceed the limit of 12 units per acre without causing an inappropriate increase in the intensity of activities. Therefore, the proposed project would be consistent with the Land Use Element of the General Plan.

The site also includes a Buffer designation, which runs horizontally across the middle of the site. The project has been designed to provide open space and common areas in the approximate location of the buffer, although there are four residential units along the western property line that prevent the open area from extending all the way across the site. There is no definition or description of Buffer in the General Plan; however, the Local Coastal Plan does provide a definition: "The purpose of this classification is to signify the need for a separation between potentially conflicting uses or an area of transition between land uses not directly compatible." Staff believes that the zoning ordinance properly implements the intent of this designation by requiring setbacks between certain uses and/or zones. Staff finds that the applicant's proposal adequately addresses the intent of the Buffer designation by providing separation of potentially incompatible uses. Additional discussion of the Buffer designation, including graphics, is provided in Section 5.5.2 of the EIR (Exhibit D).

#### **Housing Element**

The City Housing Element encourages construction of a wide range of housing types to meet the needs of various household types. This proposal, with primarily two to three bedroom units would satisfy that goal. In accordance with Housing Element Policy 3.3, which requires new development to be compatible with the prevailing character of the neighborhood, the proposed development would be compatible in scale, size and design with the surrounding neighborhood. The three-story development is 35 feet in height, and the three-story portions of the buildings have been set back approximately 40-50 feet from adjacent residential development to the north and set back more than 120 feet from State Street.

#### **Circulation Element**

The Circulation Element contains goals and policies that promote housing in and adjacent to commercial areas to facilitate the use of alternative modes of transportation and to reduce the use of the automobile. This project provides housing as well as commercial space in the State Street area and is, therefore, consistent with this land use direction. The project also includes a transit stop along the property frontage consistent with the goal of increasing the availability and use of transit, and the project includes widening the existing sidewalk/parkway width and removing two out of four driveway entrances, consistent with the Circulation Element and Pedestrian Master Plan. Bicycle parking will be provided on site for the commercial use, consistent with the zoning ordinance requirements.

#### **D. TOWN AND COUNTRY APARTMENT ACCESS**

Development of the site as proposed requires that the Town and Country Apartment access be relocated to San Remo, as it currently runs through the project site from State Street. Although this is not a formal part of the project, a condition of approval is proposed to ensure that the

relocation occurs prior to commencement of construction on the project site, to ensure uninterrupted access to the apartment parking.

#### E. DECORATIVE PAVING

The applicant has identified new paving at the corners and crosswalks at the State/Hitchcock intersection. The ABR expressed appreciation that this element was proposed as part of the project, and stated that highlighting the pedestrian walkways was a positive addition that benefits the City. However, the City is concerned about future maintenance of any such public improvements. Even if the applicant agrees to maintain the intersection in perpetuity, this can be difficult and cumbersome to enforce over the life of a project. Therefore, staff recommends a compromise treatment, such as enhanced crosswalk painting to identify the crosswalk more prominently, while also ensuring ease of maintenance. Final details would be worked out in plan check between the Applicant and the Public Works Department, and may require ABR approval depending on the proposed improvements.

### VIII. ENVIRONMENTAL REVIEW

An Initial Study was prepared to evaluate the potential for the project to result in significant environmental impacts. The Initial Study determined that further study was needed to determine whether the project may have the potential to result in significant adverse visual aesthetic, transportation and circulation, and air quality (short-term) impacts. Based on this determination, an Environmental Impact Report (EIR) was required for the project. An EIR is intended by CEQA to be an informational document that is considered in conjunction with other planning documents and project analysis as part of the overall permitting process. The CEQA environmental review process has two overall purposes: first, to disclose environmental impacts so that the public and decision-makers consider the environmental consequences of a project before it is approved, and second, to avoid or reduce significant environmental effects to the extent feasible.

The Draft EIR contained analysis of visual aesthetics; traffic, circulation and parking; and air quality (short-term), as well as an in-depth analysis of applicable policy documents, including the General Plan, the Upper State Street Study and applicable Design Guidelines. This Draft EIR was released by the City for a 30-day public review and comment period between April 22, 2009 and May 22, 2009, and an environmental hearing was held by the Planning Commission on May 14, 2009 to receive public comment.

A proposed Final EIR has been prepared that includes changes in response to comments received on the Draft EIR (see Exhibit D). The proposed Final EIR concludes that the proposed project would not result in any significant, unavoidable (Class I) impacts. Refer to the proposed Final EIR for the complete analysis.

The proposed project would result in various significant, but mitigable impacts. Mitigation measures to avoid these impacts are described in the proposed Final EIR. Various adverse, but less than significant impacts would also occur as a result of the proposed project. All required mitigation measures have been included as proposed conditions of approval (see Exhibit A – Conditions of Approval). All applicable recommended mitigation measures have also been included as proposed conditions of approval to further avoid or reduce impacts.

### **Reponses to Comments Received on the Draft Revised EIR**

The City received 16 comment letters during the Draft EIR public review period, and comments were also made by the Planning Commission and the public at the Draft Revised EIR hearing held on May 14, 2009. Comments on the EIR covered a wide range of issues, including:

- Driveway spacing/location;
- Traffic (long-term, construction and cumulative);
- Circulation and left-turn lane;
- View impacts;
- Loss of mature vegetation/trees;
- Impacts to public services and resources;
- Density calculations;
- Open space and recreation;
- Stormwater runoff;
- Impacts to the jobs/housing balance;
- Air quality; and
- Environmentally superior alternative;

Although not related to the content of the EIR itself, comment letters also consistently noted a preference for the Applicant's Alternative over the Proposed Project. For a complete list of the comments received and all of the responses thereto, please refer to Section 12 of the proposed Final EIR.

### **EIR Certification and CEQA Findings**

The California Environmental Quality Act (CEQA) requires that the Final EIR be certified by the Lead Agency (City) prior to actions approving the project. The City CEQA Guidelines provide for certification of EIRs by the Planning Commission, with this action appealable to the City Council. The required findings for EIR certification are included in Section IX below.

When the EIR identifies significant impacts, CEQA also requires that specified findings be made prior to approval of a project. This project does not have any significant unmitigable (Class I) impacts. For potentially significant but mitigable (Class II) impacts, findings that identify the impact and mitigation measures that would be applied to the project to reduce impacts to less than significant levels must be made. Required mitigation measures are applied as conditions of project permit approval.

The proposed project has been slightly revised from the Applicant's Alternative that was reviewed in the EIR (see Section IV above). However, these changes are minor in nature and do not change the scope or severity of any environmental impacts identified in the EIR for the Applicant's Alternative. Therefore the EIR addresses all project impacts, and all applicable mitigation measures remain the same.

## **IX. FINDINGS**

The Planning Commission finds the following:

**A. ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT (PER PUBLIC RESOURCES CODE (PRC) SECTION 21081 AND CALIFORNIA CODE OF REGULATIONS (CCR) SECTION 15090)**

The Planning Commission certifies that:

1. The Final Environmental Impact Report for the Sandman Inn Redevelopment Project was presented to the Planning Commission of the City of Santa Barbara. The Planning Commission reviewed and considered the information contained in the Final Environmental Impact Report, along with public comment and responses to comments, and determined that the document constitutes a complete, accurate, and good faith effort toward full disclosure of the project's impacts and is an adequate environmental analysis of the project.
2. The Final Environmental Impact Report for the Sandman Inn Redevelopment Project has been completed in compliance with the California Environmental Quality Act and Guidelines.
3. The Final Environmental Impact Report for the Sandman Inn Redevelopment Project reflects the City of Santa Barbara Planning Commission's independent judgment and analysis.
4. The location and custodian of documents and materials that constitute the record of proceedings upon which this decision is based, is the City of Santa Barbara Community Development Department, Planning Division, 630 Garden Street, Santa Barbara, CA, which is also the Lead Agency.
5. A mitigation monitoring and reporting program (MMRP) is hereby adopted. Mitigation measures have been made enforceable through incorporation into the project description or are included as conditions of project approval.

**Class II Impacts (Potentially Significant and Mitigated).** Project elements incorporated as part of the project description and mitigation measures applied as conditions of project approval would result in the avoidance or substantial lessening of the following environmental impacts to less than significant levels. These findings are supported by substantial evidence in the record including the Final EIR.

- a. **Visual Aesthetics.** Removal of existing mature trees would affect the site's visual appearance. This impact would be reduced to a less than significant level by relocating existing mature trees on-site and replacing each mature tree removed with an appropriate replacement tree, as determined by the City's Architectural Board of Review.

- b. **Geologic Hazards:** The proposed project has the potential to be affected by ground shaking and other seismic hazards. This impact would be reduced to a less than significant level with the implementation of the recommendations in the Soils Engineering Report prepared for the project, as well as compliance with building code requirements that would minimize potential hazards associated with ground shaking.
- c. **Noise:** Residential units near State Street and/or the residential parking garage ramp may experience noise levels above 45 dBA (interior) and/or 60 dBA (exterior), and commercial uses adjacent to State Street and/or the commercial parking garage may experience noise levels above 50 dBA (interior). These impacts would be reduced to a less than significant level with the implementation of noise attenuation measures in building construction and in the parking ramp design. Construction noise also has the potential to impact adjacent residents, and mitigation measures to address construction hours, construction equipment sound, noise barriers and improvement to adjacent residential units have been included.
- d. **Public Services:** The project would result in the short-term generation of construction and demolition waste, and long-term generation of waste from residential and commercial uses. This impact will be reduced to a less than significant level with the implementation of a waste management plan and by designing adequate trash enclosures with recycling areas into the project.
- e. **Transportation and Circulation.** The project would result in circulation impacts along San Remo Drive resulting from relocation of the Town and Country Apartment access driveway. These impacts would be reduced to a less than significant level by improving sight lines on either side of the new driveway through vegetation removal and additional red curb area.
- f. **Water Environment:** The proposed project has the potential to result in significant short- and long-term water quality impacts. These impacts would be reduced to a less than significant level with the implementation of erosion control measures, compliance with standard City requirements, the use of storm drain surface pollutant interceptors, storm drain stenciling and incorporation of Best Management Practices.

**Class III Impacts (Less than Significant).** The proposed project would result in a less than significant impact in the following environmental issue areas, as identified in the Final EIR. Mitigation measures are incorporated as conditions of project approval to further reduce the level of impact, consistent with City policies. These findings are supported by substantial evidence in the record including the Final EIR.

- a. **Air Quality:** Short-term project-related grading and construction activities would result in fugitive dust and emissions from construction equipment that would be well below the established threshold of significance. Standard dust and emissions control measures to further reduce potential impacts are included as recommended mitigation measures and in the Conditions of Approval. Therefore, the project is anticipated to have a less than significant long-term air quality impact.
- b. **Biological Resources:** The project would result in the removal of trees from the project site. To minimize potential impacts to nesting birds, timing restrictions on tree removal are included as a recommended mitigation measure.
- c. **Cultural Resources:** The project involves ground-disturbing activities, which means there is a remote possibility of encountering unknown buried deposits. Standard mitigation requiring contractor notification of this potential would further reduce potential impacts.
- d. **Transportation/Circulation:** The proposed project would result in a short-term increase in traffic due to construction-related activities. This would constitute a change to existing conditions but would be a less than significant effect, and would be further reduced by construction haul route and parking mitigation measures. The project's proposal to include a left turn lane into the residential parking garage would result in less than significant impacts to circulation along State Street. To mitigate this impact, it is recommended that the existing median not be reduced to accommodate said left turn, and, further, that the median be extended to better restrict left-turns into the site. The project's long-term parking may not be fully utilized as designed, which may lead to future parking problems. This less than significant impact would be further reduced by assigning and signing specific parking stalls.

#### **Findings for the Fish & Game Code**

An Environmental Impact Report has been prepared by the lead agency (City of Santa Barbara), which has evaluated the potential for the proposed project to result in adverse effects, either individually or cumulatively, on wildlife resources. For this purpose, wildlife is defined as "all wild animals, bird, plants, fish, amphibians, and related ecological communities, including the habitat upon which the wildlife depends for its continued viability." The proposed project has the potential for adverse effects on trees and mature vegetation and associated wildlife during project construction. Mitigation measures have been applied such that any less than significant impacts will be further reduced. The project does not qualify for a waiver and is subject to payment of the California Department of Fish and Game fee.

**B. THE LOT LINE ADJUSTMENT (Government Code §66412)**

The proposed lot line adjustment is appropriate for the area and is consistent with the City's General Plan and Building and Zoning Ordinances. The lot line adjustment would adjust the line between the two parcels that are currently 3.22-acres (Lot 1) and 1.36-acres (Lot 2) in size by relocating the line such that the resultant parcels are 1.0-acre (Lot A) and 3.58-acres (Lot B) in size. The proposed parcels exceed the minimum lot area requirement, and satisfy all street frontage and setback requirements as identified in Section VI of the staff report.

**C. LOT AREA MODIFICATION (SBMC §28.92.110)**

The Modification of the lot area requirement to allow one (1) bonus density unit as part of the overall residential development is consistent with the purposes and intent of the Zoning Ordinance and is necessary in order to construct an additional housing unit that is affordable to a middle-income household, as described in Section VI.C of the staff report. Staff is supportive of this lot area modification because it allows for the creation of an additional Middle Income housing unit in the City, while the overall site layout and design remains compatible with surrounding development.

**D. THE TENTATIVE MAP (SBMC §27.07.100)**

The Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the city of Santa Barbara as discussed in Section VII.C of the staff report and in Section 5 of the EIR. The site is physically suitable for the proposed development due to its flat topography and soil composition, the project is consistent with the density provisions of the Municipal Code and the General Plan as demonstrated in Section VI of the staff report, and the proposed use is consistent with the vision for this neighborhood of the General Plan because it provides additional office and/or commercial development and additional in-fill housing that is compatible in size and scale with surrounding development. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems, as identified in the EIR.

**E. THE NEW CONDOMINIUM DEVELOPMENT (SBMC §27.13.080)**

- a. There is compliance with all provisions of the City's Condominium Ordinance.
- b. The project complies with density requirements as described in Section VI of the staff report. Each unit includes laundry facilities, separate utility metering, adequate unit size and storage space, and the required private outdoor living space.
- c. The proposed development is consistent with the General Plan of the city of Santa Barbara as described in Section VII.C of the staff report.
- d. The project can be found consistent with policies of the City's General Plan including the Housing Element, Conservation Element, and Land Use Element, as described in Section VII.C of the staff report and Section 5.0 of the Environmental Impact Report. The project will provide infill residential development that is compatible with the surrounding neighborhood.

- e. The proposed development is consistent with the principles of sound community planning and will not have an adverse impact upon the neighborhood's aesthetics, parks, streets, traffic, parking and other community facilities and resources as explained in Section VIII of the staff report and in the Environmental Impact Report.
- f. The project is an infill residential project proposed in an area where residential development is a permitted use. The project is adequately served by public streets, will provide adequate parking to meet the demands of the project and will not result in traffic impacts, as analyzed in the staff report and Environmental Impact Report. The design has been reviewed by the City's design review board, which found the architecture and site design appropriate.

**F. DEVELOPMENT PLAN (SBMC §28.54.120)**

- 1. The proposed non-residential development complies with all of the provisions of the Zoning Ordinance, as identified in Section VI of the staff report.
- 2. The proposed non-residential development is consistent with the General Plan and the principles of sound community planning, as identified in Section VII.C of the staff report and the Policy Consistency Analysis contained in the Environmental Impact Report.
- 3. The total area of the site and the setbacks of all facilities from the property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that major detrimental impact on surrounding properties is avoided to the greatest extent possible, as identified in Section VII.C of the staff report and in the Environmental Impact Report.
- 4. The design and operation of the project and its components, including outdoor lighting and noise-generating equipment, will not be a nuisance to the use of property in the area, particularly residential use, as analyzed in the Environmental Impact Report. Final review of outdoor lighting and mechanical equipment will be provided by the Architectural Board of Review.
- 5. Adequate access and off-street parking is provided in a manner and amount so that the demands of the development are met without altering the character of the public streets in the area. As identified in Section VI of the staff report, the project is providing all required parking on site, and additional parking spaces are proposed along the entry driveway. Access to the site is provided by two driveways, and a complete analysis of access and circulation is contained in the Environmental Impact Report.
- 6. The appearance of the developed site in terms of the arrangement, height, size, bulk, scale and architectural style of the buildings, location of the parking areas, landscaping, and other features is compatible with the character of the area and of the City. Please refer to the analysis contained in Section VII.A of the staff report and in Sections 5.0, 8.0 and Appendix 5.0 of the Environmental Impact

Report, as well as the comments provided to-date by the Architectural Board of Review.

Exhibits:

- A. Conditions of Approval
- B. Site Plan, Floor Plans, Lot Line Adjustment and Tentative Map
- C. Applicant's letter, dated November 4, 2009
- D. Final Environmental Impact Report - Distributed Under Separate Cover and Available On-line at: [http://www.santabarbaraca.gov/Resident/Environmental\\_Documents/3714-3744\\_State/](http://www.santabarbaraca.gov/Resident/Environmental_Documents/3714-3744_State/)
- E. Density Calculation
- F. ABR Minutes dated November 16, 2009 (current proposal)
- G. ABR Minutes dated February 23, 2009 (Applicant's Alternative), February 11, 2008, November 3, 2003 and October 27, 2003
- H. Planning Commission Minutes dated May 14, 2009 (Draft EIR hearing/concept review)
- I. Planning Commission Minutes dated June 12, 2008 (scoping hearing)
- J. Planning Commission Minutes dated February 8, 2007 (scoping hearing)
- K. Planning Commission Minutes dated July 13, 2003 (concept hearing)
- L. Upper State Street Area Design Guidelines (excerpt)



## PLANNING COMMISSION CONDITIONS OF APPROVAL

3714-3744 STATE STREET

LOT LINE ADJUSTMENT, DEVELOPMENT PLAN, TENTATIVE SUBDIVISION MAP, LOT AREA MODIFICATION

DECEMBER 17, 2009

In consideration of the project approval granted by the Planning Commission and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

- A. **California Department of Fish and Game Fees Required.** Pursuant to Section 21089(b) of the California Public Resources Code and Section 711.4 et. seq. of the California Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified Department of Fish and Game fees are paid and filed with the California Department of Fish and Game within five days of the project approval. The fees required are \$2,768.25 for projects with Environmental Impact Reports and \$1,993.00 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination cannot be filed and the project approval is not operative, vested, or final. The fee shall be delivered to the Planning Division immediately upon project approval in the form of a check payable to the California Department of Fish and Game.
- B. **Design Review.** The project is subject to the review and approval of the Architectural Board of Review (ABR). ABR shall not grant preliminary approval of the project until the following Planning Commission land use conditions have been satisfied.
  1. **Exterior Residential Areas.** Usable residential exterior areas (patios, balconies, courtyards) shall be oriented away from State Street to the extent feasible, and preferably shielded from roadways by the structures themselves. (N-3)
  2. **Pavement.** The residential parking lot driveway shall be paved with a coating to reduce tire squeal. This coating would consist of granulate rubber made from used tires as its aggregate and urethane resin as its binder, or similar current industry standard. (N-4)
  3. **Tree Removal and Relocation.** Prior to removal of any trees, a landscape plan accommodating the relocation of existing mature palm trees to the maximum extent reasonably feasible, particularly those considered "skyline trees" (tall [55 to 65 foot] Mexican Fan palms [Washingtonia robusta]), shall be submitted to and approved by the ABR. This plan shall include planter design specifications to ensure the long-term growth and survival of the relocated trees. (VA-1)
  4. **Tree Removal.** The landscape plan approved by the ABR shall include one significant replacement tree for each major mature (as determined by the City arborist) tree that is to be removed. (VA-2)
  5. **Storm Water Management Plan.** An approved drainage plan, consistent with the City's Storm Water Management Plan, that utilizes natural Best Management Practices to the maximum extent feasible, as determined by the Creeks Division and Community Development Department, shall be incorporated into the project plans.

6. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.
  7. **Trash Enclosure Provision and Design.** A trash enclosure with adequate area for recycling containers shall be provided on each property and screened from view from surrounding properties and the street. Dumpsters and containers with a capacity of 1.5 cubic yards or more shall not be placed within 5 feet of combustible walls, openings, or roofs unless protected with fire sprinklers. Project trash container areas shall incorporate approved long-term structural storm water best management practices (BMPs) to protect water quality. The applicant shall submit project plans to the satisfaction of Public Works Engineering and Solid Waste Department that incorporate long-term structural BMPs for trash storage areas to protect storm water quality. The owners shall maintain these structural storm water quality protections in working order for the life of the project, and shall inspect them at least annually and report to the City annually. (PS-2)
- C. **Recorded Conditions Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Approved Development.** The development of the Real Property approved by the Planning Commission on December 17, 2009 is limited to the following:
    - a. A lot line adjustment creating Lot A (1.00 acre) and Lot B (3.58 acres).
    - b. A Tentative Subdivision Map for a one-lot subdivision of Lot B for 73 dwelling units (2 one-bedroom units, 52 two-bedroom units and 19 three bedroom units; 11 of the units are affordable to middle-income homebuyers) totaling approximately 91,081 net square feet (including a 1,185 net square foot community room), and two commercial condominiums totaling approximately 1,686 square feet.
    - c. A development plan approval for approximately 14,104 square feet of commercial building area on Lot A.
    - d. Lots A and B will also be developed with a total of 241 parking spaces and the improvements shown on the Tentative Subdivision Map and project plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

The proposed left-turn access from eastbound State Street into Lot B, as described in the Applicant Letter, is not included as part of the approved project in order to reduce potential conflicts with opposing traffic on State Street, reduce the potential for queuing left-turn vehicles to block through traffic and reduce potential impacts on pedestrians and bicyclists. (T-3)

2. **Lot Line Adjustment – Non-residential Development (Measure E).** As part of the lot line adjustment approval, all existing non-residential development rights for the real property (113 hotel rooms and accessory non-residential space, totaling approximately 52,000 square feet) are allocated to Lot A. Lot A and Lot B will each retain their respective minor and small addition allowances. A formal Agreement to this effect shall be recorded in the Office of the County Recorder as part of the Lot Line Adjustment.
3. **Lot Line Adjustment – Residential Density.** As part of the lot line adjustment approval, all rights to residential development on the real property are allocated to Lot B. A formal Agreement to this effect shall be recorded in the Office of the County Recorder as part of the Lot Line Adjustment.
4. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
5. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
6. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement.
7. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc. ) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan prepared in accordance with the Storm Water Management Plan BMP Guidance Manual). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
8. **Ownership Unit Affordability Restrictions.** The eleven dwelling units identified as Affordable on the Site Plan shall be designated as Affordable Middle Income

Units and sold only to households who, at the time of their purchase, qualify as Middle Income Households as defined in the City's adopted Affordable Housing Policies and Procedures. The maximum sale prices upon initial sale shall not exceed the following:

- a. Unit Type H (2 units) (1-bedroom units) = \$223,300
- b. Unit Types A and D (2 units) (2-bedroom units) = \$280,800
- c. Unit Type E (3 units) (2-bedroom units) = \$280,800
- d. Unit Type C, C-1 (2 units) (3-bedroom units) = \$319,100
- e. Unit Type G (2 units) (3-bedroom units) = \$319,100

The Affordable Units shall be sold and occupied in conformance with the City's adopted Affordable Housing Policies and Procedures. The resale prices of the Affordable Units shall be controlled by means of a recorded affordability covenant executed by Owner and the City to assure continued affordability for at least ninety (90) years from the initial sale of the affordable unit. No affordable unit may be rented prior to its initial sale.

9. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:

- a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium units.
- b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
- c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
- d. **Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest

developments, include an item in the CC&Rs stating that the green waste will be hauled off site.

- e. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
  10. **Off-Site Parking Agreement.** The Owner shall provide evidence of off-site parking agreements for the four parking spaces on the adjacent property to the west and for the 13 office spaces on Lot B for the benefit of the uses on Lot A. Said agreements shall be prepared consistent with the provisions outlined in SBMC Sub-Section 28.90.001.18.
  11. **Parking Access Drive and Ramp.** Due to potential vehicle queuing conflicts with State Street circulation, gates or similar obstructions shall not be permitted on the driveway or underground access ramp.
- D. **Community Development Requirements Prior to Lot Line Adjustment.** The following shall be submitted as a part of processing the Lot Line Adjustment:
1. **Existing Building Inventory.** An accounting of all existing building square footage and hotel rooms shall be provided prior to demolition of the existing structures and prior to recordation of the Lot Line Adjustment. The Inventory shall be reviewed and approved by the Planning Division. This Inventory shall be reflected in all agreements related to the Lot Line Adjustment for proper accounting relative to the City's Non-residential Development (Measure E) regulations.
- E. **Public Works Submittal Prior to Final Map Approval.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to processing the approval of the Final Map and prior to the issuance of any permits for the project:
1. **Lot Line Adjustment Required.** The Owner shall submit an executed *Agreement Related to the Lot Line Adjustment, Quitclaim Deed and Acceptance Thereof* to the Public Works Department, including the legal description of the existing subject properties, and the legal description of the adjusted parcels as a part of processing the Lot Line Adjustment. A licensed surveyor shall prepare the legal description and said Agreement shall be recorded in the Office of the County Recorder. *The Lot Line Adjustment shall be recorded prior to recordation of the Final Map.*
  2. **Water Rights Assignment Agreement.** As a condition of recording the Lot Line Adjustment, the Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff will prepare said agreement for the Owner's signature.
  3. **Final Map for One-lot Subdivision on Lot B (Designated on Tentative Map as Lot 1).** The Owner shall submit to the Public Works Department for approval, a

Final Map prepared by a licensed land surveyor or registered Civil Engineer. The Final Map shall conform to the requirements of the City Survey Control Ordinance.

4. **Dedication(s).** Easements as shown on the approved Tentative Subdivision Map or the Lot Line Adjustment and described as follows, subject to approval of the easement scope and location by the Public Works Department and/or the Building and Safety Division:
  - a. All street purposes along State Street across Lots A and B in order to establish four additional feet of public right-of-way in order to establish a minimum of a twelve-foot wide strip for sidewalk, parkway and all street purposes.
  - b. An Easement in Gross to the City of Santa Barbara for Water Meter Reading Purposes, as shown on the approved Tentative Map.
  - c. An Easement in Gross to the City of Santa Barbara for Public Utility Purposes as shown on the approved Tentative Map.
  - d. A variable width easement across Lot B for ingress, egress, parking, private storm drainage, public and private utilities (sewer and water) purposes, and emergency access for the benefit of Lot A as shown on the approved Tentative Map.
5. **Required Private Covenants.** The Owner shall submit a copy of the draft private covenants, reciprocal easement agreement, or similar private agreements required for the project.
6. **Hydrology Report.** The Owner shall submit a final hydrology report prepared by a registered civil engineer or licensed architect demonstrating that the new development will not increase runoff amounts above existing conditions for a 25-year storm event. Any increase in runoff shall be retained on-site.
7. **Drainage and Water Quality.** Project drainage shall be designed, installed, and maintained such that stormwater runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City's NPDES Storm Water Management Program. Runoff should be directed into a passive water treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, stormwater treatment methods, and project development, shall be subject to review and approval by City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants or groundwater pollutants would result from the project. The Owner shall maintain the drainage system and storm water pollution control methods in a functioning state.

The Owner shall provide an Operations and Maintenance Procedure Plan (describing replacement schedules for pollution absorbing pillows, etc.) for the

operation and use of the storm drain surface pollutant interceptors. The Plan shall be reviewed and approved consistent with the Storm Water Management Plan BMP Guidance Manual.

8. **State Street Public Improvement Plans.** The Owner shall submit C-1 public improvement plans for construction of improvements along the property frontage for both the condominium site (Lot B), and the site for the office buildings (Lot A) on State Street. Public Works C-1 plans shall be submitted separately from plans submitted for a Building Permit. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: *an extension of the State Street center median by approximately 75 linear feet, an MTD approved lighted bus stop with trash receptacle, eight-foot sidewalk, four-foot parkway, curb and gutter, two commercial style driveway aprons modified to meet Title 24 requirements, right-turn only striping and signage, replace two existing Cobra Head street lights with two commercial Dome Style street lights, slurry seal to the centerline of the street along entire subject property frontage and a minimum of 20 feet beyond the limits of all trenching, connection to City water and sewer mains, public drainage improvements with supporting drainage calculations or hydrology report for installation of on-site drainage improvements, on-site detention, and connection to City storm drain, preserve and/or reset survey monuments and contractor stamps, on-site retention sized per drainage calculations, supply and install directional/regulatory traffic control signs per 2006 CA MUTCD, new street trees species (*Lophostemon Conferta*) and box size (36-inch) as determined by the City Arborist, and provide adequate positive drainage from site.* Any work in the public right-of-way requires a Public Works Permit.
9. **Hitchcock Way Improvement Plans.** The Owner shall submit C-1 public improvement plans for construction of improvements along the property frontage on Hitchcock Way. Public Works C-1 plans shall be submitted separately from plans submitted for a Building Permit, as a part of the State Street Improvement Plans. As determined by the Public Works Department, the improvements shall include *+/-420 linear foot extension of 18 inch sewer main, and construct a City standard manhole at the intersection of Hitchcock and State Street.* Any work in the public right-of-way requires a Public Works Permit.
10. **State Street Median.** The Owner shall submit C-1 public improvement plans for construction of extending the existing raised median in front of the site on State Street identified in condition D.8 above, *which shall be extended to the east, to restrict left-turns into the site. The applicant shall work with City Transportation staff to determine what modifications to the existing raised median are required to adequately accommodate the extended median, and shall confer with the City Arborist to see if new street trees are appropriate for the median. A new "No U Turn" sign shall be provided at the new eastern end of the raised median. The revised median design shall be reviewed and approved by the City's Transportation Division and the City Engineer.* (T-5)

11. **Storm Drain System Stenciling and Signage.** Within the project area, the applicant shall implement stenciling of all storm drain inlets and catch basins, and posting of signs at all public access points along channels and creeks, with language in English and Spanish and graphic icons prohibiting dumping, per approved plans. The applicant shall submit project plans to the satisfaction of Public Works Engineering that identify storm drain inlet locations throughout the project area, and specified wording and design treatment for stenciling of storm drain inlets and signage for public access points that prohibit dumping. The owners association shall maintain ongoing legibility of the stenciling and signage for the life of the project, and shall inspect at least annually and submit report annually. (W-3)
  12. **Land Development Agreement.** The Owner shall submit an executed *Agreement for Land Development Improvements*, prepared by the Engineering Division, an Engineer's Estimate, signed, and stamped by a registered civil engineer, and securities for construction of improvements prior to execution of the agreement.
  13. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.
- F. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Recordation of Final Map and Agreements.** After City Council approval, the Owner shall provide evidence of recordation to the Public Works Department.
  2. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.
  3. **Bicycle Parking.** At least 10 bicycle parking spaces shall be provided in close proximity to the non-residential development, subject to approval by the Transportation Division.
  4. **Commercial Parking Spaces.**
    - a. Commercial parking spaces located in the residential parking garage should be assigned to specific users to ensure greater use of the spaces. (T-8)
    - b. Spaces located along the office access driveway that are included in the total number of spaces required to meet the parking code requirement for the office use, should be marked as "for office use only" during business hours. (T-9)
    - c. The underground off-site commercial parking spaces shall be constructed and available for use, or an off-site parking agreement must be accepted by

the City and recorded with the County Recorder, prior to Certificate of Occupancy of the commercial building.

5. **Traffic Control Plan.** A traffic control plan for project construction shall be submitted, as specified in the City of Santa Barbara Traffic Control Guidelines. Traffic Control Plans are subject to approval by the Public Works Director/Transportation Manager. Construction and storage in the public right-of-way is prohibited during Fiesta in the affected areas (around McKenzie Park, Downtown and Waterfront) and during the Holiday Shopping Season (between Thanksgiving Day and New Years Day) in all commercial shopping areas, including but not limited to Upper State Street, the Mesa shopping area, Downtown and Coast Village Road.
6. **Construction Parking/Storage/Staging.** Prior to issuance of building permits, the applicant shall prepare a management plan for review and approval by City staff for employee parking to eliminate intrusion into area on-street parking spaces and maximize use of available on-site parking.

Construction parking and storage shall be provided as follows:

- During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined below.
- Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
- Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.

(T-12)

7. **Construction Management Plan.** Prior to issuance of building permits, the applicant shall prepare a construction management plan for review and approval by City staff. Prior to beginning the next phase of construction, review the plan with City Engineering staff and modify as needed to ensure coordination with other area construction projects to minimize any lane closures or traffic intensive activities.

The construction management plan shall provide for:

- No hauling of bulk materials and waste shall occur during peak traffic hours.
- Hauling of materials shall be limited along streets that have fronting residential land uses or near school sites.

- Flagmen shall be provided at the project's truck entrance to expedite movements into and out of the site.
- Access of all but essential construction traffic on San Remo Drive shall be limited.
- Any lane closures required along State Street for construction should be done during off-peak hours and all lanes should be open for travel during the peak commute hours and on weekends.

(T-11)

8. **Solid Waste Management Plan.** To reduce trips associated with export of site debris, prior to issuance of grading and/or demolition permits, the applicant shall develop and implement a solid waste management plan for review and approval by the City to reduce waste generated by construction and demolition activities (see condition H.3 for additional information). In addition, the applicant shall work with other development projects in the area to minimize the distance that export material is hauled from the site and manage the hours during which that hauling occurs to minimize the effects on area traffic.

(T-10)

9. **Minimization of Storm Water Pollutants of Concern.** The applicant shall implement approved plans incorporating long-term storm water best management practices (BMPs) to minimize identified storm water pollutants of concern including automobile oil, grease and metals. The applicant shall submit project plans incorporating long-term BMPs to minimize storm water pollutants of concern to the extent feasible, and obtain approval from Public Works Engineering. The owners association shall maintain approved facilities in working order for the life of the project, and shall inspect annually and submit report to City annually. (W-2)

- G. **Community Development Requirements with the Building or Public Works Permit Application.** The following shall be submitted with the application for any Building or Public Works permit:

1. **Project Environmental Coordinator Required.** Submit to the Planning Division a contract with a qualified representative for the Owner, subject to approval of the contract and the representative by the Planning Division, to act as the Project Environmental Coordinator (PEC). The PEC shall be responsible for assuring full compliance with the provisions of the Mitigation Monitoring and Reporting Program (MMRP) and Conditions of Approval to the City. The contract shall include the following, at a minimum:
- a. The frequency and/or schedule of the monitoring of the mitigation measures.
  - b. A method for monitoring the mitigation measures.
  - c. A list of reporting procedures, including the responsible party, and frequency.

- d. A list of other monitors to be hired, if applicable, and their qualifications.
  - e. Submittal of weekly reports during demolition, grading and excavation, and monthly reports on all other construction activity regarding MMRP and condition compliance by the PEC to the Community Development Department/Case Planner.
  - f. 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 the MMRP and conditions of approval, including the authority to stop work, if necessary, to achieve compliance with mitigation measures.
2. **Neighborhood Notification Prior to Construction.** At least thirty (30) days prior to commencement of construction, the contractor shall provide written notice to all property owners and building occupants within 450 feet of the project area that proposed construction activities could substantially affect outdoor or indoor living areas. The notice shall contain a description of the project, a construction schedule including days and hours of construction, a description of noise-reduction measures, and 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 associated with construction noise. A 24-hour construction hot line shall be provided. Any noise complaints received shall be documented, and, as appropriate, construction activities shall be modified to the extent feasible to address such complaints. Informational signs with the PEC's name and telephone number shall also be posted at the site and shall be easily viewed from adjacent public areas. (N-6)

The language of the notice and the mailing list shall be reviewed and approved by the Planning Division prior to being distributed. An affidavit signed by the person(s) who compiled the mailing list shall be submitted to the Planning Division.

3. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.
4. **Window Replacement.** The applicant shall offer to have a minimum 4-millimeter-thick, double-paned glass installed in the first- and second-story windows of the residences that face the project site. (N-11)

Evidence of the offer shall be provided to the Planning Division, and any residences that accepted the offer shall have their replacement windows installed prior to issuance of a building permit. Evidence of any window replacements shall be provided to the Planning Division.

5. **Air Conditioning.** The applicant shall offer to install temporary air conditioning in those residential units adjacent to the project site that do not already have this

feature to allow residents to keep their windows closed during construction activities. (N-12)

Evidence of the offer shall be provided to the Planning Division, and any residences that accepted the offer shall have their temporary air conditioning installed prior to issuance of a building permit. Evidence of compliance shall be provided to the Planning Division.

6. **Parks and Recreation Commission Tree Removal Approval.** Submit to the Planning Division verification of approval from the Parks and Recreation Commission for the removal of all trees located within the required front setback and street trees.
7. **Geotechnical Recommendations.** Site preparation and project construction related to soil conditions and seismic hazards shall be in accordance with the recommendations contained in the Soils Engineering Report, prepared by Earth Systems Pacific, dated September 25, 2003. Compliance shall be demonstrated on plans submitted for grading and building permits. (G-1)
8. **Recorded Affordability Covenant.** Submit to the Planning Division a copy of an affordability control covenant that has been approved as to form and content by the City Attorney and Community Development Director, and recorded in the Office of the County Recorder, which includes the following:
  - a. **Initial Sale Price Restrictions.** The eleven (11) dwelling units identified as Affordable on the Site Plan shall be designated as Affordable Middle Income Units and sold only to households who, at the time of their purchase, qualify as Middle Income Households as defined in the City's adopted Affordable Housing Policies and Procedures. The maximum sale prices upon initial sale shall not exceed the following:
    - (1) Unit Type H (2 units) (1-bedroom units) = \$223,300
    - (2) Unit Types A and D (2 units) (2-bedroom units) = \$280,800
    - (3) Unit Type E (3 units) (2-bedroom units) = \$280,800
    - (4) Unit Type C, C-1 (2 units) (3-bedroom units) = \$319,100
    - (5) Unit Type G (2 units) (3-bedroom units) = \$319,100
  - b. **Resale Restrictions.** The Affordable Units shall be sold and occupied in conformance with the City's adopted Affordable Housing Policies and Procedures. The resale prices of the Affordable Units shall be controlled by means of a recorded affordability covenant executed by Owner and the City to assure continued affordability for at least ninety (90) years from the initial sale of the affordable unit. No affordable unit may be rented prior to its initial sale.
9. **Letter of Commitment for Pre-Construction Conference.** The Owner shall submit to the Planning Division a letter of commitment that states that, prior to

disturbing any part of the project site for any reason and after the Building permit has been issued, the General Contractor shall schedule a conference to review site conditions, construction schedule, construction conditions, and environmental monitoring requirements. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, the assigned Building Inspector, the Planning Division, the Property Owner, the Architect, the Landscape Architect, the Biologist, the Project Engineer, the Project Environmental Coordinator, the Contractor and each subcontractor.

H. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits:

1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Architectural Board of Review, outlined in Section B above.
2. **Mitigation Monitoring and Reporting Requirement.** Owner shall implement the Mitigation Monitoring and Reporting Program (MMRP) for the project's mitigation measures, as stated in the Environmental Impact Report for the project.
3. **Grading Plan Requirement for Archaeological Resources.** The following information shall be printed on the grading plans:

If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

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

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

4. **Post-Construction Erosion Control and Water Quality Plan.** Provide an engineered drainage plan that addresses the existing drainage patterns and leads

towards improvement of the quality and rate of water run-off conditions from the site by capturing, infiltrating, and/or treating drainage and preventing erosion. The Owner shall employ passive water quality methods, such as bioswales, catch basins, or storm drain on the Real Property, or other measures specified in the Erosion Control Plan, to intercept all sediment and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) from the parking lot areas and other improved, hard-surfaced areas prior to discharge into the public storm drain system, including any creeks. All proposed methods shall be reviewed and approved by the Public Works Department and the Community Development Department. Maintenance of these facilities shall be provided by the Owner, which shall include the regular sweeping and/or vacuuming of parking areas and drainage and storm water methods maintenance program.

5. **Construction Erosion/Sedimentation Control Plan.** Project grading and construction shall be conducted in accordance with an approved erosion control plan to protect water quality throughout the duration of site preparation, earthwork, and construction process. Prior to the issuance of a demolition or building permit for the proposed project, the applicant or project developer shall prepare an erosion control plan that is consistent with the requirements outlined in the Procedures for the Control of Runoff into Storm Drains and Watercourses and the Building and Safety Division Erosion/Sedimentation Control Policy (2003). The erosion control/water quality protection plan shall specify how the required water quality protection procedures are to be designed, implemented, and maintained over the duration of the development project. A copy of the plan shall be submitted to the Community Development and Public Works Departments for review and approval, and a copy of the approved plan shall be kept at the project site.

At a minimum, the erosion control/water quality protection plan prepared for the proposed project shall address the implementation, installation, and/or maintenance of each of the following water resource protection strategies: paving and grinding, sandbag barriers, spill prevention/control, solid waste management, storm drain inlet protection, stabilize site entrances and exits, illicit connections and illegal discharges, water conservation, stockpile management, liquid wastes, street sweeping and vacuuming, concrete waste management, sanitary/septic waste management, vehicle and equipment maintenance, vehicle and equipment cleaning, and vehicle and equipment fueling. (W-1)

6. **Dust Mitigation - Plan Specifications.** Prior to grading permit clearance, the applicant shall include all dust control requirements as notes on construction grading and building plans. (AQ-9)
7. **Interior Noise Reduction for Office and Residential Units Near State Street.** The walls, doors, and windows of office units adjacent to State Street shall be constructed to include sufficient noise attenuation to reduce interior levels to a CNEL of 50 dB(A). (N-15) The walls, doors, and windows of residential units

closest to State Street shall be constructed to include sufficient noise attenuation to reduce interior noise levels to a CNEL of 45 dB(A). (N-14)

The applicant shall submit an updated Noise Report demonstrating that the project satisfies the above-referenced noise levels. Said Report shall identify any noise attenuation measures needed to satisfy the noise requirement, which may include:

- a. Windows shall have a minimum Standard Transmission Class (STC) of 35 and be properly installed, weather-stripped, and insulated.
  - b. Doors with a minimum STC of 35 shall be used for doorways facing State Street and shall be insulated in conformance with California Title 24 requirements.
  - c. Roof or attic vents facing State Street shall be baffled.
  - d. Air conditioning or a mechanical ventilation system shall be installed in any dwelling units outside the 60 dB noise corridor so that windows and doors may remain closed. Ventilation systems shall be installed and operable prior to Certificate of Occupancy.
8. **Left Turns.** Prohibit left turns onto State Street from the residential parking lot to eliminate sudden car accelerations that could otherwise occur when making this turn. (N-5)
  9. **Stop Sign.** A "STOP" sign and a painted stop bar and legend shall be provided at each driveway exit.
  10. **Street/Traffic Control Sign.** The Owner must furnish and install traffic control sign(s) to Public Works Department construction standards, as determined by the Transportation Division.
  11. **Project Directory.** A project directory, (including map and parking directional signs) listing all units on-site shall be indicated on the project plans. This directory shall be lit sufficiently for readability for site visitors and placed in a location or locations acceptable to the Fire Department, shall meet current accessibility requirements, and is subject to Sign Committee Approval.
  12. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

I. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction.

1. **Pre-Construction Conference.** Not less than 10 days or more than 20 days prior to commencement of construction, a conference to review site conditions, construction schedule, construction conditions, and environmental monitoring requirements, shall be held by the General Contractor. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, Building Division, Planning Division, the Property Owner, Architect, Landscape Architect, Biologist, Project Engineer, Project Environmental Coordinator, Contractor and each Subcontractor.
2. **Seasonal Restriction.** Removal of trees during initial site development should be limited to the time period between September 1 and January 31. If tree removal or construction is to occur during the bird nesting season (February 1 through August 31), a City-approved biologist shall conduct a survey at the site for active nests two weeks prior to any scheduled tree removal, tree pruning, development, or grading. If active nests are located, setbacks for construction work would be required until the nest is no longer active or the young have fledged. If no active nests are found, the construction, tree removal, or grading restrictions specified in this section shall not apply. (BIO-1)
3. **Waste Management Plan.** The applicant shall develop and implement a solid waste management plan to reduce waste generated by construction and demolition activities. Consistent with City of Santa Barbara ordinances, and in order to achieve the waste diversion goals required by state law, the contractor may choose to separate waste and recyclables on site or use a combination of source separation and a construction and demolition (C&D) sorting facility. The solid waste management plan shall include the following:
  - a. Contact information: The name and contact information of who will be responsible for implementing the solid waste management plan.
  - b. Waste assessment: A brief description of the proposed project wastes to be generated, including types and estimated quantities during the construction

- phase of this project. Demolition and construction materials shall be recycled or reused, consistent with ordinance Chapter 7
- c. Recycling and waste collection areas: Waste sorting and/or collection and/or recycling areas shall be clearly indicated on the project plans and approved by the City Solid Waste Specialist.
  - d. Transportation: A description of the means of transportation of recyclable materials and waste (whether materials will be site-separated and self-hauled to designated centers, or whether mixed materials will be collected by a waste hauler and removed from the site to be processed) and destination of materials.
  - e. Landfill information: The name of the landfill(s) where trash will be disposed of and a projected amount of material that will be landfilled.
  - f. Meetings: A description of meetings to be held between applicant and contractor to ensure compliance with the site solid waste management plan.
  - g. Alternatives to landfilling: A list of each material proposed to be salvaged, reused, or recycled during the course of the project.
  - h. Contingency Plan: An alternate location to recycle and/or stockpile C&D in the event of local recycling facilities becoming unable to accept material (for example: all local recycling facilities reaching the maximum tons per day due to a time period of unusually large volume).
  - i. Implementation and documentation of solid waste management plan:
    - (1) Manager: The permit applicant or contractor shall designate an on-site party (or parties) responsible for instructing workers and overseeing and documenting results of the solid waste management plan for the project site foreman. The contact will notify the Public Works Department immediately should any deviance from the solid waste management plan be necessary.
    - (2) Distribution: The contractor shall distribute copies of the solid waste management Plan to the job site foremen, impacted subcontractors, and the architect.
    - (3) Instruction: The permit applicant or contractor shall provide on-site instruction of appropriate separation, handling, and recycling, salvage, reuse, and return methods to be used by all parties at the appropriate stages of project development.
    - (4) Separation and/or collection areas: The permit applicant or contractor shall ensure that the approved recycling and waste collection areas are designated on site.
    - (5) Construction of recycling and waste container facilities: Inspection shall be made by Public Works to ensure the appropriate storage

facilities are created in accordance with AB 2176, California State Public Resources Code 42911 and City of Santa Barbara Zoning Ordinances.

- (6) Hazardous wastes: Hazardous wastes shall be separated, stored, and disposed of according to federal, state, and local regulations.
  - (7) Documentation: The contractor shall submit evidence at each inspection to show that recycling and/or reuse goals are being met and a summary of waste generated by the project shall be submitted on a monthly basis. Failure to submit this information shall be grounds for a stop work order. The summary shall be submitted on a form acceptable to the Public Works Department and shall contain the following information:
    - Disposal information: amount (in tons or cubic yards) of material landfilled; identity of the landfill; total amount of tipping fees paid at the landfill; weight tickets, manifests, receipts, and invoices (attach copies).
    - Recycling information: amount and type of material (in tons or cubic yards); receiving party; manifests, weight tickets, receipts, and invoices (attach copies).
    - Reuse and salvage information: list of items salvaged for reuse on project or campus (if any); amount (in tons or cubic yards); receiving party or storage location.
  - (8) Contingency Plan: The permit applicant or contractor shall detail the location and recycling of stockpiled material in the event of the implementation of a contingency plan.
4. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.
  5. **Construction Related Traffic Routes.** The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods, subject to approval by the Transportation Manager
  6. **Haul Routes.** The haul route(s) for all construction-related trucks with a gross vehicle weight rating of three tons or more, entering or exiting the site, shall be approved by the Transportation Manager.
  7. **Traffic Control Plan.** All elements of the approved Traffic Control Plan and Construction Management Plan shall be carried out by the Contractor.
  8. **Construction Hours.** Noise-generating construction activities (which may include preparation for construction work) shall be permitted weekdays between the hours

of 8:00 AM and 5:00 PM, excluding holidays observed by the City of Santa Barbara as legal holidays, as shown below:

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Cesar Chavez Day	March 31
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 Day
Christmas Day	December 25th*

\*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

Occasional night work may be approved for the hours between 8:00 PM and 7:00 AM weekdays by the Chief of Building and Zoning (per Section 9.16.015 of the Municipal Code). These occasional work efforts may include concrete pours for the underground garage footings, floor and deck, if approved by the Chief of Building and Zoning. In the event of such night work approval, the applicant shall provide written notice to all property owners and occupants within 450 feet of the project property boundary and the City Planning and Building Divisions at least 48 hours prior to commencement of night work. Night work shall not be permitted on weekends or holidays. (N-7)

9. **Construction Equipment Sound Barrier.** Stationary construction equipment that generates noise that exceeds 50 dB(A) at the property boundaries shall be shielded with a barrier that meets a STC rating of 25. (N-8)
10. **Construction Equipment Sound Control.** All construction equipment powered by internal combustion engines shall be properly muffled and maintained. No internal combustion engine shall be operated on the site without a muffler. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers. Unnecessary idling of internal combustion engines shall be prohibited. (N-9)
11. **Construction Noise Barrier.** Air compressors and generators used for construction shall be surrounded by temporary acoustical shelters. Whenever feasible, electrical power shall be used to run air compressors and similar power tools. (N-10)
12. **Construction Sound Barrier Wall.** Install a temporary construction sound barrier wall along the northern half of the western edge of the project site, the entire northern end of the site, and the northern half of the eastern edge of the project site. The barrier should be made of sound-attenuating material (not landscaping). The noise barrier can be constructed from concrete, masonry, wood, metal, or other materials determined to be appropriate by the City. To effectively reduce sound

transmission through the barrier, the material chosen must be rigid and sufficiently dense (at least 20 kilograms/square meter). All noise barrier material types are equally effective, acoustically, if they have this density. The barrier shall be of sufficient height to block direct line of sight to the first story of adjacent residential uses. It is estimated that a noise barrier of the prescribed density would reduce average noise levels to sensitive receptors by up to 5 dB if the barrier blocks direct line of sight, and an additional 1.5 dB for each meter of barrier height for those uses blocked from direct line of sight. (N-13)

13. **Dust Mitigation - Site 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. Water trucks or sprinkler systems shall be used in the late morning; during clearing, grading, earth moving, or transportation of cut and fill materials; and after work is completed for the day to prevent dust from leaving the project site and to create a crust after each day's activities cease. Reclaimed water shall be used if available. 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. Frequency of construction site watering shall be increased when wind speeds exceed 15 miles per hour (mph) to reduce PM10 emissions. (AQ-1)

14. **Dust Mitigation - Speed Limit.** An on-site speed limit of 15 miles per hour shall be imposed for operation of construction vehicles on dirt surfaces. (AQ-2)
15. **Dust Mitigation - Gravel Pad/Street Sweepings.** Gravel pads shall be installed at all access points prior to beginning construction to prevent tracking of mud onto public roads.

Streets adjacent to the project site shall be inspected daily for accumulation of mud, dirt, or silt on streets. Affected road segments shall be cleaned daily. (AQ-3)

16. **Dust Mitigation - Stockpile Treatment.** All stockpiled soil materials shall be watered regularly as needed to inhibit dust generation. Excavated material and stockpiled soil shall be covered if not being used within the next 48 hours. (AQ-4)
17. **Dust Mitigation - Grading Suspension.** Grading and scraping operations will be suspended when wind speeds exceed 20 mph to reduce PM10 emissions. (AQ-5)
18. **Dust Mitigation - Site Stabilization.** Disturbed areas will be permanently stabilized with landscaping ground cover or site improvements as soon as practicable following the completion of earthwork.

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.

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)

19. **Dust Mitigation - Truck Covering.** All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) section 23114 ("freeboard" means vertical space between the top of the load and top of the trailer). (AQ-7)
20. **Dust Mitigation - Monitor.** The contractor shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. 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 City and SBCAPCD prior to permit clearance for grading. (AQ-8)
21. **Diesel Vehicle Emissions Control.** Operators of diesel-powered vehicles should turn off the engine after 5 minutes when the vehicle is not in motion, keep the vehicles well-tuned and maintained, and retrofit engines with pollution-control devices. Consideration should be given to purchasing trucks and buses that meet new US EPA standards ahead of schedule. Vehicle owners should use ultra-low-sulfur fuel in combination with pollution control equipment such as particulate matter filters. (AQ-10)
22. **Construction Equipment Emissions.** As of June 15, 2008, fleet owners are subject to sections 2449, 2449.1, 2449.2, and 2449.3 in Title 13, Article 4.8, Chapter 9, of the California Code of Regulations (CCR) to reduce diesel particulate matter and criteria pollutant emissions from in-use off-road diesel-fueled vehicles. The following shall be adhered to during project grading and construction to reduce NOX and PM2.5 emissions from construction equipment:
  - All portable construction equipment shall be registered with the state's portable equipment registration program OR permitted by the district by September 18, 2008.

- Diesel construction equipment meeting the California Air Resources Board's Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting Tier 2 or higher emission standards should be used to the maximum extent feasible.
- The engine size of construction equipment shall be the minimum practical size.
- 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.
- Construction equipment shall be maintained in tune per the manufacturer's specifications.
- Construction equipment operating on site shall be equipped with two- to four-degree engine timing retard or pre-combustion chamber engines.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by US EPA or California shall be installed on equipment operating on site.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units should be used whenever possible.

(AQ-11)

23. **Construction Equipment Operations.** The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number of equipment is operating at any one time. The construction contractor shall ensure that work crews shut off equipment when not in use. In addition, California's more recent anti-idling regulations (with some exemptions) require that drivers of diesel-fueled commercial vehicles weighing more than 10,000 pounds (1) shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, and (2) shall not use diesel-fueled auxiliary power units for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle equipped with a sleeper berth, at any location. (AQ-12)
24. **Architectural Coating Emissions.** Compliance with the SBCAPCD Rules and Regulations on the use of architectural coatings shall be implemented as applicable, including using pre-coated/natural-colored building materials, using water-based or

- low-ROC coating, and using coating transfer or spray equipment with high transfer efficiency. (AQ-13)
25. **Asbestos.** The project applicant shall complete and submit a SBAPCD Asbestos Demolition and Renovation Compliance Checklist at least 10 days prior to the commencement of any demolition activities. (AQ-14)
  26. **Construction Worker Trips.** Construction worker trips should be minimized by requiring carpooling and by providing for lunch on site. (AQ-15)
  27. **Street Sweeping.** The property frontage and adjacent property frontages, and parking and staging areas at the construction site shall be swept daily to decrease sediment transport to the public storm drain system and dust.
  28. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
  29. **Mitigation Monitoring Compliance Reports.** The PEC shall submit weekly reports during demolition, excavation, grading and footing installation and monthly reports on all other construction activity regarding MMRP compliance to the Community Development Department.
  30. **Town and Country Apartment Access.** Vehicular access to the Town and Country Apartment parking spaces, located at 3730 State Street, shall be provided throughout construction, if alternative access to San Remo Road has not already been obtained.
  31. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) and Project Environmental Coordinator's (PEC's) name, contractor(s) and PEC's telephone number(s), work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.
  32. **Tree Relocation.** All trees identified for relocation on-site shall be appropriately protected following removal to ensure their replacement and future survival.
  33. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
  34. **Graffiti Abatement Required.** Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed within 24 hours of notice by the Building and Safety Division may result in a Stop Work order being issued, or may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.

35. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

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

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization. (CR-1)

- J. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
1. **Repair Damaged Public Improvements.** Repair any damaged public improvements *caused by construction* (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
  2. **Complete Public Improvements.** Public improvements, as shown in the improvement plans, including utility service undergrounding and installation of street trees, shall be completed.
  3. **Fire Hydrant Replacement.** Replace existing nonconforming type fire hydrant(s) with commercial-type hydrant(s) described in Standard Detail 6-003.1 Paragraph 2 of the Public Works Department Standard Details.
  4. **Manholes.** Raise all sewer and water manholes on easement to final finished grade.

5. **Noise Measurements.** Submit a final report from a licensed acoustical engineer, verifying that interior and exterior living area noise levels are within acceptable levels as specified in the Noise Element. In the event the noise is not mitigated to acceptable levels, additional mitigation measures shall be recommended by the noise specialist and implemented subject to the review and approval of the Building and Safety Division and the Architectural Board of Review (ABR).
  6. **Existing Street Trees.** Submit a letter from a qualified arborist, verifying that the existing street tree(s) have been properly pruned and trimmed.
  7. **Ownership Affordability Provisions Approval.** For all dwelling units subject to affordability conditions, obtain from the Community Development Director, or Director's designee in the City's Housing Programs Division, written approval of the following: (a) the Marketing Plan as required by the City's Affordable Housing Policies and Procedures; (b) the initial sales prices and terms of sale (including financing); (c) the eligibility of the initial residents; and (d) the recorded affordability control covenants signed by the initial purchasers which assure continued compliance with the affordability conditions.
  8. **New Construction Photographs.** Photographs of the new construction, taken from the same locations as those used for the photosimulations contained in the Sandman Inn Redevelopment Project EIR shall be taken, attached to 8 ½ x 11" board and submitted to the Planning Division.
  9. **Mitigation Monitoring Report.** Submit a final construction report for mitigation monitoring.
  10. **Evidence of Private CC&Rs Recordation.** Evidence shall be provided that the private CC&Rs required in Section D have been recorded.
- K. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the

City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

**NOTICE OF APPROVAL TIME LIMITS:**

In general, Development Plan approvals have a time limit of four (4) years pursuant to Municipal Code section 28.87.350. Tentative Map approvals have an initial time limit of two (2) years in accordance with Municipal Code section 27.07.110 (but such initial period may be extended up to three (3) years by local ordinance pursuant to Government Code section 66452.6). When the Planning Commission approves multiple discretionary approvals, Municipal Code section 28.87.370 extends the term of each discretionary approval to correspond to longest approval, unless such an extension would conflict with state law. Therefore, the time limits for the Planning Commission approvals are as follows:

1. **LOT LINE ADJUSTMENT AND TENTATIVE MAP.** The Planning Commission approval of the Lot Line Adjustment and the Tentative Subdivision Map shall expire three (3) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110.

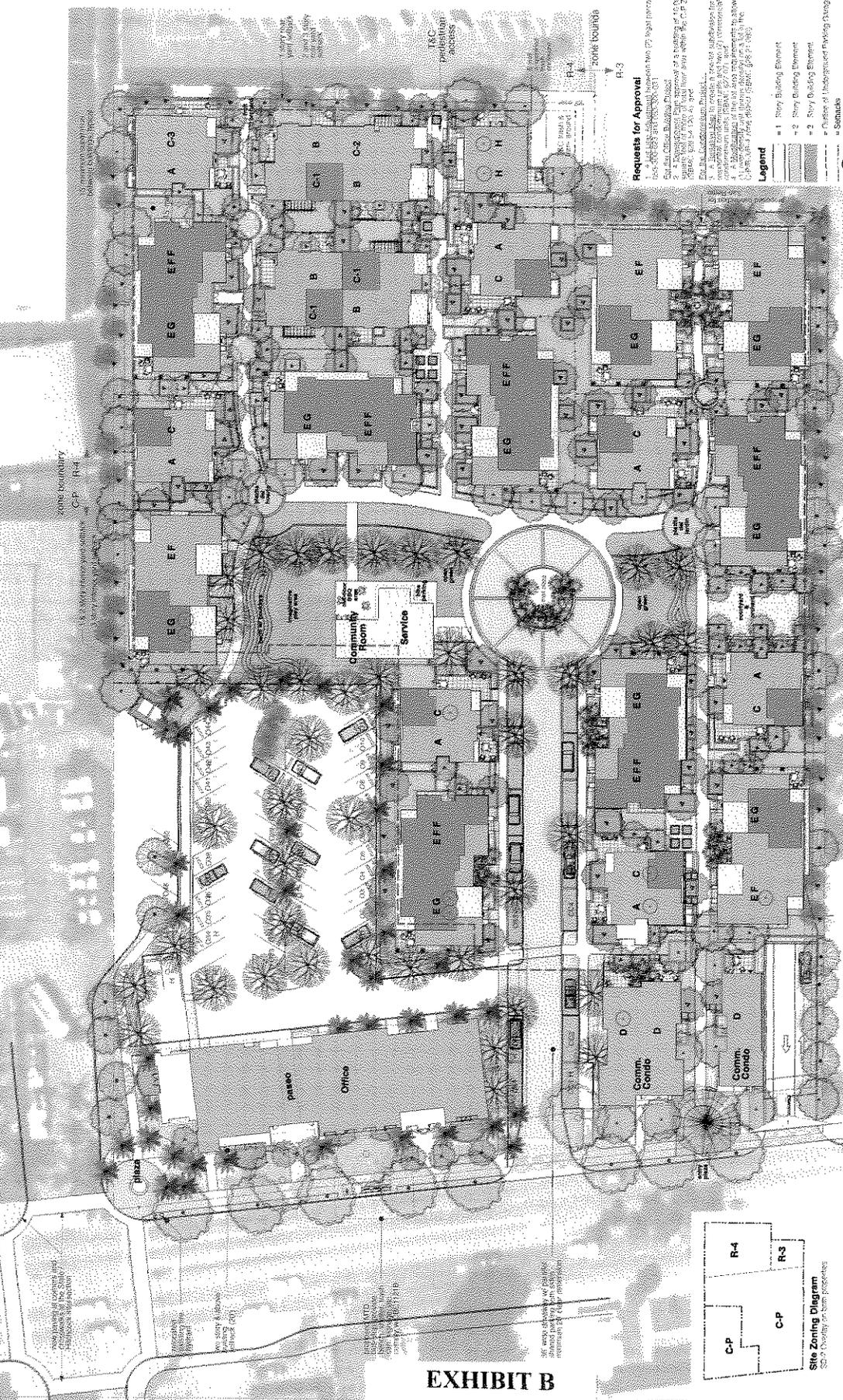
2. **DEVELOPMENT PLAN APPROVAL.** The approval of the Development Plan shall expire four (4) years from the date of approval. The developer may request an extension of the Development Plan approval for one additional year pursuant to Municipal Code section 28.87.350.

3. **MODIFICATION APPROVAL.** The approval of the lot area modification is coterminous with the approval of the Tentative Subdivision Map.

**The Sandman Inn Redevelopment & Condominium Project**

Owner: Sandman Inns  
1000 W. 10th Street  
Denver, CO 80202  
Architect: Blackbird Architects  
1000 W. 10th Street  
Denver, CO 80202

Project No. 2010-001  
Date: 10/15/10



**EXHIBIT B**

**Requests for Approval**  
 1. Request for Approval for the proposed building height and setbacks.  
 2. Request for Approval for the proposed building setbacks.  
 3. Request for Approval for the proposed building setbacks.  
 4. Request for Approval for the proposed building setbacks.  
 5. Request for Approval for the proposed building setbacks.

**Legend**

- 1 Story Building Element
- 2 Story Building Element
- 3 Story Building Element
- 4 Story Building Element
- 5 Story Building Element
- 6 Story Building Element
- 7 Story Building Element
- 8 Story Building Element
- 9 Story Building Element
- 10 Story Building Element
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- 99 Story Building Element
- 100 Story Building Element

**Residential Data per Unit Type**

Unit Type	# of Units	Air	Unit S.F.	Total S.F.	Total B.S.F.				
2-Story Townhouse	7	0	44,122	3084	2	18	2.5	2	2
3-Story Townhouse	4	0	44,666	17864	5	6	2.5	2	2
4-Story Townhouse	2	0	44,122	8924	3	4	2.5	2	2
5-Story Townhouse	3	1	44,122	13236	4	6	2.5	2	2
6-Story Townhouse	3	1	44,122	13236	4	6	2.5	2	2
7-Story Townhouse	20	3	44,1169	882338	2	40	2	2	2
8-Story Townhouse	10	2	44,1425	441425	3	30	3	2	2
9-Story Townhouse	2	2	44,875	89750	1	2	1.5	2	2
<b>Total</b>	<b>75</b>	<b>11</b>	<b>8808</b>	<b>8808</b>	<b>1</b>	<b>103</b>	<b>2.5</b>	<b>2</b>	<b>2</b>

**Notes:**  
 1. All units are assumed to be 100% occupied.  
 2. All units are assumed to be 100% occupied.  
 3. All units are assumed to be 100% occupied.  
 4. All units are assumed to be 100% occupied.  
 5. All units are assumed to be 100% occupied.

**On-Site Illumination Plan for Condominiums**

Unit Type	# of Units	Air	Unit S.F.	Total S.F.	Total B.S.F.				
2-Story Townhouse	7	0	44,122	3084	2	18	2.5	2	2
3-Story Townhouse	4	0	44,666	17864	5	6	2.5	2	2
4-Story Townhouse	2	0	44,122	8924	3	4	2.5	2	2
5-Story Townhouse	3	1	44,122	13236	4	6	2.5	2	2
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<b>Total</b>	<b>75</b>	<b>11</b>	<b>8808</b>	<b>8808</b>	<b>1</b>	<b>103</b>	<b>2.5</b>	<b>2</b>	<b>2</b>

**Notes:**  
 1. All units are assumed to be 100% occupied.  
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 4. All units are assumed to be 100% occupied.  
 5. All units are assumed to be 100% occupied.

**Condominium Project**  
 Project Location: 1000 W. 10th Street, Denver, CO 80202  
 Project No.: 2010-001  
 Project Name: The Sandman Inn Redevelopment & Condominium Project  
 Project Description: Redevelopment of the Sandman Inn building into a mixed-use residential and commercial project.  
 Project Status: Pending Approval  
 Project Owner: Sandman Inns  
 Project Architect: Blackbird Architects  
 Project Engineer: [Name]  
 Project Date: 10/15/10

**Site Coverage Statistics**

Category	Area (sq. ft.)	Percentage
Building Footprint	17,200	19.2%
Roof Area	7,400	8.3%
Site Area	89,280	100.0%

**Site Zoning Diagram**  
 The diagram shows the project location within the city's zoning map. The project is located in the R-4 and R-3 zones. The site is bounded by 10th Street to the north, 11th Street to the south, and 10th Avenue to the west. The project footprint is shown in a darker shade, and the surrounding zoning boundaries are indicated by lines and labels.

**Proposed Project Components**

- Office Building: 100,000 sq. ft.
- Residential: 100,000 sq. ft.
- Community Center: 10,000 sq. ft.
- Parking: 100 spaces.
- Landscaping: 10,000 sq. ft.





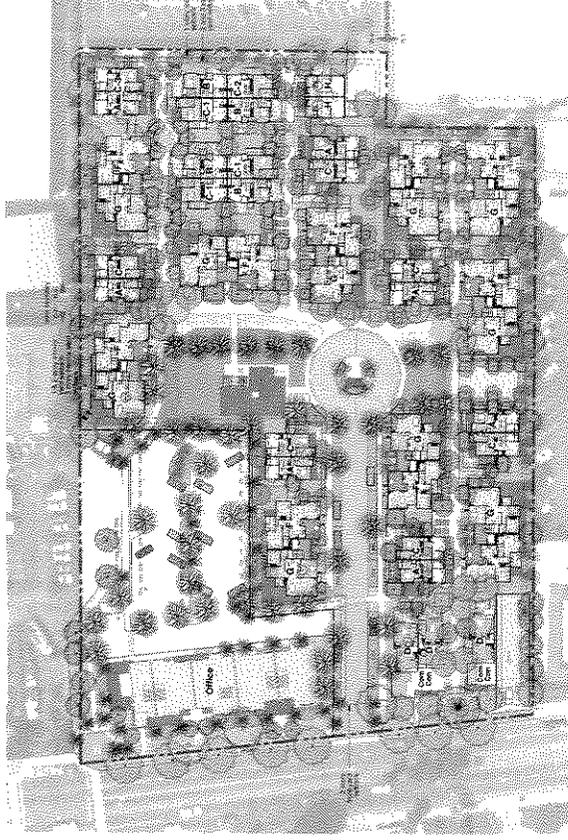
**The Sandman Inn Redevelopment & Condominium Project**

Owner: Urban Ventures  
Developer: Urban Ventures  
100 E. Colfax St., Suite 200  
Denver, Colorado, CO 80202

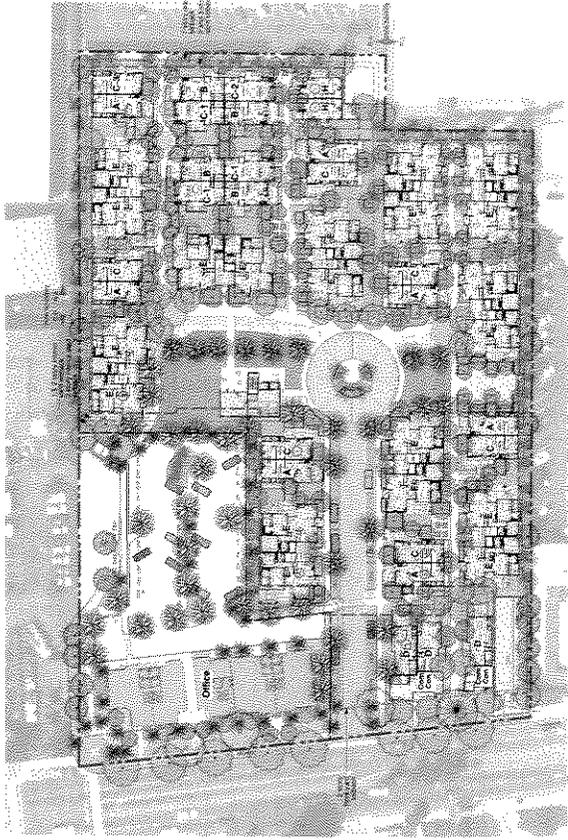
Prepared By: [Name]  
Date: [Date]  
Scale: [Scale]  
Drawing No.: [Number]

**Plan By Floor**  
Site Building Levels

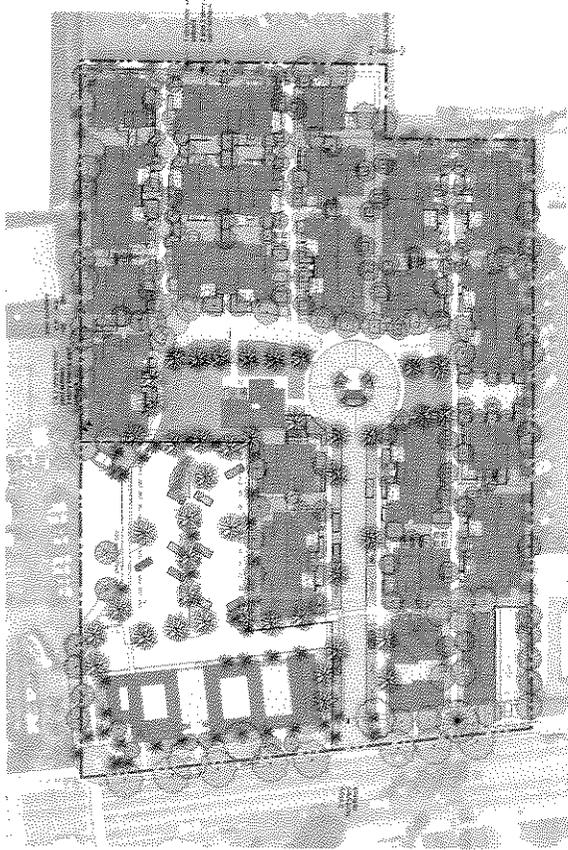
**A1.2**



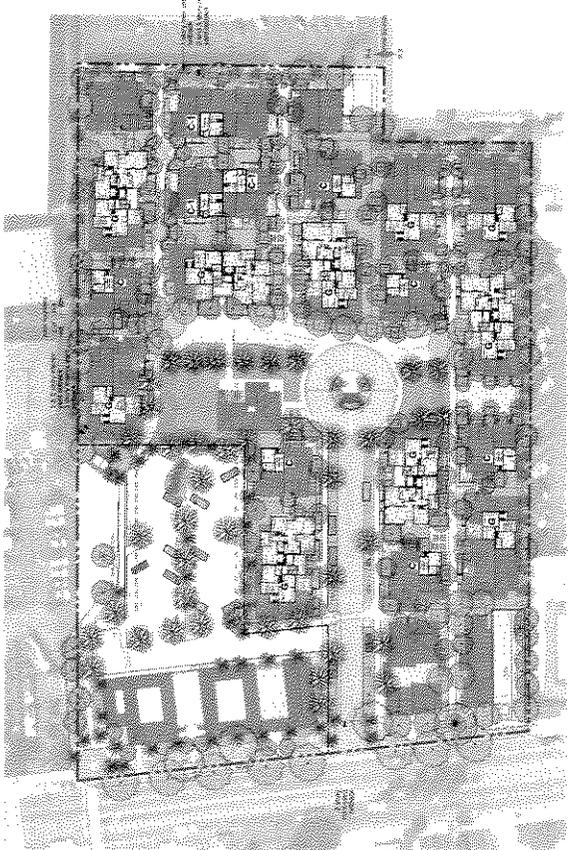
Second Floor Site Plan 2



First Floor Site Plan 1



Roof Site Plan 4



Third Floor Site Plan 3



**UTILITIES**  
 WATER - CITY OF SANTA BARBARA  
 SEWER - CITY OF SANTA BARBARA  
 TELEPHONE - SBC  
 GAS - SD CALIFORNIA GAS CO

**PROJECT SITE DATA**  
 PROJECT: SUN REDO CONDOMINIUM  
 ADDRESS: 1200 STATE STREET, SANTA BARBARA, CALIFORNIA 93101  
 OWNER: SUN REDO CONDOMINIUM ASSOCIATION  
 ARCHITECT: JAMES W. HARRIS ARCHITECTS, INC.  
 ENGINEER: JAMES W. HARRIS ARCHITECTS, INC.  
 DATE: 10/15/03

**LOT DATA**  
 LOT: 1200 STATE STREET  
 AREA: 1.27 ACRES  
 ZONING: C-1 (COMMERCIAL CONDOMINIUM)

**COMMON INTEREST DEVELOPMENT:**  
 THE PROJECT IS INTEREST DEVELOPMENT AS DEFINED IN SECTION 11600 OF THE CALIFORNIA CIVIL CODE. THE PROJECT IS A COMMON INTEREST DEVELOPMENT AS DEFINED IN SECTION 11600 OF THE CALIFORNIA CIVIL CODE. THE PROJECT IS A COMMON INTEREST DEVELOPMENT AS DEFINED IN SECTION 11600 OF THE CALIFORNIA CIVIL CODE.

**BASIS OF BEARINGS:**  
 ALL BEARINGS ARE TO THE NORTH POINT OF THE SUN REDO CONDOMINIUM PROJECT.

**BENCHMARK:**  
 1. 1/4" IRON ROD SET IN CONCRETE AT THE CORNER OF THE SUN REDO CONDOMINIUM PROJECT.  
 2. 1/4" IRON ROD SET IN CONCRETE AT THE CORNER OF THE SUN REDO CONDOMINIUM PROJECT.

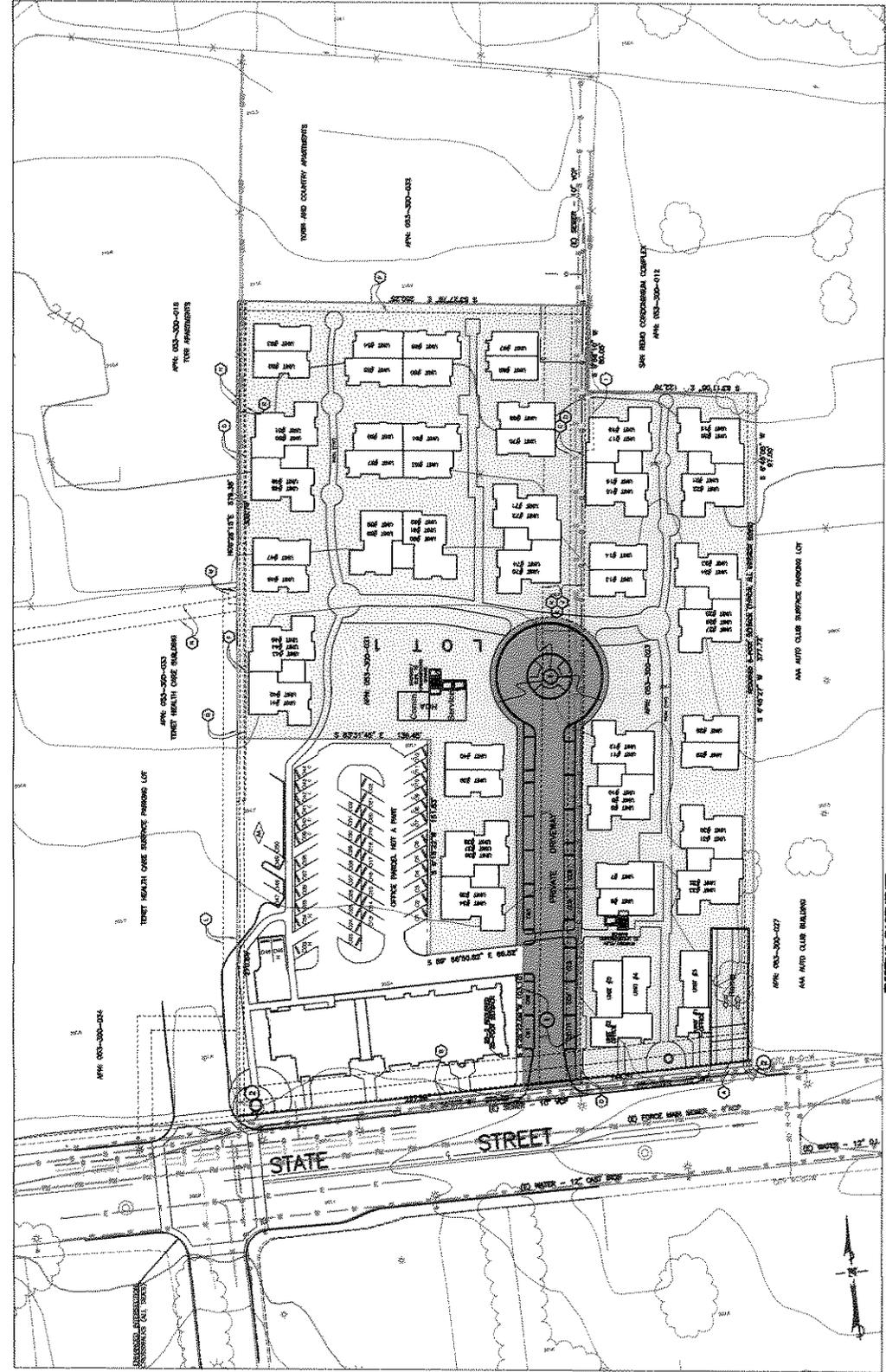
**LEGEND:**  
 CONCRETE  
 ASPHALT  
 GRAVEL  
 GRASS  
 TREES  
 FENCES  
 DRIVEWAYS  
 SIDEWALKS  
 STAIRS  
 ELEVATORS  
 MECHANICAL  
 ELECTRICAL  
 PLUMBING  
 STRUCTURAL  
 FINISHES  
 LANDSCAPE  
 UTILITIES

**APPLICATION REQUEST:**  
 THE APPLICANT REQUESTS THE CITY OF SANTA BARBARA TO APPROVE THE SUN REDO CONDOMINIUM PROJECT AS SHOWN ON THIS TENTATIVE MAP.

**OWNER'S CERTIFICATE:**  
 I, THE OWNER, HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS TENTATIVE MAP IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

**PREPARED BY:**  
 JAMES W. HARRIS ARCHITECTS, INC.  
 1200 STATE STREET, SANTA BARBARA, CALIFORNIA 93101  
 (805) 964-1111

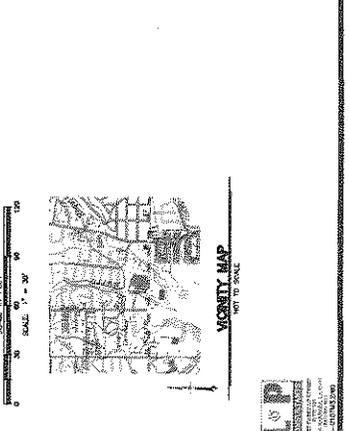
**TENTATIVE MAP**  
 FOR A RESIDENTIAL AND COMMERCIAL CONDOMINIUM UNITS  
 IN THE CITY OF SANTA BARBARA  
 COUNTY OF SANTA BARBARA  
 DATE: 10/15/03



**PROPOSED EASEMENTS:**  
 1. A 10' EASEMENT FOR PUBLIC UTILITY PURPOSES TO THE CITY OF SANTA BARBARA.  
 2. A 10' EASEMENT FOR PUBLIC UTILITY PURPOSES TO THE CITY OF SANTA BARBARA.  
 3. A 10' EASEMENT FOR PUBLIC UTILITY PURPOSES TO THE CITY OF SANTA BARBARA.  
 4. A 10' EASEMENT FOR PUBLIC UTILITY PURPOSES TO THE CITY OF SANTA BARBARA.

**EXISTING EASEMENTS:**  
 1. A 10' EASEMENT FOR PUBLIC UTILITY PURPOSES TO THE CITY OF SANTA BARBARA.  
 2. A 10' EASEMENT FOR PUBLIC UTILITY PURPOSES TO THE CITY OF SANTA BARBARA.  
 3. A 10' EASEMENT FOR PUBLIC UTILITY PURPOSES TO THE CITY OF SANTA BARBARA.  
 4. A 10' EASEMENT FOR PUBLIC UTILITY PURPOSES TO THE CITY OF SANTA BARBARA.

**NOTICE:**  
 THIS TENTATIVE MAP IS SUBJECT TO THE CITY OF SANTA BARBARA'S ZONING ORDINANCES AND OTHER APPLICABLE LAWS. THE CITY OF SANTA BARBARA RESERVES THE RIGHT TO APPROVE OR DENY THIS TENTATIVE MAP AT ITS DISCRETION.





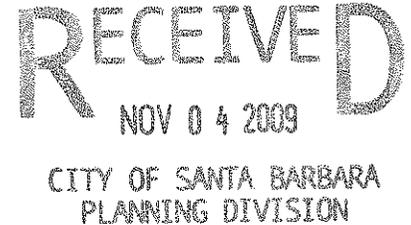


3 West Carrillo Street, Suite 205 Santa Barbara, CA 93101  
ph: 805.962.4611 fax: 805.962.4161

November 4, 2009

[L&P P.N.: 03-010.01]

Planning Commission  
Attn: Allison DeBusk, Project Planner  
City of Santa Barbara  
Planning Division  
630 Garden Street  
Santa Barbara, CA 93101



Subject: **Formal Sandman EIR Applicant Alternative  
Project Description Submittal**  
Kellog Associates L.P., Owner  
Sandman Inn Redevelopment and Condominium Project  
3714, 3740, 3744 and 3748 State Street  
APN 053-300-023 and 053-300-031  
MST2007-00591

Dear Commissioners:

Pursuant to direction provided by your Commission, the Architectural Board of Review, the environmental review process and City staff and public input, the property owners, Kellog Associates L.P., and Blackbird Architects, L & P Consultants are please to submit a revised Applicant Alternative to the Sandman Inn Redevelopment and Condominium Project for your consideration. Enclosed herewith please find the following items pertaining to the redevelopment of the land into approximately 14,104 square feet of commercial space and the addition of 73 residential condominium units and two (2) commercial condominium units on the subject properties:

- Five (5) full size Map Package (16 sheets) including Lot Line Adjustment, Tentative Map Sheets, Architectural Site Plan, Parking Garage Plan, Condo Floor Plans, and Landscape.

Note: Additional map sets will be provided for the Planning Commission hearing, per City staff direction.

#### **I. PURPOSE OF THE APPLICANT ALTERNATIVE**

During the Environmental Review Scoping Hearings, and the previous Request for Proposal of the original Sandman Inn Redevelopment & Condominium Project, the applicant reserved their rights to include an applicant sponsored alternative, to be evaluated at a project level of detail and evaluation within the alternative section of the environmental impact report (EIR). Please accept this letter and accompanying materials as a formal submittal of a revised Applicant Alternative for your Commission's thoughtful consideration and ultimate approval.

## **II. PROJECT DESCRIPTION**

The project area is comprised of two legal parcels which total 199,512 square feet (4.58 acres). Two separate uses are proposed for this project. The existing hotel would be demolished and replaced with 14,104 square feet of office space on a newly configured parcel, and the construction of 73 residential condominium units and two (2) commercial condominium units of 573 and 1,113 square feet on a second newly configured lot, which are envisioned to assist with the residential needs of the community by providing a mix of market rate, affordable-by-design, and affordable-by-control units, while preserving a commercial frontage to State Street. Main access to the office buildings on both parcels would be provided by a driveway which will be located between the two uses, while the condominiums will access an underground garage structure from the most easterly corner of the residential property. The following entitlements are hereby requested:

1. A Lot Line Adjustment between two (2) legal parcels, 053-300-023 and 053-300-031;

For the Office Building Project–

2. A Development Plan approval of a building of 10,000 square feet or more of total floor area within the C-P Zone (SBMC §28.54.120.A); and

For the Condominium Project -

3. A Tentative Map to create a one-lot subdivision for 73 residential condominium units and two (2) commercial condominium units (SBMC §27.07); and
4. A Modification of the lot area requirements to allow one (1) over-density unit (bonus density) on a lot in the C-P/R-3/R-4 zone district (SBMC §28.21.080).

### **Specifics of Each Entitlement Request**

1. Lot Line Adjustment – The two subject properties are currently configured into a 3.22 acre parcel, (APN 053-300-031), and a 1.36 acre parcel (APN 053-300-023). A Lot Line Adjustment is required for this project in order to reduce the ultimate area of the office building property use within an adjusted lot area of 1.0 acres. The proposed adjustment will leave a revised parcel of 3.58 acres to be utilized for the proposed condominium project.

Through the Lot Line Adjustment process each newly configured parcel will maintain its “Potential Measure E Small Addition” square footage of 3,000 sf. Additionally, the square footage related to the existing hotel and related structures of 52,000 square feet will be divided as follows:

Office Parcel:                      52,000 sf;      Condominium Parcel:      0 sf

It should also be mentioned that previous Agreements Transferring Existing Development Rights have been recorded on the subject properties back in 2005. Instrument number 2005-0104562, dated October 27, 2005 transfers 2,409 square feet from 8 East Figueroa Street, and instrument number 2005-0104561, dated October 27, 2005 transfers 1,650 square feet from 210 East Figueroa Street. These documents were signed by both the Community Development Department and City Attorney's office. City staff and the applicants have agreed to resolve any outstanding issues associated with this TEDR Measure E square footage outside of this Planning Commission process.

Through this process it is also envisioned that the condominium parcel will receive the entire base residential dwelling density associated with the now office parcel, 12 units. Therefore, the office parcel would relinquish all residential development that would exist on the post-adjusted parcel. Restrictions for both of these parcels can be accomplished through an Agreement Transferring Existing Development Rights recorded as part of the Lot Line Adjustment process. The end result of the adjustment will be an office parcel with no potential for residential development. The condominium parcel would then have a small portion of non-residential square footage associated with the two (2) commercial condominiums, while also receiving the benefit of the residential base density of both parcels as they currently exist.

2. Development Plan - A Development Plan is required in order to approve any building or structure of 10,000 square feet or more of total floor area within the C-P Zone. The proposed office use would be comprised of five (5) offices. Total floor area for the office uses would be 14,104 gross, and 13,075 net square feet. The building would be two (2) stories in height and would be setback from the back of sidewalk on State Street a minimum of 20-feet. The building has a Mediterranean architectural theme with covered entries to each of the five (5) offices fronting State Street, along with second story balcony features to assist in breaking up the elevations. A public and pedestrian oriented plaza with a fountain feature would be included within the street frontage of the offices. Parking would be provided on the north side of the building within a surface parking lot (50-spaces), on the entry driveway (3- dedicated spaces), and within the underground parking area (10-dedicated spaces, 2 for each of the five offices), for a total of 63-spaces. The existing square footage of the hotel use has been calculated by a Property Profile (February 4, 2003) to be approximately 52,000 square feet. Subtracting the proposed applicant alternative office building of 13,075 square feet, the applicant would be entitled to, or "banking", the remaining portion of the non-residential square footage of 38,925 on the office property.

3. Condominium Project and One-Lot Subdivision – The residential component of the proposal envisions a new urban residential neighborhood of 3.58 acres, located near basic services and activities, and linked by the City's State Street corridor. The project consists of 73 residential condominium units and two (2) commercial condominium units, built over an underground parking garage. The garage has been redesigned to provide 22 units direct internal stairway access from their enclosed parking garage up into their unit; 46 units have shared semi-direct access in the form of vertical circulation

within their residential building consisting of a common foyer with stair and elevator to each individual unit. This shared circulation occurs in ten buildings each serving four or five individual units. The remaining five (5) units have indirect access in the form of vertical circulation - stair and elevator -not within their residential building, but to connecting to public walkways to their individual unit.

The proposed condominium design concepts reflect an urban theme with particular focus to housing design, circulation, garden entrance courts, pedestrian courts and transit orientation. The housing design envisions efficient compact residences and a cluster mix of nine (9) separate unit types. This mix of units includes one-bedroom, two-bedroom and three-bedroom affordable-by-control units; a recently used term of “affordable-by-design” units which as proposed in this project include two-bedroom units of +/- 1,200 square feet and somewhat larger two-bedroom and three-bedroom units up to about 1,500 square feet. While each residential unit contains internal storage closets and areas, additional storage units have also been designed within the underground garage structure, and will be made available to residence on a first-come-first-served basis.

One of the main attributes of the condominium project is the inherent concept of starter home. The size, type and mix of these units is such that they would likely attract the starter home demographic, that of the “middle-income” buyer that has been the focus of much community attention.

Private outdoor space directly connects indoor living space to private outdoor areas. Along the main site circulation routes, entry porches and decks face these routes and courts, giving life and providing social interaction space with neighbors and pedestrians.

Circulation of the site is developed into a coherent network of pathways to orchestrate pedestrian, and bike flows. The pedestrian courts are envisioned to facilitate safe, multiple uses of access aisle, play surface, walkway, and for resident as well as guest entries. Pedestrian safety is enhanced by locating all parking areas underground thereby freeing up additional surface areas without the typical automobile conflicts. Additionally, the site is situated along Santa Barbara’s primary transit corridor where a new bus stop will be included in the project to serve westbound commuters toward Goleta and UCSB. An eastbound bus stop currently exists directly across State Street and serves commuters toward downtown Santa Barbara and beyond. The site is also within a 5-minute walk of numerous retail, recreation, and community services including the YMCA, La Cumbre Mall, Von’s Market, the new Whole Food’s market, banks, medical facilities and eating establishments. All of these aspects contribute to the vision for this urban residential setting.

It should be additionally noted that the project meets and exceeds all condominium standards required by City codes (SBMC §27.13) including unit sizes, private outdoor living spaces and parking. The condominium project is comprised of the following unit mix, sizes and open space (See Blackbird Sheet A1.0 for entire unit breakdown):

Letter to City of Santa Barbara Planning Commission  
 Applicant Alternative Submittal –  
 Sandman Inn Redevelopment and Condominium Project  
 November 4, 2009  
 Page 5 of 10

<u>Bedroom Size</u>		<u>Square Foot Range</u>	<u>Open Space Range</u>
One-bedroom units	= 2	+/-829 sqft	+/- 460-650 sqft
Two-bedroom units	= 52	1,060 – 1,320 sqft	+/- 190-1190 sqft
<u>Three-bedroom units</u>	= <u>19</u>	<u>1,520 – 1,544 sqft</u>	<u>+/- 190-785 sqft</u>
Total Condominium Units	= 73		

The amount of parking required by the Zoning Ordinance for these units is as follows:

Residential Units:

One-Bedroom Units	2 x 1.5 spaces per unit	= 3.0 spaces
Two-Bedroom Units	52 x 2.0 spaces per unit	= 104.0 spaces
Three-Bedroom Units	19 x 2.0 spaces per unit	= 38.0 spaces
Guest Spaces	73 units/1 space per 4 units	= <u>18.0 spaces</u>
Residential Spaces Required		= 163 spaces

Commercial Units:

Unit #1 – 573 gross square feet	
Unit #2 – <u>1,113 gross square feet</u>	
1,686 gross square feet	1 space per 200 square feet = <u>8 spaces</u>
	Total Spaces Required = 171 spaces
	Total Spaces Provided = 192 spaces*

(\*177 spaces are covered within the underground garage structure (10 are designated for the office parcel), the remaining 15 spaces are located within the entry road; the southern five (5) spaces on the east side are dedicated to the office condos, the southern three (3) spaces on the west side are dedicated to the office parcel; the remaining seven (7) are dedicated for use in common by guests and service providers to the residential condominiums.)

5. Lot Area Modification (Bonus Density): The project requests a modification for an additional one unit over the calculated base density. In the CP zone, density is determined by a straight density calculation; however, in the R3 and R4 zones, variable density (density based on number of bedrooms per unit) is permitted. Due to the various zone districts involved with development of the project site, the base density calculation is a combination of units (straight density) and bedroom counts (variable density).

Project Site	4.58 acres
CP zoned portion	139,664 sq. ft.
R-3 zoned portion	12,903 sq. ft.
R-4 zoned portion	46,945 sq. ft.



elevator and therefore “not-covered” generally in regards to accessibility code. The current proposal has a mix of multi-story townhomes in buildings without elevators (Units A, B, C, D, H) and “covered” multi-family units in buildings with an elevator (units E, F, G). For the multi-story townhome units, by code 10% of the multi-story dwellings in 4 or more unit condominium buildings have specific accessibility requirements for the ground level of the unit. This requirement is met by unit types B, C-1 and C-2, which comprise eight units in the project. For the thirty-six single-level or “flats” units (units E and F) in buildings with an elevator, all of these units are covered by Division IV accessibility code for residential units and will be designed with all the required access features. While the unit type variation (townhomes and flats) was initiated to respond to City ABR comments for increased unit type diversity, we see an additional positive outcome in the resubmitted project being an increase in the amount of accessible and visit-able residential units.

City rules also require that these affordable inclusionary units average the same, or greater, number of bedrooms as the market rate units in the project average. The following calculations demonstrate the applicant’s compliance with this adopted regulation:

Market Rate Units

One-Bedroom Condos	0 units x 1-Bdrm	=	0 Bdrms	
Two-Bedroom Condos	47 units x 2-Bdrms	=	94 Bdrms	
Three-Bedroom Condos	15 units x 3-Bdrms	=	45 Bdrms	
	62 Units		139 Bdrms	
Total Market Rate Bedroom Average (139 bdrms/62 units)				= 2.24 Bdrms/Unit

Affordable Inclusionary Units

One-Bedroom Condos	1 units x 1-Bdrm	=	1 Bdrms	
Two-Bedroom Condos	5 units x 2-Bdrm	=	10 Bdrms	
Three-Bedroom Condos	4 units x 3-Bdrms	=	12 Bdrms	
	10 Units		23 Bdrms	
Total Affordable Rate Bedroom Average (23 bdrms/10 Units)				= 2.3 Bdrms/Unit

Affordable Bonus Density Unit

One-Bedroom Condo	1 units x 1-Bdrm	=	1 Bdrm*
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\*Per City Affordable Housing Policies and Procedures (pg. 21), there is no requirement regarding the number of bedrooms in density bonus units.

Please note that the location of the affordable units have been identified on Sheet A1.0a of the architectural site plan.

### **III. REVISIONS TO APPLICANT ALTERNATIVE**

Comments and direction provided by your Commission, the Architectural Board of Review, the environmental review process and City staff and public input, have resulted in many positive refinements to the Applicant Alternative. These refinements are described as follows:

#### Open Space:

Open space in the project has been redistributed to consolidate the residential public outdoor areas to the center of the project site. We believe this approach stays true to the spirit and intent of the “Open Space Buffer” as interpreted by your Commission. The 20-foot front yard setback from State Street provides additional open area of landscape buffer and hardscape plazas/placitas as public-way amenities. Additionally, unit type changes were made to reduce the building footprint and allow more open space in the project. Residential public open space areas in the project have been designed and programmed to meet diverse resident interests and uses such as active play, gardening, gathering, small parties, sitting, reading, and the like.

#### Site and Building Design at Corner of State and Hitchcock:

The office building design has been pulled back from the corner intersection to make a public plaza. A portion of the office building was scaled down to 1-story to reduce the scale at this plaza location and enhance mountain views from the plaza and the intersection.

#### Commercial Buildings:

The design of the commercial office buildings were revised to be responsive to ABR and PC comments for addressing the corner intersection of the project. The two separate buildings were combined into a single building with a paseo to provide additional open space at the corner while maintaining the desired pedestrian circulation routes. Per ABR comments, two (2) new commercial office condos were added to the residential condo project at the State Street frontage to allow for more appropriate uses to front onto State Street. The buildings are modestly scaled and include small mezzanine areas to affect an open “meridian studios” feel. These commercial condos also provide variety to the streetscape, allow diverse commercial occupant possibilities, and allow entry connectivity of the residential pedestrian walk to State Street.

#### Residential Buildings & Unit Designs:

Additional building and unit type diversity has also been incorporated within the plans to break up the repetitive stretches of townhomes. Unit designs in this resubmitted project include single level units (flats) served by elevators to provide options for people who have difficulty with stairs. While the overall unit count is identical and the residential square footage is very similar to the previous submittal, the unit bedroom distribution has been modified to reduce the number of one and three bedroom units - allowing an increase in the number of two bedroom units. This is in response to the recent City housing needs study for the General Plan Update that indicated two bedroom units as most needed for our area. Further, a residential community building has been included for home owner purposes and is approximately 410 square feet.

Underground Parking Garage:

The parking garage was redesigned to be approximately 10,000 square feet smaller than the previous applicant alternative, and much of the parking has been converted to designated open parking instead of within private garages, to improve driver visibility. The parking and circulation has been redesigned and does not contain any garage entry turning conflicts for vehicles. Natural light will be introduced into the parking garage at each of the distributed stair and elevator areas to improve way-finding, reduce energy consumption, and improve the quality of experience in the underground parking garage.

And lastly,

Landscape:

As presented at the most recent PC hearing, all trees that feasibly can be relocated on site will be. Open spaces within the project have been enlarged and designed for many uses as noted in the "Open Space" description above. Skyline trees will be strategically placed to frame or enhance mountain views. The redesigned parking garage will allow substantially more in-ground planting for trees and landscaping as well as more permeable site area than the original project proposal.

#### **IV. ADDITIONAL CONSIDERATIONS**

Left-Turn Lane:

As discussed in previous applicant letters and Commission hearings, the applicant continues to desire to have the proposed State Street mid-block circulation include the existing east-bound left turn lane into the proposed condominium underground ramp. The FEIR does not identify this request as a significant impact to circulation, and we believe that this access point appropriate and important to our project.

Using the criteria outlined in the Upper State Street Study, Appendix D, we continue to assert that the applicant proposed mid-block left turn is consistent with the intent of the Study. The scale of the proposed condominium project would seem to be large enough to be considered for a mid-block turn. The proposed left turn is a minimum of 340 feet from the signalized intersection. The office and condominium project would be consolidating access to the site from the existing four (4) curb cuts on State Street to two (2). Further, this site does not benefit from access to other streets.

Town and Country Access:

This access rerouting is an independent matter. It is not dependant upon any outcome with respect to this Applicant's Alternative project. The T&C Easement Relocation will go forward without respect to whether the project is completed or not. The owner of the Town & County Apartments and the owner of the San Remo Drive duplex have delayed implementing the project solely to accommodate the request of City staff to wait until the Sandman Project environmental assessment is completed.

Letter to City of Santa Barbara Planning Commission  
Applicant Alternative Submittal –  
Sandman Inn Redevelopment and Condominium Project  
November 4, 2009  
Page 10 of 10

The relocation of the Town & County Access to San Remo will proceed independently and promptly upon the completion of the EIR and will not await future developments with respect to the Sandman project.

Pedestrian Access:

With respect to pedestrian access from Town and Country through the project site to State Street, those easements documents (submitted again with this letter) are set to be recorded once this process has been completed. The applicant will offer to the owners of the San Remo condominiums a pedestrian easement over the walkways of the project to State Street. The rights of the pedestrians will be similar to the pedestrian access rights granted to the occupants of the Town & Country Apartments. The easement will be at no cost to the San Remo condominium owners. It will be subject to acceptance within a reasonable period of time by the owners' associate of the San Remo condominiums.

**IV. SUMMARY**

The applicant appreciates the ability to work with the decision makers, staff, the public and the planning process in order to achieve a superior project for this property. This Revised Applicant Alternative attempts to provide for much needed housing opportunities for the workforce, while responding to recent USSS recommendations for what future development might look like within this part of the State Street.

We look forward to your review, and thank you in advance for considering this Applicant Alternative. If you have any questions or wish to discuss this Alternative further, please do not hesitate to contact me.

Very truly yours,  
L & P CONSULTANTS



Brent Daniels  
Agent for Kellog Associates L.P.

cc: Kellog  
Blackbird  
File

# **Final Environmental Impact Report**

Sandman Inn Redevelopment Project  
3714-3744 State Street

Distributed Under Separate Cover and Available On-line at:

[http://www.santabarbaraca.gov/Resident/Environmental\\_Documents/3714-3744\\_State/](http://www.santabarbaraca.gov/Resident/Environmental_Documents/3714-3744_State/)



**Sandman Inn Redevelopment Project**  
**3714-3744 State Street**  
**Density Calculations**

In the CP zone, density is determined by a straight density calculation; however, in the R3 and R4 zones, variable density (density based on number of bedrooms per unit) is permitted. Due to the various zone districts involved with development of the project site, the base density calculation is a combination of units (straight density) and bedroom counts (variable density).

Project Site	4.58 acres (199,512 sq. ft.)
CP zoned portion	139,664 sq. ft.
R-3 zoned portion	12,903 sq. ft.
R-4 zoned portion	46,945 sq. ft.

Maximum Project Density = Base Density + Required Inclusionary Units

Base Density = Straight Density + Variable Density

$$\begin{aligned} \text{Straight Density} &= \text{CP Zone Area} / 3,500 \text{ sq. ft. per unit} \\ &= 139,664 / 3,500 \\ &= 39.9 \text{ units} \end{aligned}$$

$$\begin{aligned} \text{Variable Density} &= \text{R3 + R4 Zone Area} \geq (\# \text{ 1-Bd units} \times 1,840) \\ &\quad + (\# \text{ 2-Bd units} \times 2,320) \\ &\quad + (\# \text{ 3-Bd units} \times 2,800) \\ &= 59,848 \text{ sq. ft.} \geq (1 \times 1,840) + (14 \times 2,320) \\ &\quad + (9 \times 2,800) \\ &= 59,848 \text{ sq. ft.} \geq 1,840 + 32,480 + 25,200 \\ &= 59,848 \text{ sq. ft.} \geq 59,520 \end{aligned}$$

One-bedroom units	1,840 sq. ft./unit	x	1 unit	=	1,840 sq. ft.
Two-bedroom units	2,320 sq. ft./unit	x	14 units	=	32,480 sq. ft.
Three-bedroom units	2,800 sq. ft./unit	x	9 units	=	25,200 sq. ft.
			24 units		59,520 sq. ft.

Base Density = 39 straight density units + 24 variable density units = 63 units

Required Inclusionary Units = Inclusionary Housing Ordinance requires that 15% of market-rate units be affordable; no lot area modification is required to provide these additional affordable units  
= 15% of 63  
= 9

Maximum Project Density = 63 Base Density units + 9 Required Inclusionary Units  
= 72 units

### Current Project Proposal

62 market rate units are proposed. Therefore, the project requires 9 inclusionary units (15% of 62 market-rate units = 9).

Project Proposal = 73 total units (62 market-rate units, 9 inclusionary units and 2 additional affordable units)

One of the 2 additional affordable units is allowed as part of the project's base density (62 market units proposed whereas 63 market units are allowed). The other additional affordable unit requires a lot area modification.

**Motion:** Continued indefinitely Planning Commission and then return to Consent with the following comments:

- 1) The project is ready for Preliminary and Final approval.
- 2) Increase the radius at both transitions of the new sidewalk to the existing sidewalk for a smooth transition.
- 3) Provide signage on the proposed temporary fencing at MacGillivray Point stating the reason for the fencing.
- 4) Study shrouding the restroom wall packs or replace the fixtures with an LED lighting to match the proposed lighting for the park.
- 5) The Board appreciates the replacement of the proposed light fixtures with the down-cast light fixtures. Add the proposed light fixtures and specification details to the plans.
- 6) Study the possibility of adding a drain to resolve the standing water during rainy seasons.

Action: Zink/Mosel, 6/0/0. Motion carried. (Sherry/Gross absent).

**\*\* THE BOARD BRIEFLY RECESSED FROM 3:34 P.M. TO 3:50 P.M. FOR THE NEXT APPLICANT'S ATTENDANCE \*\***

## CONCEPT REVIEW - CONTINUED ITEM

### 2. 3714 STATE ST

C-P/SD-2 Zone

Assessor's Parcel Number: 053-300-023  
 Application Number: MST2007-00591  
 Owner: Kellogg Associates  
 Agent: L&P Consultants  
 Architect: Blackbird Architects

(This is a revised project (MST2003-00286). Proposal to demolish the existing, 52,815 square foot, 113-room hotel (Sandman Inn) and construct a 13,075 square foot, two-story, office building, two commercial condominiums totaling 1,537 square feet, and 73 new two- and three-story residential condominium units to be developed on two parcels (APNs 053-300-023 & 053-300-031) totaling 4.6 acres of the 73 proposed residential condominiums there are 19 three-bedroom units, 52 two-bedroom units, and 2 one-bedroom units. 11 of the 73 units are proposed affordable units. 242 parking spaces are proposed (220 underground and 22 at grade), including 163 spaces for the residential units and 79 spaces for the commercial units. The project requires Planning Commission review of a Tentative Subdivision Map, Development Plan Approval, Lot Line Adjustment, and a modification for the Inclusionary Housing units.)

**(Third Concept Review. Comments only; Project requires Environmental Assessment, Compatibility Analysis, and Planning Commission review of a Tentative Subdivision Map, Development Plan Approval, Lot Line Adjustment, and Bonus Density.)**

(3:50)

Present: Ken Radkey and Adam Sharkey, Blackbird Architects; Susan Van Atta, Landscape Architect; Brent Daniels, Agent; and Alison De Busk, Project Planner, City of Santa Barbara.

Public comment opened at 4:23 p.m.

Kellam de Forest, stated positive overall comments regarding the project and had questions regarding the open space and the location of the proposed canopy trees and whether any canopy trees were proposed above the underground parking garage.

An opposition letter from Paula Westbury was acknowledged by the Board.

Public comment closed at 4:25 p.m.

**Motion: Continued indefinitely to Planning Commission and return to Full Board with comments:**

- 1) The Board finds the proposed project is moving in a very positive direction and is consistent with the Compatibility Analysis criteria. The project's site planning, design, mass, size, bulk, and scale are appropriate to the neighborhood.
- 2) Study architectural detailing and embellishments for variations of architectural style to provide a neighborhood feeling and individuality to the residential units.
- 3) Study the lighting at the stairwells and basement to maximize natural lighting and natural venting capabilities.
- 4) Study the location of the mail boxes to provide a safer and more community oriented location.
- 5) Study appropriating more southern light into the community area.
- 6) The Board appreciates the enhanced pedestrian paving element at the intersection of State and Hitchcock Streets.
- 7) Study the bottom of the ramp at the curve into the parking garage for additional embellishment.

LANDSCAPING:

- 1) The saving of the blue cedar and jacaranda trees along State Street is appreciated.
- 2) Study the size of the trees and possibly plant deciduous plants to maximize the solar access along the property line for adjacent neighboring parcels.

Action: Rivera/Zink, 6/0/0. Motion carried. (Sherry/Gross absent).

**CONCEPT REVIEW - CONTINUED ITEM**

**3. 825 DE LA VINA ST**

**C-2 Zone**

Assessor's Parcel Number: 037-041-024  
 Application Number: MST2007-00400  
 Owner: 825 De La Vina, LLC  
 Architect: Keith Rivera

(Proposal for two new three-story mixed-use buildings to include a total of seven residential condominiums and three commercial condominiums on an existing 14,750 square foot lot. The proposal includes four, one-bedroom and three, two-bedroom residential units, varying in size from 777 to 1,730 square feet. The commercial units will range in size from 218 to 250 square feet. The proposal will result in 8,507 square feet of residential area and 686 square feet of commercial area for a total of 9,193 square feet. A total of 19 parking spaces will be provided on site (14 covered and five uncovered). Planning Commission approval is requested for a Tentative Subdivision Map and a Zoning Modification to encroach into the required rear yard setback.)

**(Fourth Concept Review. Comments only; Project requires Environmental Assessment, Compatibility Analysis, and Planning Commission review of a Tentative Subdivision Map and a requested zoning modification for an encroachment into the rear setback.)**

~~Straw vote: How many of the Board would prefer to request the presence of the Transportation Division representative during Board review? 9/0 (unanimously passed).~~

~~**Motion: Final Approval on Architecture and continued two weeks on Landscaping with comments:**~~

- ~~1) The Board requests Transportation Division staff representative to be present during Board review to satisfactorily discuss the Board's concerns and offer input regarding City Transportation Policies on tree proximity to intersections.~~
- ~~2) The Board is satisfied regarding street tree removals as proposed on the plan.~~
- ~~3) The Board appreciates the applicant's tree preservation efforts on the proposed project.~~

~~Action: Gross/Sherry, 8/0/1. Motion carried. (Zink abstained).~~

### CONCEPT REVIEW - CONTINUED ITEM

#### 2. 3714 STATE ST

C-P/SD-2 Zone

Assessor's Parcel Number: 053-300-023  
 Application Number: MST2007-00591  
 Owner: Kellogg Associates  
 Agent: L&P Consultants  
 Architect: Blackbird Architects

(This is a revised project (MST2003-00286). This is an alternate site proposal which eliminates the proposed hotel and instead proposes commercial office space. Proposal to demolish the existing, 52,815 square foot, 113-room hotel (Sandman Inn) and to redevelop the site with a 14,254 square foot, two-story, office building and 73 residential condominium units (ranging from two to three stories) over two parcels (APNs 053-300-023 & 053-300-031), totaling 4.6 acres. Of the 73 proposed residential condominiums, there are 41 three-bedroom units, 14 two-bedroom units, and 18 one-bedroom units. 11 of the 73 units are proposed affordable units. The proposal includes 228 parking spaces, 162 for the residential units, 66 for the commercial space. 167 of the 228 parking spaces are proposed underground. This project requires Planning Commission Review of a Tentative Subdivision Map, Development Plan Approval, Lot Line Adjustment, and a modification for inclusionary housing units.)

**(Second Concept Review. Comments only; Project requires Environmental Assessment, Compatibility Analysis, Planning Commission Review of a Tentative Subdivision Map, Development Plan Approval, Lot Line Adjustment, and a modification for inclusionary housing units.)**

(4:28)

Present: Ken Radkey, Blackbird Associates; Jonathon Watt, Susan Van Atta; and Alison De Busk, Project Planner, City of Santa Barbara.

Public comment opened at 4:51 p.m. As no one wished to speak, public comment was closed.

An opposition letter from Paula Westbury was acknowledged by the Board.

Chair Manson-Hing requested that staff differentiate between the different building concepts for clarification purposes and to keep track of each review. Therefore from this point forward the Hotel Concept will be referred to as "Concept A", and the Office Building Concept will be referred to as "Concept B."

**Motion:** First Concept Review of "Concept B" the Office Proposal. Continued indefinitely to Planning Commission and return to Full Board with comments:

OFFICE BUILDING CONCEPT:

- 1) The Board appreciates the alternative application presented as a superior solution compared to the hotel solution.
- 2) The office building on the corner of Hitchcock should relate better to corner in its architecture.
- 3) The open yard space at State Street could be relocated into the center of the housing project.
- 4) Carry forward all the previous hotel proposal ("Concept A") comments (incl. light wells in the parking garage, similar to the approach at the Ralphs Store at Chapala and Carrillo Streets).
- 5) Study reducing the 40-foot paved width area at the entrance to the complex between the park and the office building.
- 6) Study the relationship of the affordable units to the adjacent office parking and common open space, and consider mixing the affordable units into the residential project component.

Action: Zink/Rivera, 9/0/0. Motion carried.

PRELIMINARY REVIEW

3. **1298 COAST VILLAGE RD**

C-1/R-2/SD3 Zone

Assessor's Parcel Number: 009-230-043  
 Application Number: MST2004-00493  
 Architect: Jeff Gorrell  
 Applicant: John Price  
 Owner: Olive Oil & Gas L P

(Proposal to demolish the existing gas station and service bays and construct a new three-story, mixed-use building on an 18,196 square foot lot. The 16,992 square foot building would include 4,800 square feet of commercial space on the ground floor and 12,192 square feet of residential space on the second and third floors. The residential component would include 8 units, which would include two one-bedroom and six two-bedroom units. A total of 36 parking spaces are proposed to include 19 commercial spaces and 17 residential spaces. A total of 11,000 cubic yards of cut and fill is proposed. Project received Planning Commission approval, with conditions, on 3/20/08 and City Council approval on appeal, with conditions, on 7/15/08 for a Local Coastal Plan Amendment, a Zone Change, a Tentative Subdivision Map, a Coastal Development Permit, Development Plan Approval, and Modifications. The project requires compliance Council Resolution No. 08-084.)

**(Project requires compliance with City Council Resolution No. 08-084.)**

(5:28)

Chair Manson-Hing explained that at the beginning of the meeting a comment on the February 9<sup>th</sup> draft minutes regarding the interior elevations will be reviewed during an in-progress review after preliminary approval and before final approval is granted.

Present: Jeff Gorrell, Lenvik & Minor Architects; Sam Maphis, Landscape Architect; and Peter Lawson, Associate Planner for the City of Santa Barbara.

**CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING****2. 3714 STATE ST****C-P/SD-2 Zone**

Assessor's Parcel Number: 053-300-023 / 053-300-031

Application Number: MST2007-00591

Owner: Kellogg Associates

Agent: L&amp;P Consultants

Architect: Blackbird Architects

(This is a revised project [MST2003-00286]. Proposal to demolish the existing, 52,815 square foot, 113-room hotel [Sandman Inn]; and to redevelop the site with a 70,346 square foot, three-story, 106-room hotel and 73 residential condominium units [ranging from two to three stories] over two parcels [APNs 053-300-023 & 053-300-031], totaling 4.6 acres. Of the 73 proposed residential condominiums there are 37 three-bedroom units, 14 two-bedroom units, and 22 one-bedroom units. Of the 73 units, 22 are proposed to be affordable units. The proposal includes 291 parking spaces, 163 for the residential units, 111 for the hotel, and 17 shared parking spaces. Of the 291 parking spaces, 273 are proposed to be underground. This project requires Planning Commission Review of a Tentative Subdivision Map, Development Plan Approval, Lot Line Adjustment, and a modification for inclusionary housing units.)

(COMMENTS ONLY PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION REVIEW OF A TENTATIVE SUBDIVISION MAP, DEVELOPMENT PLAN APPROVAL, LOT LINE ADJUSTMENT, AND A MODIFICATION FOR INCLUSIONARY HOUSING UNITS.)

Present: Ken Radkey, Blackbird Associates; Jonathon Watt, Susan Van Atta; Alison De Busk, Project Planner, City of Santa Barbara.

Staff Comment: Ms. DeBusk requested comments on potential view impacts, and stated findings required to be met.

Public comment opened at 5:29 p.m.

1) Paul Hernadi: read comment letter from Patricia Hiles

2) Letters from Linda Suri, James Read, Jim and Ginger Peterson, Stan and Adeal Laband expressing opposition were read into the record.

Public comment closed at 5:37 p.m.

Staff Comments: Alison Debusk, Project Planner reported that staff will review application for completeness; prepare Request For Proposals for EIR; receive public comment at Planning Commission hearing. Staff verified the applicant is requesting 11 units over density.

**Motion:** **Continued indefinitely to Full Board with the following individual and collective comments**

- 1) The idea of pedestrian boulevards provides a nice urban environment.
- 2) The break up of the units is appreciated, consider varying the number of units per grouping.
- 3) The Board likes the overall pedestrian oriented site-plan.
- 4) Provide more street scape elevations and photos of the neighborhood.
- 5) As presented, the proportion of open space and the ability to provide landscape is insufficient for the amount of mass, bulk and scale of the project.
- 6) The Board likes the overall pedestrian site plan.
- 7) There is concern with the lack of above ground guest parking.
- 8) There is concern with the excessive amount of hardscape adjacent to the hotel.
- 9) It is preferred that basement bike racks be relocated closer to elevator.
- 10) Provide basement lighting and plant wells.

- 11) Some Board members suggest adding commercial uses along State Street.
- 12) Some Board members would prefer a more one-story roof element at the pedestrian walkway.
- 13) A majority of the Board would prefer more expressed pedestrian walkways through the site.
- 14) The board would prefer sidewalks along basement ramps.
- 15) Consider adding more at-grade bike storage, more social centers, and a pedestrian connection to San Remo Street.

Action: Paul Zink/Gary Mosel, 8/0/0. Motion carried.

\*\*\* THE BOARD RECESSED FROM 7:04 UNTIL 7:47 P.M. \*\*\*

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

3. **617 BRADBURY AVE**

C-2 Zone

Assessor's Parcel Number: 037-122-006

Application Number: MST2007-00559

Owner: Leed Santa Barbara LLC

Architect: Design To The Nines

(Proposal to demolish an existing 458 square foot single-family residence and construct a new two-story mixed-use LEED Certified development of 1,604 square feet of commercial space on the ground floor and two, one-bedroom condominium units on the second level on a 5,000 square foot lot in the C-2 zone. Residential unit A is proposed at 1,085 square feet and residential unit B at 1,070 square feet. The proposed project would include roof gardens, solar panels, wind turbines, and permeable pavement for driveways and sidewalks. Also proposed is a shared bicycle storage area and bathroom for LEED Certification points. The project requires Staff Hearing officer review of a Tentative Subdivision Map and Development Approval Findings for new commercial square footage.)

Presenters: Ted Powel, Architect; Laura Powel, Landscape Designer; Kay Perry, Owner. Heather Baker, Project Planner, City of Santa Barbara.

Staff comment: Per recommendation of the City Arborist, the existing palm tree is a significant skyline tree and can be saved. The tree in the existing state is not hazardous; however it is suggested for maintenance to remove the dead fronds.

Public comment opened at 8:01 p.m.

- 1) Wanda Livernois: project not compatible to the neighborhood, concerned about possible loss of tree.
- 2) Robert Livernois: concerned about potential loss of a significant tree.
- 3) Letters from Paula Westbury, James Smock, and Mark Maslan were read into the record.

Public comment closed at 8:19 p.m.

**Motion:** Continued indefinitely to the Full Board with the following comments:

- 1) Research the exterior character to be more compatible with the neighborhood style.
- 2) Redesign the project to be more authentic in styling.
- 3) The existing tree should remain in its current location.
- 4) Show the adjacent structures on the site plan.
- 5) The Board is happy to see a project striving for LEED certification.

Action: Paul Zink/Christopher Manson-Hing, 7/0/0. Motion carried. (Blakeley absent.)

CONCEPT REVIEW - CONTINUED ITEM

## 4. 3714 STATE ST

C-P/SD-2 Zone

Assessor's Parcel Number: 053-300-023  
 Application Number: MST2003-00286  
 Agent: L&P Consultants  
 Architect: Blackbird Architects  
 Owner: Kellogg Associates

(This is a conceptual review of a proposal to demolish the existing, 52,815 square foot, 113-room hotel (Sandman Inn); and to redevelop the site with a 64,150 square foot, three-story, 113-room hotel and 64 residential condominium units (ranging from two to three stories) over two parcels, totaling one acre. The project will require Planning Commission approval of a Tentative Subdivision Map for condominiums, Modifications and Development Plan Approval.)

**(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT, PLANNING COMMISSION APPROVAL OF TENTATIVE SUBDIVISION MAP AND MODIFICATIONS, AND DEVELOPMENT PLAN APPROVAL FINDINGS.)**

(This is a conceptual review of the 64 condominium units.)

(5:40)

Brent Daniels, Consultant; Charlie Eckberg, agent; Ken Radkey and Jonathan Watts, Architects; and Adam Sharkey, Designer, present.

Motion: Continued indefinitely with the following comments: 1) The Board supports the idea of maximizing the density on the site, but would like to take the massing relationships between the residential units and mountain views into consideration at the same time, particularly for the three-story buildings. 2) The majority of the Board does not support the patios facing State Street because they are not really functional. 3) Some Board members suggested a greater setback at State Street to incorporate a landscape buffer for the loft units. 4) It was suggested to make the first level of the structures on State Street appear more commercial with lofts on the second and/or third story. 5) Make the interior street feel like a neighborhood-friendly street. 6) Provide landscape screening between the hotel and the adjacent neighborhood. 7) The Board is uncomfortable with the mass, verticality, protruding cantilevers, and lack of stepping back of some of the buildings, in particular at State Street and the interior street. 8) It was suggested to study the underground garage design to incorporate tree wells for significant planting in the center of the parking garage, which will help break up the mass.

Action: Six/Gross, 6/0/0. LeCron stepped down.

CONCEPT REVIEW - CONTINUED ITEM

## 5. 26 WADE CT

A-1/SD-3 Zone

Assessor's Parcel Number: 047-091-030  
 Application Number: MST2003-00139  
 Owner: William Morgan  
 Architect: Tom Oswalt

(This is a revised project. Proposed construction of a 4,076 square foot, three-story residence with an attached 1,110 square foot, two-car garage on a 51,546 square foot vacant lot, located in the Hillside Design District. There is approximately 648 cubic yards of proposed grading outside of the main-building footprint.)

**(COMMENTS ONLY; PROJECT REQUIRES PLANNING COMMISSION APPROVAL OF COASTAL DEVELOPMENT PERMIT, NEIGHBORHOOD PRESERVATION ORDINANCE COMPLIANCE AND MODIFICATION, AND ENVIRONMENTAL ASSESSMENT.)**

(Second Concept review.)

(5:55)

Tom Oswalt, Architect, present.

5. ~~1568 LA VISTA DEL OCEANO DR~~

~~Assessor's Parcel Number: 035-180-085  
 Application Number: MST99-00513  
 Applicant: Eugene & Patricia Buccarelli  
 Agent: Bob Goda~~

~~(Proposal to construct a new 2,500 square foot, two-story residence on a vacant 16,400 square foot lot located in the Hillside Design District. Approximately 1,600 cubic yards of grading is proposed with the majority as cut under the footprint. This review will incorporate site improvements, street access, and common grading with the two adjacent parcels (APN 035-180-084 and -085).)~~

~~(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT, NEIGHBORHOOD PRESERVATION ORDINANCE COMPLIANCE, AND PLANNING COMMISSION APPROVAL FOR MODIFICATIONS.)~~

~~(Item Nos. 1 through 5 were reviewed concurrently in relation to the La Vista Del Oceano Road Extension project.)~~

~~Please see the minutes of Item No. 1, La Vista Del Oceano Road Extension project (MST1999-00714).~~

~~RECESSED FROM 5:42 P.M. TO 5:48 P.M.~~

CONCEPT REVIEW - NEW ITEM

## 6. 3714 STATE ST

C-P/SD-2 Zone

Assessor's Parcel Number: 053-300-023  
 Application Number: MST2003-00286  
 Agent: L&P Consultants  
 Architect: Blackbird Architects  
 Owner: Kellogg Associates

(This is a conceptual review of a proposal to demolish the existing, 52,815 square foot, 113-room hotel (Sandman Inn); and to redevelop the site with a 64,150 square foot, three-story, 113-room hotel and 64 residential condominium units (ranging from two to three stories) over two parcels, totaling one acre. The project will require Planning Commission approval of a Tentative Subdivision Map for condominiums, Modifications and Development Plan Approval.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT, PLANNING COMMISSION APPROVAL FOR A TENTATIVE SUBDIVISION MAP AND MODIFICATIONS AND DEVELOPMENT PLAN APPROVAL FINDINGS.)

(5:48)

Brent Daniels, Consultant; Ken Radkney and Johnathan Watts, Architects; and Susan Van Atta, Landscaping Architect, present.

Public comment opened at 6:02 p.m.

Paul Hernadi, 3720 Hitchcock Road, was concerned about the appearance of the north side of State Street, proposed two- and three-story structures, minimal setbacks, blockage of mountain views, and traffic safety.

Carie Brown, 1000 Cieneguitas Road, was concerned about safety of the driveway.

A letter from Herb Simpkins, 3705 Hitchcock Ranch Road, was read into the record, noting that he was concerned about the setbacks and three-story structures.

Public comment closed at 6:09 p.m.

Liaison comment: Barbara Chen Lowenthal, Planning Commissioner, summarized the comments made by the Planning Commission at the concept review held on July 17, 2003.

Motion: Continued one week with the following comments: 1) It was understood that the concept for the housing portion of the project would be reviewed at a later date. 2) The Board commends the overall concept of the project providing additional housing to the downtown area of Santa Barbara, and the effort to reduce the impact of automobile and paved surface on the property. 3) The Board is concerned about the overall ratio of land devoted to housing and the hotel, because the resulting hotel massing is problematic. 4) The Board has the following concerns about the hotel: a) The walls along State Street are impeding access to the site. b) There needs to be more available open space, especially along State Street and at the corner of State Street and Hitchcock, to provide vistas of the mountains through the property. c) It currently has a feeling of looking at the side of a building, where as the State Street elevation should absolutely be the most inviting and spectacular portion of the project. 5) The Board is concerned of the amount of three-story mass and feels there should be considerably more two-story elements to the room wing of the project. 6) Break up rooflines. 7) Study opportunities for developing airspace at the northeast corner of the property. 8) The two-and-a-half story mass at the corner of State Street and Hitchcock Way is not appropriate. 9) The Board feels that the architecture does not need to be El Pueblo Viejo or standard Spanish, but needs to simulate a mass-based architecture, i.e., no long continuous row of windows. 10) Draw the elevations correctly to help reduce the mass, bulk and scale. 11) The majority of the Board supports the creative solution of utilizing the intersection at State Street and Hitchcock Way. 12) The Board is concerned about developing significant canopy trees and planting in the dense architecture and limited amount of site area without underground parking. 13) Study allowing pedestrians access through portions of the property.

Action: Six/Gross, 7/0/0. LeCron stepped down.

RECESSED FROM 7:00 P.M. TO 7:20 P.M.

IN-PROGRESS REVIEW

7. 4200 CALLE REAL

Assessor's Parcel Number: 059-240-020  
 Application Number: MST98-00749  
 Applicant: Ben Phillips  
 Applicant: Amy Bayley  
 Owner: Alicia Martin, D.C.  
 Architect: Mark Petit  
 Architect: Karl Eberhard

(Proposal for an annexation and subdivision of a 17-acre parcel that is to be developed with affordable and senior housing. The project includes 75 affordable rental units and 95 affordable senior units.)

(PROJECT REQUIRES COMPLIANCE WITH PLANNING COMMISSION RESOLUTION #024-02.)

(7:20)

Karl Eberhard and Ilona Scott, Architects; Ben Phillips, Mercy Housing California representative; John Kular, Civil Engineer; and Rob Fowler and Mike Gilbert, Landscape Architects, present.

Motion: Final approval of the site plan, grading and landscaping and an indefinite continuance to the Consent Calendar, with the following comments: 1) A restudy of hardscape versus landscape in front of Building No. 113, i.e., Adult Day Care, shall be provided. 2) Architectural drawing shall be provided for clarification of the aesthetics of the entry bridge. 3) The Gazania in the riparian zone shall be changed to a more appropriate rehabilitation planting. 4) Adjustments shall be made to the sizes of some of the planting material. 5) It was suggested to study an entry with more climatic planting instead of the Jacaranda tree.

Action: Eichelberger/Six, 7/0/0.



**II. PRELIMINARY MATTERS:**

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

Senior Planner Danny Kato announced that item IV.A, the Staff Hearing Office Appeal of 1415 Mission Ridge Road, has been withdrawn from the agenda by the appellant.

- B. Announcements and appeals.

None.

- C. Comments from members of the public pertaining to items not on this agenda.

Chair Thompson opened the public hearing at 1:03 P.M.

Tony Fisher, representing the Friends of Outer State Street, addressed the Planning Commission regarding the Staff Hearing Officer process and submitted a copy of the letter withdrawing the appeal for 1415 Mission Ridge Road.

With no one else wishing to speak, the hearing was closed at 1:06 P.M.

**III. ENVIRONMENTAL HEARING**

**ACTUAL TIME: 1:06 P.M.**

**APPLICATION OF BRENT DANIELS, L&P CONSULTANTS; AGENT FOR KELLOGG ASSOCIATES; 3714-3744 STATE STREET (APN: 053-300-023 AND -031), 3730 STATE STREET (APN: 053-300-032), AND 3715 SAN REMO DRIVE (APN 053-222-010); C-P/S-D-2, C-P/R-3/R-4/S-D-3, R-4/S-D-2 AND R-2/S-D-2 ZONES, GENERAL PLAN DESIGNATION: GENERAL COMMERCE, OFFICE, RESIDENTIAL – 12 UNITS PER ACRE, AND BUFFER (MST2007-00591)**

The proposed project involves demolition of the existing 113 room Sandman Inn Hotel, adjacent restaurant and all site improvements, and construction of a new 106 room hotel and 73 residential condominium units. The proposed project includes a total of 291 parking spaces (111 parking spaces for the hotel component, 163 parking spaces for the residential component and 17 common/shared spaces). The hotel and residential development would be on separate parcels. The hotel building would be 62,298 square feet above a 46,701 square foot underground parking garage, with a maximum height of 45 feet. The residential development would have a maximum height of 31 feet above an underground parking garage. Of the 73 residential condominium units proposed, 11 would be provided at sales prices targeted to middle-income households earning from 120-160% of area median income, pursuant to the City of Santa Barbara's Affordable Housing requirements. Ingress to and egress from the proposed hotel and residential development would be provided via separate driveways located off of State Street. Access to the Town and Country Apartments (3730 State Street), located immediately behind the main subject parcels, is currently provided through the hotel site, and would be permanently closed as part of the project.

Access to the Town and Country Apartments would be provided via a driveway connection off of San Remo Drive, necessitating demolition of one residential unit located at 3715 San Remo Drive.

Additionally, an "applicant's alternative" project, which essentially replaces the proposed hotel with a 14, 254 square foot two-story office development has been provided by the applicant for review. The applicant's alternative includes 73 residential units, of which 11 would be provided at sales prices targeted to middle-income households earning from 120-160% of area median income. A total of 237 parking spaces would be provided (61 at-grade office spaces, 5 underground office spaces, 162 underground residential spaces and 9 shared at-grade spaces). All access would be as described for the proposed project.

Draft Environmental Impact Report hearing and concept review. The purpose of the concept review is to allow the Planning Commission and the public an opportunity to review the proposed project design and applicant's alternative design at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the proposed land use and design. The opinions of the Planning Commission may change or there may be ordinance or policy changes that could affect the project that would result in requests for project design changes.

**No formal action on the development proposal will be taken at this hearing.**

The discretionary applications required for this project are:

1. Lot Line Adjustment.
2. Transfer of Existing Development Rights (TEDR) to transfer 806 square feet of non-residential square footage from 8 E. Figueroa (APN 039-282-001) to APN 053-300-031(SMBC Section 28.95.030). *HOTEL PROJECT ONLY*
3. Development Plan approval for a net increase of 9,969 square feet of non-residential development (SBMC Section 28.87.300). *HOTEL PROJECT ONLY*
4. Development Plan approval for a building of 10,000 square feet or more of total floor area within the C-P Zone (SBMC Section 28.54.120).
5. Modification of the lot area requirements to allow one (1) over-density unit (bonus density) on a lot in the CP/ S-D-2 and R-3/S-D-2 zone districts (SBMC Section 28.21.080).
6. Tentative Subdivision Map (TSM) for a one lot subdivision to create 73 residential condominium units (SBMC Chapters 27.07 and 27.13).

Case Planner: Allison De Busk, Project Planner

Email: ADebusk@SantaBarbaraCA.gov

Danny Kato, Senior Planner, and Chair Thompson gave the format of the hearing as beginning with the Draft Environmental Impact Report hearing, to be followed by the Concept Review.

Allison De Busk, Project Planner, gave the Staff presentation.

Environmental consultant Joe Gibson, Impact Sciences, gave the environmental presentation joined by Rob Olson, Iteris, Senior Traffic Engineer; and Doug Brown, Staff Planner.

Brent Daniels, L&P Consultants, gave the applicant presentation, joined by Susan Van Atta, Landscape Architect.

Ms Van Atta explained that the use of the Styrofoam blocks in the rooftop garden to lift the planting where there are berms is not necessary to support trees in the rooftop garden; noted that it is a common misperception that larger planters are needed to support trees.

Greg Parker, Investec, explained the Hitchcock Way easement held by the Sandman Inn to use 4 parking spaces on the adjoining property to the west during the day and all parking spaces after bank closure hours.

Chair Thompson asked Staff to follow up on options for access on the Hitchcock Way easement beyond the four parking spaces. Scott Vincent responded that he will review the right of way further north of the intersection. The City's options lie solely within the City's right-of-way.

Commissioner Lodge recalled a City Map that once showed Hitchcock Way extending through the property.

Mr. Olson responded to the Commission's question regarding the number of trips being reduced on State Street due to the Town and Country residents using San Remo -- it would result in 15 fewer peak trips.

Chair Thompson opened the public hearing at 1:45 P.M.

The following people provided public comment on the Environmental Impact Report (EIR):

1. Paul Hernadi, Citizens Planning Commission (CPA), read his submitted letter into the record noting some flaws with the project, supports the applicant's alternative project over the original project for greater environmental sustainability.
2. Mary Louise Days, CPA, highlighted five aspects of environmental superiority that the draft EIR attributes to the applicant's alternative: 1) Significant reduction of height and bulk of original project; 2) Reduction of trip generation potential; 3) Significant reduction in water and sewer usage; 4) Five residential units are moved further away from State Street; and 5) Avoids construction of a 3-story hotel and underground parking of 111 cars.
3. Naomi Kovacs, Executive Director, Citizens Planning Commission, completed the presentation of the written CPA letter covering circulation, recreation, tree protection and density.
4. Jean Holmes, Grove Lane Neighborhood Association, expressed concerns over size, density, mass, and visual impact of both proposals. Does not want to see Upper

State Street transformed into dense and congested area. Asks for retention of front setback trees.

With no one else wishing to speak on the EIR, the public hearing was closed at 1:56 P.M.

The Commissioners made the following comments on the EIR:

1. Commissioner White expressed concern over the buffer-zone concept. Suggested the EIR deal with the buffer zone more than it has already.
2. Commissioner Jacobs would have liked to have seen a reproduction copy of the Upper State Street map; referenced two maps that were created during the Upper State Street Study with one officially adopted as a guideline for the area. Suggested the map be included in the EIR; would show recreation and open space, as well as access to nearby creeks, and parking circulation. Parking and circulation is a concern with the project, especially connectivity of uses. Would like to see other transportation alternatives such as pedestrian, bus, and bicycle circulation; noted Foothill scenic bikeway is close by. Would like to see better use of the Hitchcock intersection. Suggested future connectivity is kept in mind with the adjoining bank property at the time when the bank is redeveloped.
3. Commissioner Bartlett thinks the two drivers in this project are the circulation issues, which are in conflict with the Upper State Street Study, and the lack of a buffer. Referenced the vision held in the Master Plan of 1924 that showed the east-west buffer that would have been a continuation of Via Lucero and believes that it should be put back in place in the General Plan Update to address circulation issues. Believes that direct access from Hitchcock and State Street intersection onto the subject property could be achieved.
4. Commissioner Lodge talked about the density being considered on 4.5 acres. The SD-2 overlay zone never considered parking going underground. Concerned with the job-housing balance and would like to know how many jobs are currently provided on site, and how many would be created with the proposed project or applicant's alternative project.

The Environmental Hearing was concluded at 2:09 P.M. Ms. Debusk reminded the public of the public comment deadline of May 22, 2009.

The Concept Review began at 2:10 P.M.

Allison De Busk, Project Planner, gave the Staff presentation.

Greg Parker, Investec, gave the Applicant presentation, joined by Ken Radke, Blackbird Architects, Susan Van Atta, and Brent Daniels. Susan Van Atta noted that they are now proposing to maintain some additional trees, and replant all palm on site.

Staff responded to the Planning Commission's question regarding the open space in the alternative project by stating that it appears to meet and exceed the City's minimum

requirement for open space. Staff clarified tandem parking as it related to the proposed project.

Mr. Radke responded to the Commission's question regarding the provision of open space on State Street to buffer the noise factor for the front units.

Chair Thompson opened the public hearing at 2:56 P.M

1. Judy Orias, President, Allied Neighborhood Association, is pleased with the Applicant's direction for the applicant's alternative project but remains concerned with issues that could make it a better project. Concerned with the residential impact on the neighborhood related to the jobs and housing imbalance brought on by the market rate condominium units. The single driveway alternative insures greater distance between the State and Hitchcock intersection. Further reduction of the scale of the project would make the project even better. Reminded the Commission that this project is in the Arroyo Burro Creek watershed and cautioned against increased runoff. Concerned with the project's need for recreational facilities for families purchasing the residential units.
2. Connie Hannah, Santa Barbara League of Women Voters, asked that the Commission consider the Applicant's Alternative proposal over the original project. Remained concerned with the daily trips that will be increased by the 73 condominium units and that there is insufficient outdoor recreational space provided onsite for children to play. Would like trees retained on property. Supports retention of setback trees.

With no one else wishing to speak the public comment was closed at 3:02 P.M.

The Commissioners made the following comments:

Left Turn Lane:

1. Commissioner Lodge does not want to see the existing median and landscaping gone.
2. Commissioner Jacobs stated that the Upper State Street Study preference for medians is more important than providing a left-turn lane for the project. Does not support a left-turn lane in.

Access Driveways:

1. Commissioner Bartlett suggested exploring the crosswalk configuration on State Street running parallel with Hitchcock to allow for an access drive onto the applicant's property at the State and Hitchcock intersection.
2. Commissioner Lodge clarified the applicant's preference toward a two-driveway alternative.

3. Commissioner Jacobs was neutral, but supported the Commission's preference for a single driveway and suggested the applicant study it further.
4. Commissioner White preferred a single driveway but understands if there needs to be two.
5. Commissioner Thompson stated that he needs more information on circulation, i.e. number of driveways; Hitchcock access potential.

#### Scenic Views versus Mature Trees

1. Commissioner Bartlett does not think keeping the existing trees where they are helps with the mountain view issue. Convinced that podium landscaping would provide significant landscaping allowing the trees to be placed where they should be and providing designated view corridors for better views.
2. Commissioner Lodge would like to see both the scenic views and the mature trees kept.
3. Commissioner Jacobs likes the trees in the foreground, mountains in the back. The view is not static, and the foreground trees don't necessarily block the view. Favors retaining as many of the existing trees as possible.
4. Commissioner White would like to see the applicant present some alternatives to the views and trees; okay with removing existing trees and starting fresh.
5. Commissioner Thompson felt that the alternative landscape proposal that relocates trees on site is not in conflict with City guidelines.

#### Open Space Areas

1. Commissioner Bartlett suggested a mirror image site layout of the applicant's alternative project, with the open space at the corner intersection so that the views are enjoyed at the intersection, not mid-block. Would like to see more open space for play areas. Commissioners Jacobs and White concurred. Commissioner Jacobs suggested some flexibility when the project returns to the Architectural Board of Review (ABR).
2. Commissioner Jacobs thought the open space area along State Street should be reconsidered due to the noise level and would perhaps be better positioned more interior to the property where it would be quieter.
3. Commissioner Lodge felt strongly against seeing the building moved to the Hitchcock corner and wanted the open space preserved.
4. Commissioner Thompson felt that the space closer to the street would be more usable by the public, suggests a little bit of both options could be considered.
5. Commissioner Bartlett suggested that the ABR be aware of the Upper State Street Study so that their goals are not in conflict. Views from the intersection are more of a priority than mid-block views.

#### Buffer Designation

1. Commissioner Bartlett does not want to see underground parking in the buffer zone as it may preclude future connectivity opportunities.
2. Commissioner Lodge always considered the buffer as a separation of land uses, but not necessarily a swath of open space.
3. Commissioner White feels that the buffer concept needs to be honored/responded to somehow. It was there for a reason.
4. Commissioner Thompson questioned the intent of the buffer designation (physical space or a concept?) and noted that he's leaning toward the idea that it is a "concept".

#### Tandem Parking and garage circulation

1. Commissioner Bartlett thinks there are other ways to configure the garage, but is supportive of the tandem parking concept.
2. Commissioner Lodge would hope that residents of the project would not have two cars; has no issue with the tandem parking.
3. Commissioner Jacobs suggested adding communal elevators from the parking lot to the residential units. Suggested the applicant review the plans and find more ways for elevators to connect the underground parking to the plaza level.

#### Additional Comments.

1. Commissioner Bartlett liked the DNA of residential portion of the project with parking underground and outdoor living area on the surface. The applicant's alternative provides more open space on the street which allows more view corridors to the mountains. Does not see a density issue.
2. Regarding the jobs/housing imbalance, Commissioner Bartlett felt that this project could help eliminate commuters and is in a location where people could live by their work. Supported the office alternative over a hotel. Commissioner White believes there is no issue because existing jobs will be lost with the redevelopment, particularly the applicant's alternative.
3. Commissioner Lodge also preferred the applicant's alternative.
4. Commissioner Jacobs would like to see the project go back to the Transportation planners to look at best alternatives for the intersection and connectivity, considering pedestrians, bicyclists, buses and cars. The proposed bus stop is basic; prefers that the higher level of urban design guidelines be followed given the size of the project. Any green elements, such as photo-voltaics, would be appreciated.
5. Commissioner White appreciated that the size of the project was not aggressive. He likes the unit sizes and open space concepts. Would favor the project including rental housing.
6. The consensus of the Commission favored the applicant's alternative option. Commissioner Thompson added that the hotel option presents the inherency of tourists who are unsure of their navigation of the city and would add an increase to traffic counts, whereas office workers are more confident in the knowledge of their destinations.

Commissioner Thompson summarized the preference of the Commission for the applicant's alternative, and thinks that circulation needs to be studied along with the number of driveways before the project returns to the Commission.

Scott Vincent responded to the Commission's concern over the buffer by stating that without a definition in the text of the General Plan, the Commission would have the discretion to decide on the intent of the buffer (i.e., delineation by zoning, a physical area). Suggest looking at the project and its consistency with the General Plan.

Mr. Parker will look at a left turn into the front of the site at Hitchcock. Referenced the differences of opinion with the Architectural Board of Review and the Planning Commission over the open space on the corner and committed to finding a balance that would be a triple win.

Commissioner Thompson called a recess at 3:47 P.M. and reconvened the meeting at 4:04 P.M.

**IV. STAFF HEARING OFFICER APPEALS:**

**THE FOLLOWING ITEM WAS WITHDRAWN BY THE APPELANT:**

**A. APPEAL OF JAMES KAHAN ON BEHALF OF THE FRIENDS OF OUTER STATE STREET ON THE APPLICATION OF DUBEK & ASSOCIATES FOR RICHARD GODFREY, 1415 MISSION RIDGE ROAD, APN 019-103-004, A-2 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2009-00051)**

The 13,766 square foot project site is currently developed with a single family residence and 2-car garage. The proposed application is a request for the "as-built" enclosure of a 192 square foot second-story patio. The discretionary application required for this project is a Modification to permit alterations/additions within the required ten-foot interior setback (SBMC §28.15.060). On March 11, 2009, the Staff Hearing Officer made the required findings and approved the request. This is an appeal of that action.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 & 15305.

Case Planner: Roxanne Milazzo, Associate Planner  
Email: RMilazzo@SantaBarbaraCA.gov

**ACTUAL TIME: 4:04 P.M.**

The Commission had the following question:

1. Is there any circumstance under which a subdivision map or a lot line adjustment could be approved when inconsistent with the map designation?

Ms. Hubbell responded that lot line adjustments for fewer than four lots do not have to be consistent with the General Plan. A tentative map does have to be consistent. A mixed-use project would not be able to move forward with the current General Plan designation.

**MOTION: White/Thompson**

**Assigned Resolution No. 023-08**

To initiate the requested General Plan Map amendment.

This motion carried by the following vote:

Ayes: 4 Noes: 0 Abstain: 0 Absent: 3 (Bartlett/Larson/Myers)

#### IV. **ENVIRONMENTAL HEARING:**

**ACTUAL TIME: 4:29 P.M.**

**APPLICATION OF BRENT DANIELS, L&P AGENT FOR KELLOGG ASSOCIATES, 3714-3744 STATE STREET AND 3715 SAN REMO DRIVE, APN 053-300-023, -031, -032 AND 053-222-010, C-P/S-D-2, C-P/R-3/R-4/S-D-3, R-4/S-D-2 AND R-2/S-D-2 ZONES, GENERAL PLAN DESIGNATIONS: GENERAL COMMERCE, OFFICE, RESIDENTIAL AND BUFFER (MST2007-00591)**

The applicant proposes to demolish the existing 113 room Sandman Inn Hotel and all site improvements, and construct a new 106 room hotel and 73 residential condominium units. The project proposes a total of 291 parking spaces (111 parking spaces for the hotel component, 163 parking spaces for the residential component and 17 common/shared spaces). The hotel and residential development would be on separate parcels. The hotel building would be 62,298 square feet, including 19,834 square feet of non-room area (i.e. meeting rooms, corridors, lobby, laundry area, etc.), above a 46,701 square foot underground parking garage. The residential development would have a maximum height of 31 feet above an underground parking garage. Of the 73 residential condominium units proposed (22 one-bedroom units, 14 two-bedroom units, and 37 three bedroom units) 11 (2 one-bedroom units, 4 two-bedroom units and 5 three-bedroom units) would be provided at sales prices targeted to middle-income households earning from 120-160% of area median income, pursuant to the City of Santa Barbara's Affordable Housing requirements.

Ingress to and egress from the proposed hotel and residential development would be provided via separate driveways located off of State Street. Access to the Town and Country Apartments, located immediately behind the subject parcels, is currently provided through the hotel site, and would be permanently closed as part of the project. Access to the Town and Country Apartments would be provided via a new driveway connection off of San Remo Drive.

The purpose of the hearing is to receive comments on the proposed EIR scope of analysis. Written comments on the EIR scope of analysis must be received no later than June 26, 2008 at 4:30 p.m.

Case Planner: Allison De Busk, Project Planner  
Email: [adebusk@SantaBarbaraCA.gov](mailto:adebusk@SantaBarbaraCA.gov)

Allison De Busk, Project Planner, gave the Staff presentation.

Brent Daniels, Agent, gave the applicant presentation.

Chair Jostes opened the public hearing at 4:45 P.M.

The following people spoke in opposition to the project or with concerns:

1. Paul Hernadi, Citizens Planning Association (CPA) – noted that CPA has identified three issue areas: visual aesthetics, air quality, and transportation. With regard to aesthetics, he identified incompatibility with the neighborhood and loss of urban forest. With regard to air quality, he noted that Santa Barbara does not meet the 8-hour standard and impacts to sensitive receptors due to traffic on State Street.
2. Patricia Hiles, CPA – Continued CPA comments regarding transportation. Noted that the traffic study not accurate and is based on old information; existing traffic should be considered, we need a current baseline; reduction in daily trips inaccurate; extreme development of site; consider demand from hotel meeting room; EIR should evaluate the impacts. Proposed density is too high. EIR needs to look at cumulative impacts.
3. Connie Hannah, League of Women Voters – Glad modifications have been eliminated. Likes unit sizes overall, but there is too much commercial square footage and too many units. Traffic at Hitchcock is already bad; ITE rates for underused parcels are not accurate. EIR needs to deal realistically with traffic and parking. Wants to see Alternatives. Concern with three stories so close to State Street, and air quality impacts. Preserve specimen trees on site. A smaller, more sustainable project is desired.

With no one else wishing to speak, the public hearing was closed at 4:56 P.M.

Chair Jostes stated that the scoping period for public comment ends on June 26<sup>th</sup>.

The Commission had the following discussion with Staff and the applicant:

1. The buffer referred to in the General Plan designation for this site runs east-west behind the area that is generally commercially zoned. It is a buffer between the solid residential areas and the more commercial areas along State Street. What does the buffer mean? Is it a green zone or a transitional area leading to a reduction in height and intensity? The Land Use and Open Space Elements do not make any reference to the "Buffer" designation in the General Plan. It is part of the recreation and open space key on the

- General Plan. If there is no open space buffer that reads, functions, and looks like open space, a General Plan Amendment is needed. Without it, the project description is incomplete. The Buffer designation needs to be thoroughly discussed in the EIR.
2. East-west circulation should not be precluded by the north/south project site design.
  3. Recreational opportunities need to be identified and addressed as described in the Public Services section.
  4. A land use plans and policy analysis needs to be contained in the EIR. The plans and policy consistency must be included in the EIR, not in the Staff Report, so that it is subject to public review and to give the applicant the opportunity to fine-tune the project.
  5. Clarified that the residential and the hotel parking are two separate underground parking garages. The hotel employee parking is contained within the underground parking garage as well. Requested that the EIR evaluate the potential for employee parking spill-over onto the street.
  6. At least two Commissioners would like to have included in the EIR a serious analysis about the commercial office or the hotel taking access using the signalized intersection at Hitchcock. It does not make sense to have a signalized intersection adjacent to the property and then cause traffic friction with a proposed driveway to access the property. The signalized intersection should be used and mid-block crossings and driveways should be avoided.
  7. View analysis should include views of the project itself. The proposed project does not provide an attractive visual aesthetic with its "cookie-cutter" condominiums lined-up in a rectilinear pattern.
  8. Would prefer to see an alternative where there is no Transfer of Existing Development Rights.
  9. More information should be included about the lot line adjustment that would provide an additional 3,000 square feet to the hotel.
  10. Would like to see a discussion of the setback area. It should include planting area in the ground and be able to allow for planting of large trees.
  11. Requested a discussion as to possible mitigations for this project as it is outside the standard walking range for a neighborhood park.
  12. If the lots were merged, could this be considered a mixed-use project? If so, the parking component of the residential could be reduced to one car per unit, rather than two. This would greatly diminish having to do the entire site as a parking garage and would avoid such massive excavation. True landscaping into the ground would be created.
  13. The aesthetics of the Applicant Alternative to the three-story hotel on the corner is preferred.
  14. The intent of the General Plan needs to be reflected with off-site improvements, off-site linkages, and pavement into an open space district.
  15. The EIR should use current traffic figures in its analysis.

Staff responded that the concept of shifting uses from one lot to another has been frequently done and particularly on parcels that have similar or the same zoning. Doing an on site transfer of development within adjacent parcels has been done many times. The baseline for all the resource categories is the existing conditions at the time the

Notice of Preparation (NOP) was issued, which was on May 27, 2008. The analysis for air quality that is proposed in the initial study is only in relation to construction impacts because the construction time-line is very long and a lot of digging is expected on the site. The initial study found that the long-term operational impacts were less than significant.

Mr. Daniels responded that the applicant does not have the legal right to access the site off of the Hitchcock intersection, but has tried to negotiate an arrangement with the current owner with no success.

**V. ADMINISTRATIVE AGENDA**

- A. Committee and Liaison Reports.
  - 1. Commissioners Bartlett and Thompson attended the City Council hearing for the appeal of the project located at 565 Yankee Farm Road. The outcome was reported by Ms. Hubbell in the announcements portion of the meeting.
- B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.  
None were requested.
- C. Action on the review and consideration of the following Draft Minutes and Resolutions:
  - a. Draft Minutes of March 13, 2008.
  - b. Draft Minutes of March 20, 2008.
  - c. Resolution 012-08 (1298 Coast Village Road)

**MOTION: Thompson/Jostes**

Approve the March 13, 2008, minutes as presented and defer the draft minutes of the March 20, 2008, meeting and its associated resolution to a future meeting.

This motion carried by the following vote:

Ayes: 2 Noes: 0 Abstain: 2 (As noted) Absent: 3 (Jacobs/Larson/Myers)

Commissioners Bartlett and White abstained from the March 13, 2008, meeting minutes.

ACTUAL TIME: 1:46 P.M.

**B. ENVIRONMENTAL IMPACT REPORT (EIR) SCOPING HEARING:**

**APPLICATION OF BRENT DANIELS, L&P AGENT FOR KELLOGG ASSOCIATES, 3714-3748 STATE STREET, APNs 053-300-023, -031, -032 AND 053-222-010, C-P, R-2, R-3, R-4 AND S-D-2 ZONES, GENERAL PLAN DESIGNATIONS: GENERAL COMMERCE, OFFICE, RESIDENTIAL AND BUFFER (MST2003-00286)**

**Project Description:** The applicant proposes to demolish the existing 113 room Sandman Inn Hotel and all site improvements, and construct a new 112 room hotel and 73 residential condominium units. The hotel and residential development would be on separate parcels. The hotel would measure 44 feet, 6 inches above existing grade and would have three stories above a one-level underground parking garage. The hotel building would be 64,422 square feet, including 18,848 square feet of non-room area (i.e. meeting rooms, corridors, lobby, laundry area, etc.), above a 46,701 square foot parking garage containing 114-parking spaces. The residential condominiums would be two to three stories tall and would be constructed above an underground parking garage containing 164 parking stalls. The residential development would have a maximum height of 31 feet above finished grade. Of the 73 residential condominium units proposed, 22 units would be one-bedroom units, 14 units would be two-bedroom units, and 37 units would be three bedroom units. The applicant proposes to provide 11 of the 73 project units (2 one-bedroom units, 4 two-bedroom units and 5 three-bedroom units) at sales prices targeted to middle-income households earning from 120-160% of median income, pursuant to the City of Santa Barbara's Affordable Housing requirements.

Ingress to and egress from the proposed hotel would be provided via a driveway located off of State Street between the hotel and residences. Ingress to and egress from the residential condominiums would be via a driveway from State Street at the eastern side of the site leading down to the parking garages. Secondary access to the residential units is also provided via the hotel driveway. Access to the Town and Country Apartments, located immediately behind the subject parcels, is currently provided through the hotel site. This access would be permanently closed as part of the proposed project. Access to the Town and Country Apartments would be provided via a new driveway connection off of San Remo Drive. Pedestrian access between the new residential development and the Town and Country Apartments would be provided.

The City of Santa Barbara will be the Lead Agency and will prepare an environmental impact report (EIR) to evaluate impacts of the proposed project. The purpose of an EIR is to provide decision-makers and the public with information that enables them to consider the environmental consequences of the proposed project. The EIR would identify potentially significant effects, and any feasible means of

avoiding or reducing these effects through project redesign, the imposition of mitigation measures, or implementation of alternatives to the project.

Comments on the proposed EIR scope of analysis are invited from public agencies, community interest groups, and individual members of the public. We request the views of public agencies as to the scope and content of environmental information germane to agency statutory responsibilities for the project. Some agencies may need to use the EIR prepared by our agency when considering approvals for the project. Please provide the name of an agency contact persons, if applicable.

**EIR Scope of Analysis:** The proposed EIR scope of analysis would include evaluation of project environmental effects associated with **traffic/circulation, air quality, and visual/aesthetic** impacts. An Initial Study, describing potentially significant transportation impacts as well as less than significant impacts in other issue areas, is available for review at the City Planning Division located at 630 Garden Street, or online at [www.SantaBarbaraCA.gov](http://www.SantaBarbaraCA.gov).

Case Planner: Allison De Busk, Associate Planner  
Email: [adebusk@SantaBarbaraCA.gov](mailto:adebusk@SantaBarbaraCA.gov)

Allison De Busk, Associate Planner, and Debra Andaloro, Environmental Analyst, gave the Staff presentation. Barbara Shelton, Environmental Analyst, and Rob Dayton, Principal Transportation Planner, made themselves available to answer questions.

Brent Daniels, L & P Consulting, and Charlie Eckberg, Kellogg Associates, gave the applicant presentation.

Staff and Mr. Daniels responded to Planning Commissioners' questions regarding the hotel room square footage; smart growth issues and beneficial impacts; clarification of traffic generation ITE numbers, including ITE differences for stand-alone restaurants as opposed to integrated facilities; proposed sidewalk widths, and the general plan map related to the buffer designation; number of units at the Town and Country apartments; long term hotel residency; S-D-2 setbacks; the projected relationship between the restaurant and hotel; distinguishing between a hotel versus motel traffic count; and consideration of pedestrian access and a through street.

Chair Jacobs opened the public hearing at 2:33 P.M.

The following individuals spoke with concerns:

1. Judy Orias expressed concern with the 100 year flood plane runoff at Arroyo Burro Creek and its impact on downstream property owners. Also, the increased traffic impact on intersections such as Las Positas/ State Street.
2. Connie Hannah, Santa Barbara League of Women Voters, concerned with size, bulk, and scale of project; would like the EIR to contain an alternative that includes all restrictions of S-D-2 zone, one- and two-story buildings, and

preservation of specimen trees and mountain views. Also, concerned with traffic and lighting impacts on residential neighbors.

3. Naomi Kovacs, Citizens Planning Association, voiced concerns about traffic and parking, building setbacks, building sizes and heights, landscaping requirements, scenic views, vehicle and bicycle circulation concerns, construction impacts, and loss of mature trees.
4. Patricia Hiles questioned residential as opposed to commercial uses facing State Street. Also concerned with redirection of traffic to San Remo Drive.
5. Mike Conroy expressed concern over view blockage by 3-story buildings that would abut his property and obstruct his views, and traffic at Grofe Lane/San Remo Drive.
6. Uffe Louborg also expressed concern with private view blockage attributed to 3-story buildings and the intensity of the proposed development.
7. James Kahan, Grove Lane Association, was concerned with the neighborhood intrusion that would be brought on by opening up traffic to San Remo Drive. Would like to see traffic counts included in the EIR. Doesn't want pedestrian access to/from San Remo Drive.
8. Becky Cohn, Sierra Property Management and Manager of Town & Country Apartments, noted that they have adequate parking on-site; does not feel that redirecting traffic to San Remo Drive will create substantial impacts and is supportive of the development.
9. Linda Antone, San Remo Plaza Condominiums, expressed concern with relocating Town and Country traffic to San Remo Drive. Also concerned with the 3-story view obstruction and the loss of trees.

With no one else wishing to speak, the public hearing was closed at 3:00 P.M.

Planning Commissioners expressed concerns with the project's density, the mix of affordable units, lack of open space, living within the existing S-D-2 zoning requirements, traffic impacts and height and view impacts. Other concerns were with the residential uses fronting on State Street, the Arroyo Burro runoff drainage, construction impacts on traffic flow, and impacts on San Remo Drive.

Commissioners appreciated the underground parking, addition of affordable residential development, extensive consideration of smart growth, and on-site pedestrian access.

The Commission would like to see the EIR include: a more extensive traffic and circulation analysis that also includes the San Remo neighborhood, bicycles and pedestrians as well as intersection analysis for Las Positas/101 and all potentially impacted intersections; view impacts, a benefits analysis; an extensive plans and policy analysis; and address public safety issues with moving the access from State Street to San Remo Drive. Also desired were discussions of sound community land use planning; consistency with the Upper State Street Study; analysis of impacts on

public views with mitigation considerations, noise analysis with consideration given to the existing residential uses, establishment of a realistic traffic baseline, and potential for employee parking on San Remo Drive. Stressed the importance of the alternatives analysis; should also include mitigation for non-significant issues.

Commissioners suggestions included realignment of the project to incorporate the Hitchcock Way intersection; providing a connection to existing access from Hope Avenue to site paralleling State Street with hotel on south side of access and residential to the north; lower landscaping height to reduce view blockage; use of story-poles; and realistic site and view corridor alternatives that meet the vision of the Upper State Street Study. Other suggestions included taking the TEDR and modifications out of the project; providing adjoining neighbors with view consideration, and inclusion of more one-story elements. Also suggested was giving consideration to pedestrian friendliness on State Street; commercial space fronting State Street, instead of residential; and use of in-lieu fees as opposed to providing affordable residential housing.

Mr. Vincent addressed the Commission's question regarding the City's baseline flexibility by stating that there are opportunities for flexibility but we have not seen another model that deals with the fluctuating use of an existing development. The requirement for a baseline has to be a rational baseline supported by substantial evidence.

Rob Dayton explained that we use an "average" for baseline and project-generated traffic.

Chair Jacobs reminded the public that the public comment period ends on February 21, 2007.

Chair Jacobs announced a break at 3:40 P.M and reconvened the meeting at 4:03 P.M.

Commissioner Larson left the meeting at 3:40 P.M.

IV. CONTINUED ITEMS:

ACTUAL TIME: 4:03 P.M.

- A. APPLICATION OF JUSTIN VAN MULLEM, ON DESIGN, AGENT FOR LLC FOR JAMES AND PAMELA HALDEMAN, 1533 W. VALERIO STREET, APN: 041-071-031, A-2/R-1 ZONES, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2003-00338) Continued from January 11, 2007

The proposed project consists of the subdivision of an existing 3.45 acre site into two lots of approximately 1.725 acres each. The lots would take access from

Mr. Dayton stated that traffic analysis included the storage area square footage in the analysis.

Mr. Wynn stated that the existing oak tree is outgrowing its planter on site. The proposed project will not be able to accommodate the fast growing tree and thus will be carefully relocated to Ortega Park.

**MOTION: Barnwell/Maguire**

**Assigned Resolution No. 041-03**

To make the findings for the parking modification and development plan, subject to the revised Conditions of Approval, with direction to the Historic Landmarks Commission to address the following issues: parking lot entrance to be aesthetically treated so as to conform to the City's architectural standards and not to be unattractive; consider redesigning the rear of the building to be more protective of adjacent residents' privacy, possibly by moving two to three offices at the rear of the third floor into the storage area on the second floor and increasing the third floor articulation along the north elevation or by studying the possibility that balconies may not be appropriate on that elevation because of privacy issues; specify a replacement tree that will replace the shade and character of the oak tree to be relocated.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Mahan, White)

Chair Ehlen announced the ten calendar day appeal period.

Commissioner White arrived at 4:50 p.m. and took his seat at the dais.

**Recessed from 4:50 p.m. to 5:11 p.m.**

To avoid the appearance of a conflict of interest, Commissioner Lowenthal stepped down at 5:11 p.m. prior to the next item being heard.

**ACTUAL TIME: 5:11 P.M.**

- C. **APPLICATION OF BRENT DANIELS, AGENT FOR KELLOG ASSOCIATES LP, PROPERTY OWNER, 3714-3744 STATE STREET, APNS 053-300-023 AND -031, C-P/RESTRICTED COMMERCIAL, R-3/LIMITED MULTIPLE-FAMILY RESIDENTIAL, AND R-4/HOTEL-MOTEL MULTIPLE RESIDENCE ZONES, GENERAL PLAN DESIGNATION: OFFICES, GENERAL COMMERCE, AND RESIDENTIAL - 12 UNITS/ACRE (MST2003-00286).**

The project involves the demolition of the existing Sandman Inn hotel and restaurant, and redevelopment of the site with a three-story hotel, underground parking garage, and 64 residential condominium units. The redevelopment of the hotel would result in the same number of rooms (113 rooms), but an overall reduction of the hotel square footage. The Planning Commission will conceptually review the proposed project. No action on the

project will be taken at this time, nor will any determination be made regarding environmental review of the proposed project.

The discretionary applications required for this project, as presently proposed, would be a Tentative Subdivision Map, a Development Plan; and Modifications of lot area for bonus density units and of the front yard setback for the first and second floors.

Rence Brooke, Associate Planner, gave a presentation of the project.

Charlie Eckberg, Applicant, gave an overview of the project.

Ken Radtke, Architect, briefly reviewed the architectural details.

Brent Daniels, Agent, briefly reviewed other project details.

The public comment was opened at 5:58 p.m.

The following people spoke in opposition to the project:

Patrick Foster, 3663 San Remo Drive

Linda Antone, 3663 San Remo Drive

Tessa Lippmann, 3660 San Remo Drive

The public hearing was closed at 6:06 p.m.

Commissioners' questions and comments:

1. Asked about pedestrian circulation.
2. Asked about the inclusion of affordable housing units.
3. Asked about plate heights of the third stories.
4. Asked for clarification of traffic impacts.

Mr. Daniels stated that affordable units will be included in the project description depending on Planning Commission requirements of affordability as a program vs. affordability by design.

Mr. Radtke clarified third floor plate heights at nine to ten feet, with overall height at 32 to 35 feet. He also clarified that traffic impacts to the area will be approximately the same after the new project is built.

During the discussion, the Commissioners either individually or collectively:

1. Requested that a discussion take place regarding area pedestrian access and transportation, and requested a pedestrian connection between the bridge and paseo area behind the bank to the west and the proposed project. Also, a discussion should take place between the applicants and the San Remo neighbors about the possibility of keeping the road private, and providing public pedestrian access to connect to State Street.
2. Requested that a discussion take place regarding the possibility of relocating the easement that runs across the property and is used by the adjacent apartment house. This may allow other design scenarios.
3. Requested that a discussion take place regarding pedestrian access from the proposed project area to the YMCA and the grocery store, and to address how the existing signalized intersection at Hitchcock Way will be made pedestrian friendly.
4. Requested suggestions of ways to revitalize the creek, for purposes of asphalt relief.
5. Felt the sidewalk along the north side of State Street should be widened.
6. Felt three stories may be a bit burdensome on the streetscape because the rest of this area of State Street is made up of one and two story buildings.
7. Felt the proposed density and unit mix of size and type appropriate, and that design will push the density.
8. Stated that affordable units would make it a complete neighborhood.
9. Requested that the new project relate, in some way, to the existing neighborhood.
10. Stated the importance of visual resources, view corridors, and good design so that the lofts to be located on State Street do not jeopardize the possibility of future similar projects. Was not yet completely comfortable with the idea of lofts on outer State Street.
11. Applauded the applicants' efforts to build this project in this particular neighborhood and stated support for the project.
12. Supported more of a "wedding cake" concept, with less mass and bulk at the street and project edge, and mass in the interior of the project area. Believed the corner important in terms of architectural treatment and thought the proposed third story element should be in a different location.
13. Appreciated the underground parking, but it should be carried over into the residential component. The area behind the hotel has potential to hold more underground parking. Suggested getting rid of one of the long "auto court" lanes, in order to provide more communal open space.
14. Believed some of the mountain views should be retained.
15. Suggested that a model of the project may be helpful in future reviews of this project.
16. Felt that 72 parking spaces is excessive and not required by demand. Suggested using some of the parking spaces for additional units or pedestrian infrastructure.

17. Requested Staff to provide the applicants with minutes and Staff Report from the approved project at 1420-1436 Laguna Street as an example of an ideal project that includes rental combination units. This idea could increase the attainability of this project.
18. Did not concur that the proposed building setback is in scale with adjacent buildings because a 270-foot setback filled with asphalt and cars is incompatible with the neighborhood. The three-story portion should be on the corner, rather than where proposed.
19. Suggested investigating the possibility of giving the condominium owners access rights to the hotel's swimming pool and recreation room.
20. Suggested that the applicant work with the Metropolitan Transit District to locate a bus stop as close to the project as possible.

**V. ADMINISTRATIVE AGENDA**

- A. Committee and Liaison Reports.

None were given.

- 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 minutes and resolutions of June 26, 2003.

**MOTION: Barnwell/House**

Continued to July 24, 2003.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Lowenthal, Mahan)

**VI. ADJOURNMENT**

Chair Mahan adjourned the meeting at 6:40 p.m.

Submitted by,

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Susan Gantz, Planning Commission Secretary

**Sandman Project**  
**Applicable Upper State Street Design Guidelines**

**Goals:**

- Design developments to respect the arrangement of buildings and open spaces on adjacent sites and provide opportunities for enhanced circulation, solar access, and views.
- The planning and design of the site should take into account that parking is preferred behind or beneath the building rather than fronting on the street unless there are special view considerations. Alternative parking layouts may be appropriate to preserve or create view corridors.
- Ease and safety of ingress and egress shall be given careful consideration.

**Guidelines:**

1. **Site Plan Variations.** “Strip mall” style site plan layouts are not acceptable. Design site plan layouts that achieve multiple goals (eg. activity nodes, pedestrian-oriented environment, transit facility needs, mountain views preservation, creek enhancement).
2. **Building Dimensions and Spacing.** To ensure appropriate spacing of structures and a pedestrian-friendly streetscape, buildings which span from property line to property line along their State Street frontage are discouraged. Applicants are encouraged to provide appropriate relief between adjacent structures, especially those over one-story in height. Exceptions should be considered only where predominant existing sub-area conditions may suggest otherwise and will be at the discretion of the Architectural Board of Review. Rear yard setbacks of structures and upper floor massing should be respectful of adjacent residential uses. Buildings should not loom over smaller residential neighbors nor compromise the privacy of their exterior spaces.
3. **Setback Measurement.** Building setback standards are measured from the back of dedications for sidewalks or other public rights-of-way.
4. **Front Setback Modification Considerations.** N/A

**Goal:** Develop parking policies and management strategies that help reduce Upper State Street congestion.

**Guidelines:**

5. **Parking Guidance.** Reference the City of Santa Barbara’s Standards for Parking Design and Architectural Board of Review Guidelines to assist in determining appropriate parking layout design for redevelopment, addressing factors including size and depth of lot, scenic view considerations on the north and south sides of the street, avoiding or removing barriers between parking lots, consideration for minimizing driveway curb cuts and proximity to connecting side streets and alleys. Also see Guidelines 60 and 61 which discuss parking lot access design to avoid mid-block street congestion.
6. **Rear Parking.** In general, parking at the rear of buildings creates a pleasant streetscape, can be more easily accessed from alleys and driveways on side streets and

may reduce the number of driveways on State Street. Per Guideline 17, parking to the side or front of a building can be appropriate where there are special view considerations. Other exceptions to this guideline in the East and Central sub-areas are considered for remodels, new buildings on small lots, and building addition projects when the proposed alternative layout:

- Provides setbacks and building orientations compatible with existing adjacent development setbacks and building orientations.
- Respects surrounding business patterns and uses.
- Improves circulation within the project's block.

7. **Maximize Underground Parking.** Maximize underground parking in order to create attractive, high quality projects above ground which include usable open space and views.

8. **Alternative Vehicle Stations.** Consider accommodation for alternative vehicles such as electrical vehicle charging stations.

9. **Parking lot lighting.** Parking lot lighting shall be integrated with trees. It is preferred that pole lighting be limited to twelve (12) to fourteen (14) feet in height. Trees should be in scale with pole-mounted light fixtures.

10. **Lighting adjacent to State Street.** N/A

**Goal:** Preserve and enhance the unique character of Upper State Street and its sub-areas and sub-neighborhoods.

**Guidelines:**

11. **Key Characteristics.** The Upper State Street corridor, sub-areas, and sub-neighborhoods have key characteristics that define their character and sense of place. Proposals should be within a range of architectural styles and materials appropriate within each sub-area. Inclusion of more contemporary styles and natural materials such as sandstone, stucco, and tile is encouraged in the Upper State Street corridor.

12. **Activity Nodes.** Develop activity nodes with public gathering places and distinctive visual features that create an animated pedestrian experience and provide street presence, a sense of place, points of orientation breaking up the long corridor, and access links to the surrounding circulation network.

Elements such as plazas, fountains, seating areas, passive open spaces, pocket parks and view corridors should be incorporated. Potential locations for significant activity nodes include: La Cumbre and State Street, and Las Positas/San Roque and State Street.

13. **Paseos.** Incorporate pedestrian-scale paseos in new development to facilitate interaction and transportation connections between the commercial corridor and surrounding residential areas.

14. **Neighborhood Compatibility.** Development proposals should be compatible with their surrounding sub-area and sub-neighborhood. For commercial developments

adjacent to residential uses, separation and buffering between residential and commercial development and landscaping are especially important.

**Goal:** Improve the public streetscape and adjacent pedestrian connections. The landscaping between the parking lot and the sidewalk provides a visual buffer, enhancing the pedestrian experience.

**Guidelines:**

15. **Development Design.** Incorporate elements within site layout and building design to facilitate pedestrian activity and create a lively, pedestrian-friendly environment along the street such as: building entrances and outdoor activity spaces, landscaping, plazas, paseos, fountains, furniture, lighting, trash receptacles, etc. to support pedestrian use and facilitate use of mass transit.

16. **Parking Placement.** Review site plans carefully for parking lot placement to consider area conditions and potentially competing objectives for circulation and scenic views. Underground parking is preferred because it provides space for high quality, attractive projects aboveground which include substantial open space and provide for views. Parking lots behind or on the side of buildings, and building entrances that are inviting from the street are generally preferable for circulation. Parking may be placed to the side of or in the front of buildings if necessary to preserve or provide scenic view corridors or public viewing locations, with landscaping or other visual screening of the automobile parking to be provided.

17. **Landscaping.** Incorporate landscaping at building frontages to improve the pedestrian environment aesthetically, and in parking lots to screen automobiles and provide shade.

18. **Pedestrian Buffers.** Buffer pedestrian facilities from automobiles, particularly in locations where parking lines commercial development and cars overhang the sidewalk.

19. **Paseo Connections.** Where there are opportunities, establish paseo connections between retail areas and residential neighborhoods; consider public safety and maintenance issues in determining locations and design.

20. **Street Trees.** Street tree choices shall be consistent with the Street Tree Master Plan and be appropriate with respect to pedestrian safety, sidewalk maintenance, shade and aesthetic considerations.

21. **Sidewalk Standards.** Non-conforming sidewalks are to be replaced consistent with Pedestrian Master Plan standards.

22. **Sidewalk In-Fill.** When there are opportunities, install missing sidewalk gaps.

23. **Front Setback Use.** The use of land within the front yard along State Street should be carefully considered to promote a pedestrian friendly streetscape. Public amenities such as landscaping, patios, fountains, outdoor dining and gathering spaces where public vistas can be enjoyed and street furniture, including refuse receptacles, bicycle parking and news racks are encouraged.

**Goal:** Maintain the backdrop of panoramic mountain views that contributes to the area's sense of place. Protect or establish intermittent and recurring mountain view corridors and viewing locations.

**Guidelines:**

**24. Three-Story Buildings.** A typically acceptable building size, mass, bulk, scale and height in the Upper State Street area is a two-story development. When structures are proposed to be over two-stories, the following development features would contribute to achieving a size, mass, bulk, and scale which is compatible with development in the Upper State Street Area.

This guideline is intended to help with interpretation of Compatibility Analysis Criteria #3 listed in Chapter 5 on page 5-4.

- a. View opportunities or easements.
  - b. Usable open space.
  - c. Creek buffers and restoration, and where feasible, public access and pedestrian connectivity along creeks.
  - d. Pedestrian amenities.
  - e. Improved circulation and connectivity.
  - f. Long term easements, operations and maintenance agreements to assure pedestrian and transit amenities and future transit improvements and right of way needs.
  - g. Removal of parking lot barrier between separate properties
- 25. View.** Protect and/or create mountain views when siting new buildings, parking, and streetscapes. See Guideline 17 regarding parking placement strategies to protect views.
- 26. Viewing Locations.** Redevelopment of parking lots on the south side of State Street must include public viewing locations for scenic mountain views.
- 27. Step Buildings.** Consider stepping upper stories back as one design solution to create view corridors.
- 28. Intersection Views.** Protect views at corners that intersect with State Street.
- 29. Landscaping and Trees.** Provide appropriate designs and plant species within landscape plans to frame views but not substantially block them.

**Goal:** Maintain, enhance and create open space wherever feasible.

**Guidelines:**

**30. Open Spaces and Parks.** Create opportunities for private and public open spaces when siting development, including pocket parks, passive open spaces, and landscaping. Recognize various populations that have park needs, including all ages, and both residents and persons that come to shop or recreate, for example, passive open space, tot lots, skate parks, dog walking areas, and outdoor amphitheatres. Bear in mind the

beneficial health impact of landscaped open spaces on air quality in the Upper State Street Area.

31. **Relationship to Nearby Uses.** Open spaces and parks should be located in relationship to other compatible and supportive activities and land uses such as retail, offices, entertainment venues and transit routes.

32. **Underground Parking and Open Space Opportunities.** More opportunities for greater ground level open space can be created with projects featuring underground parking structures, since surface level parking is often reduced or eliminated. Projects with underground parking should explore opportunities to create additional open space on the ground level.

33. **Plaza Elements.** Incorporate elements as a part of new development which establish street presence and a sense of open space such as plazas, paseos, pedestrian resting areas and bulb-outs for bus waiting areas.

34. **Seating.** New public spaces should provide as many seating opportunities as possible. Wherever possible provide seating adjacent to bus stops.

35. **Pedestrian Mobility.** For new developments, plazas, courtyards, fences and widened sidewalks should be strategically placed in accordance with an overall open space plan to enhance pedestrian mobility.

**Goal:** Protect and enhance San Roque and Arroyo Burro Creeks.

**Guidelines:**

36. **Creek Protection.** Restore creek areas, reduce impervious surfaces, increase creek buffers and building setbacks from creeks; implement the use of water quality best management practices, native plantings, and integrated pest management near creeks.

37. **Development Orientation.** N/A

38. **Creekside Paths.** N/A

39. **Street Presence.** Establish better street presence of creek locations on State Street to increase public awareness of creeks and provide points of orientation and identity along State Street. For example, include pocket parks and signage to delineate creek and trail locations.

**Goal:** Encourage variation of building sizes, and require the height, bulk, mass and scale of buildings to be compatible within the context of respective blocks and sub-areas, and proportional to parcel size.

**Guidelines:**

40. **Compatibility Analysis.** Carefully consider the required Compatibility Analysis Criteria listed in Chapter 22.68 of the Santa Barbara Municipal Code to ensure that development is compatible within the context of the block, neighborhood, and sub-area.

41. **Height Compatibility.** Scale, proportion, and character of existing development within the surrounding sub-area should be evaluated to consider the appropriate height. Building height should be in scale and proportion with their setbacks should be compatible with adjacent buildings and should have human scale.

**Goal:** Achieve high appropriate quality aesthetically pleasing architecture within the Upper State Street Area.

**Guidelines:**

42. **Architectural Elements.** Architectural features which help to soften and humanize a building are recommended. These include arches, columns, trellises, deeply recessed windows and doors, moldings and built up planters.

43. **Architectural Style.** All styles of architecture must be compatible with their respective neighborhood and must also enhance Santa Barbara's distinctive architecture by designs which are in the context of the ambiance and charm which exemplifies Santa Barbara. (See Neighborhood Compatibility section, above.)

44. **Color in Architecture.** Light colors typical of those found in Mediterranean buildings is preferred. This includes pastels and mottled color combinations.

45. **Entrances.** Entries should be generously proportioned and visually transparent to encourage connections to the public realm. Main entrances should address the street. Secondary entrances may be located to connect to parking.

46. **Exterior Finishes.** The use of plaster as an exterior material is encouraged. Additional quality materials such as wood, masonry or tile may also be used. An appropriate mix of materials may be employed to add variation and articulation to architectural forms and styles. Excessively reflective or mirrored exterior materials shall be avoided. Glazing and fenestration should be used in a manner which is consistent with the proposed building's architectural style. Larger glazing areas should be articulated to provide scale to openings. Glass which is excessively tinted or mirrored shall be avoided.

47. **Building Facades.** The facade of a building, particularly at street level has a direct effect on its relationship to the public realm. Its qualities of openness, detailing, setbacks and ornamentation contribute to how welcoming a presence it presents to the passerby.

48. **Street Facades.** To encourage a more pedestrian-friendly streetscape, street facades shall contain storefronts, windows, entries and other scalegiving architectural elements. Facades shall strive to create a visual and physical connection between a building's interior activities and the pedestrian streetscape to create visual interest for pedestrians. Expanses of blank walls, excessive grade changes, large, raised planters and other physical and visual obstacles between the pedestrian and a building's contents isolate the pedestrian and therefore should be avoided.

49. **Ground-Lit Signage** is encouraged so as to integrate with the rest of the exterior lighting of the building.

50. **Roofs.** Sloping tile roofs are preferred. Conventional roof forms are most acceptable. Properly treated flat roofs are acceptable particularly when used in conjunction with other roof forms or traditionally treated parapets or wall elements.

**Goal:** Encourage the generous planting of landscaping as part of development proposals and encourage skyline trees where appropriate. Ensure landscaping is compatible with the natural environment.

**Guidelines:**

51. Mature skyline and canopy trees bordering State Street should be preserved and protected. Removal of trees could be considered where views can be enhanced or created.

52. Where planting space permits and views would not be impeded, encourage the planting of large skyline trees such as *Platanus racemosa* (California Sycamore) and canopy trees bordering State Street. Select trees that are visually compatible with the existing street trees.

53. Landscape design should identify entrances to buildings and parking lots, direct traffic and pedestrian flow, and screen objectionable views (i.e. trash enclosures, backflow preventers, etc.).

54. For projects near creeks, the preservation and enhancement of the natural creek areas is encouraged. Planting should be California native riparian species (e.g. *Platanus racemosa* (California Sycamore), *Quercus agrifolia* (Coast Live Oak), etc.).

55. Use flush tree grates around tree trunks and steel reinforced paving around planters in sidewalk areas. Root barriers should be installed where buttressing root species are planted.

56. Tree planting design should not be compromised by lighting requirements; however, adequate lighting for safety at night is to be provided.

57. Encourage foundation planting where planting does not obscure window displays.

58. Appropriate design techniques such as the following should be incorporated to make a proposed development compatible with the existing environment:

a. Preserve and incorporate existing natural and landscaping features and mature trees into new development;

b. Select landscaping elements that are appropriate to the site and complement the area's overall character.

59. Use landscaping elements that complement the characteristics of nearby developments.

**Goal:** Reduce access points to Upper State Street that conflict with through travel.

**Guidelines:**

60. **Shared Driveway Access and Parking at Existing Development.** Explore opportunities for shared access and parking to reduce the number of driveways to Upper

State Street and attempt to pool parking supplies for more efficient use of space and parking capacities. Wherever possible, remove existing barriers between parking lots and do not construct new barriers between parking lots.

**61. Access Management.** Development projects should incorporate the following access management techniques:

- a. Achieve uniform spacing of driveways along the street as much as possible.
- b. Require complete on-site circulation including safe pedestrian paths.
- c. Ensure design of adequate driveway throat length to avoid a conflict with the flow of off-site traffic and provide adequate corner clearance.
- d. Orient lots, buildings, and access points to side streets when feasible.

**Goal:** Improve pedestrian and bicycle facilities within the corridor, and increase connectivity between parcels and between the commercial corridor and surrounding neighborhoods. Implement streetscape improvements and pedestrian and bicycle connections through private projects.

**Guidelines:**

**62. Pedestrian Connections.** Improve sidewalk connections along cross streets and establish more paseo connections through parcels to increase pedestrian connectivity throughout the corridor as parcels are redeveloped. (See Figure 8 for locations for cross-street sidewalk improvements, and blocks where new mid-block pedestrian paseos would improve connectivity.) Establish long-term operation and maintenance agreements to assure paseos' availability for public use.

**63. Bicycle Parking.** Provide quality bicycle parking for both the public and employees, consistent with the Bicycle Master Plan.

**64. Bicycle Connections.** Where bicycle paths are near proposed major development, opportunities to connect the parcel to the paths should be pursued.

**Goal:** Improve transit facilities and service, and encourage increased ridership.

**Guidelines:**

**65. Relocate Bus Stops.** Relocating bus stops situated on the near side of traffic signals to the far side of traffic signals benefits the flow of vehicle through traffic. Also, as part of the land development projects and as MTD funding permits, bus stops can be moved off of sidewalks to improve pedestrian circulation. For example, as part of any major development, property owners should work with MTD to relocate the bus stop westbound at 1635 State Street.

**66. Additional Bus Turnout Pockets.** Bus turnout pockets are currently located along a number of blocks of State Street in both the eastward and westward directions. Bus pockets reduce the amount of lane changing by vehicles attempting to pass stopped buses, and thereby improve through traffic flow and safety. As part of any major development,

property owners should work with MTD to develop additional bus turnout pockets at the following locations:

- State Street/Ontare Road. The eastbound bus stop on the south side of State Street at Ontare Road has limited right-of-way to develop a bus turnout pocket and would need an additional 12 feet of right-of-way across the frontage of the car wash, and existing access drives for the car wash and hotel would need to be modified.
- State Street/Toyon Drive. A stand-alone westbound bus turnout pocket should be developed on the north side of State Street. Alternatively, a right-turn lane for westbound State Street traffic turning right at Toyon Drive could be added with enough room to also be used as a bus stop.

**Goal:** Implement quality, appropriate transportation improvements in a timely manner.

**Guideline:**

**67. Additional public-private partnership transportation improvement projects.** In addition to public-private partnership projects described in this chapter, incorporate other public-private partnership transportation improvement projects as described in the Upper State Street Study Area to the maximum extent feasible in private development projects. Public-private partnership transportation improvement projects described in the Upper State Street Study include the following:

- a. Signal Phasing Modifications
- b. Traffic Signal at McCaw/Las Positas
- c. Traffic Volume Monitoring
- d. Intelligent Transportation System (ITS)
- e. Additional Raised Medians
- f. Pedestrian/Bike Routes
- g. Relocation of State Street/Calle Palo Colorado Crosswalk
- h. Reconfiguration of State Street/De la Vina Street Intersection
- i. Transit Facility Improvements