City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE: May 3, 2018
AGENDA DATE: May 10, 2018
PROJECT ADDRESS: 1062 Coast Village Road (MST2016-00451)

TO: Planning Commission
FROM: Planning Division, (805) 564-5470, extension 4560
       Beatriz Gularte, Senior Planner
       Kathleen Kennedy, Associate Planner

I. PROJECT DESCRIPTION

The proposed project consists of the demolition of an existing 14-unit apartment building and
carport and the construction of a new 37,116 square foot (net), mixed-use development on a
25,554 square foot (0.59 acre) lot. The proposed project includes nine, two-story, three-bedroom
residential condominium units (totaling 20,651 sq. ft.) and one 874 square foot (net) commercial
condominium unit, a subterranean garage with 23 parking spaces (totaling 15,591 sq. ft.). The
residential units would range in size between 2,005 and 2,585 square feet and each would have
a roof deck. The building heights would range between 21’ and 38’-7”. The project involves
7,600 cubic yards of cut and 50 cubic yards of fill. Eight trees would be removed (seven Canary
Island Pines, one Gold Medallion) and five trees would be preserved (three Canary Island Pines,
one Coast Live Oak, one Black Acacia). A total of 42 new trees would be planted, including two
street trees. A 3.33 foot wide easement would be dedicated to the City in order to widen the
sidewalk on Coast Village Road.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

A. A Coastal Development Permit (CDP2017-00009) to allow the proposed development in the
   Non-Appealable Jurisdiction of the City’s Coastal Zone (SBMC §28.44.060);

B. A Vesting Tentative Subdivision Map for a one-lot subdivision to create one (1) commercial
   condominium unit and nine (9) residential condominium units (SBMC Chapters 27.07, 27.13
   and 27.20);

C. A Modification to allow encroachments into the required interior setback (SBMC §28.63.060
   and SBMC §28.92.110); and

D. A Modification to allow less than the required distance between buildings (SBMC

APPLICATION DEEMED COMPLETE: April 24, 2018
DATE ACTION REQUIRED PER MAP ACT: July 13, 2018
III. **RECOMMENDATION**

With approval of the proposed modifications, the project would conform to state and local requirements for Tentative Maps, the City's Zoning and Building Ordinances and policies of the General Plan and Local Coastal Plan. In addition, the size and massing of the project are compatible with the surrounding neighborhood and public improvements consistent with the Pedestrian Master Plan and the Circulation Element are proposed along the property frontage. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section IX of this report, and subject to the conditions of approval in Exhibit A.

IV. **BACKGROUND**

An application for the proposed project was submitted for Pre-Application Review Team review in September of 2016 and for formal review in September 2017 (see Exhibits B-Site Plan and C-Applicant’s Letter). Reviews by Santa Barbara County boards were also conducted.

**Coordinated City and County Review Process.** The City and County of Santa Barbara staff formalized a coordinated review process for projects located along Coast Village Road (see Exhibit D - Memo). In compliance with the process, the proposed project was reviewed by the Montecito Association Land Use Committee, Montecito Planning Commission, and Montecito Board of Architectural Review. The comments received about the proposal are summarized below.
The Montecito Association Land Use Committee received a presentation by the project architect on November 7, 2017 (see Exhibit E-Minutes). The Committee expressed concerns about the size and scale of the project; privacy for the neighbors; parking; removal of trees; loss of rental units; number of bedrooms; and the potential for nonresident owners. The Committee appreciated that the applicant team met with the neighbors and made some revisions to address their concerns.

The Montecito Planning Commission received a presentation by City staff on November 15, 2017 (see Exhibit F-Comments). Some Commissioners expressed concerns about the privacy of neighbors in relation to the roof decks and associated noise and lighting; proposed ingress/egress; trash pick-up; inadequate parking; construction traffic; loss of trees; landscaping; architectural design; scale and overbuilding of the site; and loss of affordable housing. Some Commissioners suggested that the public noticing radius be enlarged; story poles be required; the telephone pole be removed; the stairway windows be frosted; the Juliet balconies be removed; the roof top utilities be camouflaged; and the separation between buildings be increased, and some units be one-bedroom units.

The Montecito Board of Architectural Review received a presentation by the project architect on November 30, 2017 (see Exhibit G-Minutes). The Board expressed concerns about Fire Department response time; privacy of neighbors in regard to the roof decks; loss of trees and too much biomass; site being overbuilt especially in the rear; and that the project should be reduced in scale. The Board suggested that the project provide more of a community benefit, that the City take their comments seriously, and that policy issues related to parking, density, and affordable housing be addressed.

**Responses to Comments.** After the project was reviewed by the Santa Barbara County boards discussed above, the project was revised and then reviewed again by the City’s Architectural Board of Review (see Design Review section below). The following responds to the main comments by the Santa Barbara County boards.

- Neighborhood privacy issues concerning noise and lighting on roof decks have been addressed by moving the parapets of the roof decks inward, increasing the height of the roof deck parapet for unit 8, adding a 6 foot tall hedge along the roof deck of unit 9, adjusting the size and location of windows, eliminating two Juliet balconies, and having the stairway windows be frosted. The project will be required to direct any outdoor lighting downward, consistent with City guidelines.
- The initial proposal included the removal of all onsite trees. The project has been revised to address the concern about the loss of trees. A greater setback from the northern property line is proposed in order to retain the row of five trees (three Canary Island pines, one Coast Live Oak and one Black Acacia) at the back of the site. An additional 42 trees would be planted, including two street trees.
- The revised project received positive comments from the ABR on the proposed design and landscaping. Story poles will be installed prior to the Planning Commission public hearing.
- Parking has been determined to meet the requirements for both residential and commercial uses on the site. The proposed ingress/egress and trash pick-up areas have been reviewed by the staff and determined to meet the required standards.
- The project site consists of 14 rental units that were built in the 1950’s. They have not been rented at an affordable level. It is understood that the site would at some point be
subject to redevelopment. The proposal seeks to accommodate a need for additional commercial space on Coast Village Road and additional market-rate residential units in the area. The proposed project with nine three bedroom units meets the variable density requirements of the zone. The City cannot regulate the potential for nonresident owners to purchase the units.

- The City’s Fire Department indicates that responses from Station 2, located at 819 Cacique Street, are within established National Fire Protection Association standards and has been serving Coast Village Road since this area was developed. Station 2 covers the Coast Village area through to Olive Mill Road.
- It is anticipated that some construction staging would need to occur on Coast Village Road subject to a temporary right of way encroachment permit. Off-site parking for construction vehicles would be required as they would not be allowed to park on the street.
- The public noticing radius for the project is consistent with the standard requirements for all City projects. In this case, the Santa Barbara County boards have been sent notices as well and have been notified that story poles will be installed.
- Roof top utilities have not yet been delineated. A condition of approval has been added that they be screened.
- The existing telephone pole is located off site, in front of the adjacent property to the east, therefore, the removal has not been added as a condition of approval.

V. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Cearnal Collective</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner:</td>
<td>David Back and Monika Driggoo, Trustees</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Site Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Number:</td>
</tr>
<tr>
<td>Lot Area:</td>
</tr>
<tr>
<td>Local Coastal Plan:</td>
</tr>
<tr>
<td>General Plan:</td>
</tr>
<tr>
<td>Zoning:</td>
</tr>
<tr>
<td>Existing Use:</td>
</tr>
<tr>
<td>Topography:</td>
</tr>
<tr>
<td>Adjacent Land Uses</td>
</tr>
<tr>
<td>North - Residential</td>
</tr>
<tr>
<td>South - US Highway 101</td>
</tr>
</tbody>
</table>

B. PROJECT STATISTICS

<table>
<thead>
<tr>
<th></th>
<th>Bedrooms</th>
<th>Floor area (net)</th>
<th>Private Garage (net)</th>
<th>Required Private Outdoor Living Space</th>
<th>Roof Deck</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit 1</td>
<td>3</td>
<td>2,442 sq. ft.</td>
<td>758 sq. ft.</td>
<td>96 sq. ft.</td>
<td>581 sq. ft.</td>
</tr>
</tbody>
</table>
VI. ZONING AND POLICY CONSISTENCY ANALYSIS

A. ZONING ORDINANCE CONSISTENCY

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement/ Allowance</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Setback</td>
<td>10’</td>
<td>0’</td>
<td>10' (measured from 3.33’ dedicated easement)</td>
</tr>
<tr>
<td>Interior Setback (adjacent to residential zone)</td>
<td>10’ or ½ the building height, whichever is greater</td>
<td>East side: 7’-4” Rear: 25’-7”</td>
<td>East side: varies from 12’ to 16’-4” Rear: varies from 21’-6” to 29’-9”</td>
</tr>
<tr>
<td>Interior Setback (adjacent to nonresidential zone)</td>
<td>No setback required</td>
<td>East side: apartments: 7’-4” carport: 18’ West side: apartments: 5’ to 61’ carport: 17’</td>
<td>East side: varies from 1.5’ to 13’-6” West side: varies from 0’ to 11’</td>
</tr>
<tr>
<td>Building Height</td>
<td>3 stories and 45’</td>
<td>2 stories and 23’</td>
<td>2 stories above underground parking; Varies from 21’ to 38’-7”</td>
</tr>
<tr>
<td>Building Height (adjacent to residential zone)</td>
<td>Height shall not exceed 25 feet (next to County R-1) or 30 feet (next to City E-1) within a distance of 23 feet from the property line or 1/2 the height of the proposed structure, whichever is less.</td>
<td>Conforms</td>
<td>Conforms East side (next to County R-1): 24’ high within 13’-6” of property line East side (next to City E-1): 28’-6” high within 14’-3” property line Rear (next to County R-1): no structures within 1/2 the height of building</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>--------</td>
<td>---------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Parking - vehicles</td>
<td>23 spaces total: 2 spaces per each 3-bedroom unit; 1 guest space per every 4 units; 1 space per each 250 sq. ft. of commercial space</td>
<td>15 spaces</td>
<td>23 spaces: 18 residential 2 residential guest 3 commercial</td>
</tr>
<tr>
<td>Parking - bicycles</td>
<td>1 space: 1 per each 7 commercial spaces</td>
<td>N/A</td>
<td>2</td>
</tr>
<tr>
<td>Lot Area Required for Each Unit (Variable Density)</td>
<td>2,800 sq. ft. of lot area required for each three-bedroom unit; 2,800 x 9 units=25,200 sq. ft. required</td>
<td>N/A</td>
<td>The net lot area is greater than 25,200 sq. ft.</td>
</tr>
<tr>
<td>Distance Between Buildings</td>
<td>15’</td>
<td>23’</td>
<td>Less than 15’ in some areas *</td>
</tr>
<tr>
<td>Private Outdoor Living Space</td>
<td>3-bedroom units: On grade: 160 sq. ft. or Second floor or higher: 96 sq. ft.</td>
<td>N/A</td>
<td>Unit 1: 2nd floor deck Units 2-9: on-grade patios</td>
</tr>
<tr>
<td>Open Space</td>
<td>10% of lot area= 2,522 sq. ft.</td>
<td>N/A</td>
<td>35% of lot area provided: 8,825 sq. ft.</td>
</tr>
<tr>
<td>Common Open Area</td>
<td>15’ by 15’ area</td>
<td>N/A</td>
<td>Provided on first level in paseo</td>
</tr>
</tbody>
</table>
Lot Coverage
- Building  6,303 sq. ft.  25%
- Paving/Driveway  9,582 sq. ft.  38%
- Landscaping  9,330 sq. ft.  37%

*Modification requested

The proposed project is located in the C-1, Limited Commercial and SD-3, Coastal Overlay Zones. Due to the project’s location in the Coastal Overlay Zone, the project must comply with Title 28, The Zoning Ordinance and is proposed under variable density standards. The Average Unit Size Density Incentive Program is not in effect in the Coastal Overlay Zone. With the approval of the Modifications described below, the project would meet all requirements of Title 28, The Zoning Ordinance.

1. Modifications

   a. Interior Setback Modification

      The project site is adjacent to a commercial zoned property to the west (currently a restaurant), residential zoned property to the north, and both residential and commercial zoned properties to the east. There is no interior setback requirement adjacent to a commercial zoned property. The interior setback requirement adjacent to a residentially zoned property is 10 feet or ½ the building height, whichever is greater. The requirement refers to the highest portion of the building (excluding architectural projections), not just the portion of the building located at the setback.

      The highest portion of the building containing units 7 and 9 is 27’; therefore, the required setback from the eastern property line is 13’-6". The two stairways in the building have a proposed setback of 12’; therefore, a Modification to allow the 1’-6” encroachments into the required setback is requested.

      The highest portion of the building containing units 3 and 5 is 28’-6”; therefore, the required setback from the eastern property line is 14’-3”. The two stairways in the building have a proposed setback of 12’ and two other portions of the building have proposed setbacks of 13’-6”; therefore, a Modification to allow the 2’-3” and 9” encroachments, respectively, into the required setback is required.

      Staff is in support of the minor encroachments into the required setbacks for all four stairways because in each instance the height of the stairway is only 24’ and the proposed 12’ setback is equal to ½ the height. This meets the intent of having the setback reflect the height of the building. The encroachments are minor, are appropriate in those locations, and would have a negligible impact on adjacent residential properties.

      Staff is also in support of the 9” encroachments for portions of units 3 and 5. Only a very small area located at the southern end of the building is 28’-6” in height, necessitating the required setback of 14’-3”; most of the building is 27’ high. At the northern end, where the building height is 27’, the proposed setback meets the intent of having the setback reflect the height of the building. In both cases, the 9” encroachments are minor, are appropriate in those locations, and would have a negligible impact on adjacent residential properties.
As discussed in the Design Review section below, the Architectural Board of Review (ABR) expressed support for the interior setback modifications.

b. Distance Between Buildings Modification

The project consists of five residential buildings over a subterranean garage and one commercial building. The required distance between buildings on the lot is 15 feet. Due to the configuration of the units, the proposed distances vary throughout the project, from a minimum of 5’ to greater than 15’ in some areas. A Modification to allow less than 15’ between buildings in some areas is requested.

In the main paseo, which runs north-south, the distances between the buildings would be a minimum of 12’ . The minimum distances in other areas, as shown on the sheet A-103 of the project plans, would be as follows: between buildings A and C (7’-6”); C and E (8’-5”); D and B (5’); and B and Commercial (12’-5”).

Staff is in support of the modification request because it is mostly interior to the development and does not detrimentally affect the apparent mass, bulk and scale of the project. It is consistent with the intent of the requirement to provide some space between the buildings since the development is divided into a total of six buildings rather than one large structure over the subterranean garage.

As discussed in the Design Review section below, the ABR expressed support for the modification as long as the main paseo was a minimum width of 12’.

2. Inclusionary Housing Ordinance

Projects involving new construction of for-sale residential units are subject to the City’s Inclusionary Housing Ordinance (SBMC Chapter 28.43). Applicants for developments of less than ten units may choose to provide either one unit as an owner-occupied Middle Income restricted unit or pay to the City an in-lieu fee equal to 5% of the in-lieu fee specified by SBMC §28.43.070.B, multiplied by the total number of dwelling units in the development. The project applicant has chosen to pay the fee, which would equal $211,275.00.

3. Nonresidential Growth Management Program (GMP)

The project site, being located on Coast Village Road, is eligible for a Minor Addition of 1,000 square feet; however, it is not eligible for a Small Addition allocation. The proposed project includes a request for 874 square feet of non-residential square footage from the Minor Addition category for the proposed commercial space. A project developing with only a Minor Addition is not subject to Development Plan review and approval.

4. Tenant Displacement Assistance Ordinance (TDAO)

The Tenant Displacement Assistance Ordinance applies to the project because the existing 14 rental units will be demolished as a result of the proposed project. Among the provisions of the TDAO is monetary displacement assistance in the amount of four times the median advertised rental rate or $5,000, whichever is greater. Compliance with the TDAO has been included as a condition of approval.
B. CALIFORNIA COASTAL ACT AND LOCAL COASTAL PLAN CONSISTENCY

The project site is located within the Non-Appealable Jurisdiction of the Coastal Zone. Coastal Development Permit approval requires findings that the project would be consistent with the policies of the California Coastal Act, all applicable policies of the City’s Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Municipal Code. Applicable Coastal Act and Local Coastal Plan policies are discussed below.

California Coastal Act Policies

Coastal Act Section 30250 (Location; existing developed area) states in part: (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Discussion. The proposed project would be located on a lot that was previously developed with rental units within an existing developed neighborhood, along a commercial corridor, and would have access to adequate public services. The project would not have significant adverse effects on coastal resources. Therefore, the proposal can be found consistent with this policy.

Coastal Act Section 30251 (Scenic and visual qualities) states in part: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

Discussion. The proposed project would not impact views to or along the ocean given its location on the north side of Coast Village Road. Currently, there are intermittent views of the mountains along Coast Village Road and along Highway 101 in the general vicinity of the project site. Due to the topography of the project site (which slopes up to the north), and the existing 23 foot high apartment building and the existing tall trees, there are no significant views of the mountains across the project site. More significant views appear as one moves North along Highway 101.

Existing photographs and visual simulations from Coast Village Road and other adjacent areas were evaluated to determine the project’s compatibility with the neighborhood and whether any important scenic view of the mountains would be impacted. The proposed project will be higher in some areas than the existing development and will retain the row of tall trees at the rear of the site. The visual simulations demonstrate that the proposal would be compatible with the neighborhood and would not impact existing significant views of the mountains.

The Architectural Board of Review (ABR) found that the design of the project would be visually compatible with the surrounding area and would be an enhancement to the project site. Therefore, the proposal can be found consistent with this policy.

Coastal Act Section 30252 (Maintenance and enhancement of public access) states in part: The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities
within or adjoining residential development or in other areas that will minimize the use of coastal access roads,...

**Discussion.** The proposed project included both commercial and residential uses along an existing commercial corridor. Therefore, the proposal can be found consistent with this policy.

**City Local Coastal Plan (LCP) Policies**

The project site is located within Component 7 of the LCP, which includes the Coast Village Road corridor. No major coastal issues such as shoreline access, marine resources, environmentally sensitive habitat, coastal hazards, or scenic coastal views have been identified in the LCP for Component 7. There are no public easements on the project site and it is not located adjacent to, nor have access to, any public natural resources. Issues which do apply generally to development of this area include views, recreational facilities, visitor-serving uses on Coast Village Road, and housing. These issues are discussed below.

**Visual Quality Policies**

**LCP Policy 9.1:** The existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced. This may be accomplished by: (1) Acquisition of land for parks and open space; (2) Requiring view easements or corridors in new development; (3) Specific development restrictions such as additional height limits, building orientation, and setback requirements for new development; (4) Developing a system to evaluate view impairment of new development in the review process.

**Discussion.** While no major coastal issue regarding scenic coastal views are identified for this site in the LCP, this area is identified on the Visual Resources Map of the LCP as having positive views towards the mountains. As stated above, currently, there are intermittent views of the mountains along Coast Village Road and along Highway 101 in the general vicinity of the project site. Due to the topography of the project site (which slopes up to the north), the existing 23 foot high apartment building and the existing tall trees, there are no significant views of the mountains across the project site.

The proposed project has been designed to be below the maximum allowed height of 45 feet for the zone. The ABR found that the design of the residence would be compatible with the surrounding area. As stated above, existing photographs and visual simulations from Coast Village Road and other adjacent areas were evaluated to determine the project's compatibility with the neighborhood and whether any important scenic view of the mountains would be impacted. The visual simulations demonstrate that the proposal would be compatible with the neighborhood and would not impact important existing views of the mountains.

Therefore, the proposal can be found consistent with this policy.

**Recreational Facilities**

**LCP Policy 3.3.** New development proposals within the coastal zone which could generate new recreational users (residents or visitors) shall provide adequate off-street parking to serve the present and future needs of the development.

The proposed project is not expected to generate new recreational users since there would be a reduction in the number of housing units; however, adequate off-street parking for the development is proposed.
LCP Policy 3.4. New development in the coastal zone which may result in significant increased recreational demand and associated circulation impacts shall provide mitigation measures as a condition of development including, if appropriate, provision of bikeways and bike facilities, pedestrian walkways, people mover systems, in lieu fees for more comprehensive circulation projects or other appropriate means of compensation.

Discussion. The proposed project is not expected to result in significant increased recreational demand; however, the sidewalk would be widened in accordance with the Pedestrian Master Plan.

As proposed, the project would be consistent with LCP policies concerning recreational facilities.

Visitor-serving Uses on Coast Village Road

The LCP encourages the preservation of existing lower cost visitor-serving uses and the development of new visitor-serving uses where appropriate.

Discussion. The proposed project does not include the removal of any existing visitor-serving uses. Visitor-serving uses such as restaurants, small retail establishments, and art galleries, as well as offices, apartments, and condominiums are currently located along Coast Village Road. The specific use for the small commercial component of the proposed project has not yet been identified; however, it could become a visitor-serving use.

As proposed, the project would be consistent with LCP policies concerning visitor-serving uses.

Housing

LCP Policy 5.3. New development in and/or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. New development which would result in an overburdening of public circulation and/or on-street parking resources of existing residential neighborhoods shall not be permitted.

Discussion. The proposed project has been designed to be compatible with the surrounding residential and commercial uses. The project provides the required number of parking spaces onsite for both the proposed residential and commercial uses.

LCP Policy 5.6. To the maximum extent feasible, taking into account economic, environmental, social, and technological factors, provisions for low- and moderate-income housing in all new residential developments shall be provided.

Discussion. The proposed project is subject to the City’s Inclusionary Housing Ordinance and must either provide one unit as an owner-occupied Middle Income restricted unit or pay to the City an in-lieu fee. The project applicant has chosen to pay the in-lieu fee.

As proposed, the project would be consistent with LCP policies concerning housing.

C. GENERAL PLAN CONSISTENCY

Land Use Element

The project site is located in the Coast Village neighborhood, which is a predominantly commercial corridor with some older residential development.

The General Plan anticipated that the commercial uses would expand in this area and that residential development would also occur. The proposed project is consistent with the vision for this area and therefore, consistent with the Land Use Element.
Housing Element

Santa Barbara has very little vacant or available land for new residential development and, therefore, City housing policies support buildout of infill housing units in the City’s urban areas where individual projects are deemed appropriate and compatible. A goal of the Housing Element is to encourage construction of a wide range of housing types to meet the needs of various household types and to assist in the production of new housing opportunities which vary sufficiently in type and affordability to meet the needs of all economic and social groups. The proposed project would provide market rate, ownership residential units. The project would be consistent with housing policies, as it would provide housing as part of a mixed-use development. The development would provide for homeowner opportunities in a neighborhood with close proximity to shopping, the beach and Highway 101. Therefore, the proposed project is consistent with the Housing Element.

Conservation Element

One goal of the Conservation Element is to maintain the scenic character of the City by preventing unnecessary removal of significant trees and encouraging the cultivation of new trees. This goal is met by the preservation of the five large trees at the back of the site and the planting of 42 additional trees, including two street trees. Also, one policy is that new development should not obstruct views of the upper foothills and mountains from the lower elevations of the City. As described previously, the proposed project would not block existing views of the mountains. Therefore, the proposed project is consistent with the Conservation Element.

Circulation Element

In accordance with the guidelines and policies of the Pedestrian Master Plan, a 3.33 foot wide easement would be dedicated to the City in order to provide the required 0.5 foot wide curb, 4 foot wide parkway (furnishing zone) and 8 foot wide sidewalk (through pedestrian zone). The 2.5 foot wide frontage zone would be provided onsite.

The proposed project is consistent with Circulation Element policies regarding the widening of sidewalks, as well as the installation of street trees between the sidewalk and road.

D. SUBDIVISION ORDINANCE (TITLE 27)

1. VESTING TENTATIVE SUBDIVISION MAP (SBMC CHAPTER 27.07 AND 27.20)

The Tentative Subdivision Map is required to comply with the State’s Subdivision Map Act, City’s Zoning Ordinance, and the City’s General Plan.

The Tentative Subdivision Map complies with the State’s Subdivision Map Act and meets all of the requirements of the City’s Subdivision Ordinance. The zoning designation for the project site is C-1, Limited Commercial, which permits commercial and residential uses. As discussed above in Section VI.A, the proposed mixed-use development would be consistent with the Zoning Ordinance. The Tentative Subdivision Map and the proposed development is consistent with the General Plan, as discussed above in Section VI.C.

The findings for approval of the Tentative Subdivision Map also include the physical suitability of the site for the proposed development and whether the project will cause environmental damage, public health issues, affect access to public resources, or violate
water quality requirements. As described in Section VI. A, the project site is suitable for the proposed development. As described in Section VII, the project will not result in environmental damage, public health issues, or water quality violations. The project site does not provide access to any public natural resources.

2. **NEW CONDOMINIUM DEVELOPMENT (SBMC CHAPTER 27.13)**

In addition to the requirements of the zone, the required physical standards for residential condominiums, as described in SBMC §27.13.060, have been met as follows:

a. Parking. The project will satisfy the parking requirements (SBMC §28.90.100) by providing each residential condominium unit with two parking spaces in a private garage and by providing the required two guest parking spaces.

b. Private Storage Space. In accordance with the provisions of this Section, the requirement for each unit to have at least 300 cubic feet of storage is waived because each unit would have a separate enclosed garage.

c. Separate Utility Metering. All utilities (e.g., gas, electricity, water and sewer) will be metered separately for each unit in accordance with the provisions of this Section.

d. Laundry Facilities. Laundry facilities will be provided in each unit.

e. Public Improvement Districts. The requirement that the applicant waive the right, through deed restriction, to protest the formation of public improvement districts has been included as a condition of approval.

f. Density. The project includes nine residential units, which is the maximum number of three-bedroom units allowed on the lot; therefore, the project complies with the variable density requirements specified in SBMC §28.21.080.

g. Unit Size. The requirement that the enclosed living or habitable area of each unit shall be not less than 400 square feet is met because the smallest unit size is 2,005 square feet (net).

h. Outdoor Living Space. In accordance with SBMC §28.21.08, the required private outdoor living space is provided on the second floor for unit 1 and on the ground floor for units 2-9; the project provides more than the required 10% of the lot area as open space; and a common open area with the required minimum of fifteen feet by fifteen feet is provided within the paseo area.

i. Storage of Recreational Vehicles. The proposal does not include parking spaces for recreational vehicles. Therefore, staff has included a recorded condition that states that recreational vehicles shall not be stored on site.

VII. **ENVIRONMENTAL REVIEW**

The proposed project is within the scope of the Program environmental impact report (EIR) analysis for the General Plan because it would be part of the future development assumed and analyzed by the Program EIR.

Potential minor environmental effects of the proposed project would be addressed with existing development standards and regulations such as design review for visual resource considerations and standard construction conditions of approval.
Based on City Staff analysis, no further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183- Projects Consistent with the General Plan). City Council environmental findings adopted for the 2011 General Plan remain applicable for this project. The staff analysis and CEQA certificate of determination on file supports a required decision-maker finding that the project qualifies for the §15183 CEQA determination.

Staff reviewed the following technical reports as part of the environmental analysis of the proposed project.

- Air Quality, SBMC §22.65.040 Compliance, Letter (Dudek, 1/24/18)
- Demolition/Construction Criteria Air Pollutant Emissions Assessment (Dudek, 11/13/17)
- Biological Report (Dudek, 1/26/18)
- Arborist Letter (Winn, 10/16/17)
- Biomass Mitigation Letter (Arcadia Studio, 1/1018)
- Environmental Noise Study (Dudek, 12/26/18)
- Preliminary Geotechnical Investigation (PML, 8/16/17)
- Preliminary Drainage Analysis and Stormwater Compliance (Flowers & Assoc., 2/18)
- Water Use Memo (Dudek, 3/13/18)
- Certificate of Water Service (Montecito Water District, 12/27/16)
- Phase I Historic Site/Structures Report (Post/Hazeltine Associates, 7/12/16)
- Visual Simulations (Cernahl, 4/5/18)
- Traffic Analysis (City Staff, 2018)

Below is a discussion of key environmental issue areas.

**A. Air Quality.** The subject site is located within 250 feet of the freeway. Projects in the City are evaluated under Air Quality Design Standards for siting of sensitive land uses near Highway 101. The proposed project has demonstrated compliance with these standards based on the following combination of project components that would reduce potential effects of highway exhaust emissions on residential uses.

1. The commercial portion, not considered a sensitive land use, is located at the southeast end of the property, closest to the highway. Two street trees and a sycamore tree will be planted between the residential units and the highway.
2. The required private outdoor living areas and the entry doors of the residential units are shielded by buildings, vegetation or face away from the highway.
3. There is a 50-foot wide densely vegetated area between the project and the highway.
4. The roof decks of Units 1 and 2 include a six-foot tall hedge to provide protection from airflow from the highway. The roof deck of Unit 3 includes a south facing solid wall to provide protection from airflow from the highway. The roof deck for Unit 4 would be screened by Unit 2 to the south.
5. The project includes a mechanical ventilation system for both the residential and commercial units of the development. The air intakes are located on the outside of the building facing away from the highway. In addition, the project will incorporate MERV
13 air filters into all mechanical ventilation systems, not just those that are within 250 feet of the highway.

**B. Trees.** The existing project site has ten mature Canary Island Pine trees, one Gold Medallion tree, one Black Acacia, and one Coast Live Oak. Seven of the Canary Island Pine trees and the Gold Medallion tree would be removed. Initially, all of the trees onsite were to be removed. In response to comments received on the project, the width of the rear setback was increased and the five trees that line the rear of the site would now be protected. Monitoring of the onsite trees to be protected, as well as the adjacent trees (2 podocarpos and a ficus hedge), would occur during construction. The proposed landscape plan includes the planting of 40 new trees on the project site, as well as two new Jacaranda street trees. This results in a 6:1 replacement ratio, which is greater than the City’s recommended replacement ratio of 5:1 for the City’s most protected tree, the Coast Live Oak.

**C. Biological Resources.** A Biological Report was prepared to evaluate the existing biological value on the project site and to determine whether the proposed planting of 42 new trees would be sufficient to replace the biomass of the existing trees to be removed. The report states that the project site provides low to moderate biological value for common bird species, no critical habitat for special status plant or wildlife species, and does not provide a wildlife corridor. Long-term biological resource impacts from the project would be less than significant. The report further states that the 75% biomass replacement within 10 years would fully mitigate the loss of the biological value of the trees to be lost. It should be noted that with the retention of an additional tree at the rear of the project, and the planting of 42 new trees on the site, 95% of the biomass would be replaced within 10 years.

Nesting birds are protected under the Migratory Bird Treaty Act and the California Fish and Game Code. Construction activities could result in the loss of active nests on the project site; therefore, a pre-construction nesting bird survey and construction buffers have been added as conditions of approval.

**D. Noise.** An Environmental Noise Study was prepared to evaluate the potential for both long-term operational (exterior and interior) and short-term construction noise-related impacts of the proposed project.

The report concludes that future average noise levels within the required private outdoor living spaces for the residential units would be within the City’s adopted exterior noise criterion of 65dBA CNEL (24 hour average).

The interior noise level in the residential buildings immediately adjacent to Coast Village Road could potentially exceed the City and State’s interior noise criterion of 45 dBA CNEL, unless specific noise control construction materials and techniques are incorporated. A condition of approval has been included that requires an interior noise analysis to be submitted prior to the issuance of building permits, in order to determine whether a mechanical ventilation and/or air conditioning system and sound-rated windows would be required to comply with the Building Code interior noise criterion of 45 dBA CNEL.

Short-term construction noise over an estimated period of approximately 16 months would vary in levels with intermittent higher nuisance noise effects to surrounding areas. Temporary nuisance noise effects would be reduced with the implementation of the standard conditions of approval regarding noticing, construction hour limitations, and equipment shielding, and
the installation of temporary sound barrier walls along most of the perimeter of the project site.

E. **Phase I Historic Site/Structures Report.** The Historic Structures Report accepted by the Historic Landmarks Commission determined that the property was not eligible for listing as a significant historic resource. The report recommended that the existing sandstone be reused on site, and that a plaque be installed to commemorate architect Sherrill Broudy’s role in transforming Coast Village Road in the Post World War II period. These measures have been added to the proposed conditions of approval.

F. **Visual Resources.** Existing photographs and visual simulations from Coast Village Road and other adjacent areas were evaluated to determine the project’s compatibility with the neighborhood and whether any important scenic view of the mountains would be impacted. Currently, the existing structures and tall trees block views of the mountains from the public street. The visual simulations demonstrate that the proposal would be compatible with the neighborhood and the project would not impact any existing views of the mountains from the public.

G. **Traffic.** Transportation Planning Staff completed a traffic analysis of the potential effects of the proposed project on traffic congestion and determined that it would not constitute a project specific traffic impact on identified intersections per City impact thresholds. The program EIR for the 2011 General Plan provided a citywide cumulative traffic analysis to the year 2030. The proposed project is within the growth assumptions of the EIR analysis and it is considered to contribute to the cumulative effects identified in the Program EIR. In approving the Program EIR, Council made a statement of overriding considerations for cumulative traffic impacts; therefore, no mitigation measures are required.

VIII. **DESIGN REVIEW**

The project was reviewed by the Architectural Board of Review (ABR) on three separate occasions (see Exhibit H-ABR Minutes). On January 17, 2017, the Board was appreciative of the project design and provided suggestions regarding additional screening, meeting with neighbors, salvaging trees, and varying the height of the project.

On July 3, 2017, the Board was appreciative of the direction of the project, architectural style, and massing; provided suggestions regarding neighbor privacy issues and scaling back the roof decks; and requested additional information about how the proposal relates to the adjacent properties in terms of grading and building heights.

On February 26, 2018, the Board found that the Compatibility Analysis Criteria were satisfied stating that the proposal is appropriate in size, mass, bulk, height, and scale, including the 11 foot floor to floor height, because the height is pulled back from the street and not perceived as a high building from the street; and that the proposal includes an appropriate amount of open space and landscaping, particularly because the buildings have been moved away from the north and east property lines to preserve trees and allow for additional planting.

The majority of the Board Members supported the interior modification with the condition that the paseo running north-south be a minimum width of 12 feet. All Board Members supported the modification request for the interior setback encroachments along the eastern property line. The Board appreciated that the buildings were being moved further away from the northern property line at the back of the site and the large trees along the rear were being preserved.
The Board suggested further study about the close proximity of unit 1 to the property line and the large windows of units 5 and 7 in regard to neighbor privacy, as well as requested continued dialogue with the neighbors.

At the suggestion of the ABR, the Landscape Architect on the Historic Landmarks Commission reviewed the landscape design and stated that the open space appears to be generous relative to the building and the plantings were appropriate. However, the use of Magnolia trees was questioned in regard to the close proximity to the patios and building due to their potential size.

Since the last ABR hearing, the plans were revised to have a minimum width of 12’ at the paseo. The portion of unit 1 that was previously at the property line has been setback 1.5 feet. Additional revisions to address neighbor privacy concerns were made, including the removal of two balconies, relocation of a window, and a change from the proposed 6 foot tall hedge on unit 8 to a higher parapet. The Black Acacia tree in the rear will no longer be removed, which results in all the trees along the northern property line being protected.

As discussed above in Section IV (Background), revisions made through the ABR design process also address concerns with raised during the reviews by the Santa Barbara County boards.

IX. FINDINGS

The Planning Commission finds the following:

A. ENVIRONMENTAL REVIEW

The project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15183, based on the City staff analysis and the CEQA Certificate of Determination on file for this project.

B. INTERIOR SETBACK MODIFICATION (SBMC § 28.63.060 and SBMC §28.92.110)

As described in Section VI of the staff report, the interior setback modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot because the proposed setbacks either equal ½ the height of the building at the setback or the encroachments are very minor, are appropriate in those locations, and would have a negligible impact on adjacent residential properties.

C. DISTANCE BETWEEN BUILDINGS MODIFICATION (SBMC §28.21.070 and SBMC §28.92.110)

As described in Section VI of the staff report, the distance between buildings modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot because it does not detrimentally affect the apparent mass, bulk and scale of the project and is consistent with the intent of the requirement to provide some space between the buildings.

D. VESTING TENTATIVE SUBDIVISION MAP (SBMC CHAPTER 27.07 AND 27.20)

As described in Section VI of the staff report, the Tentative Subdivision Map is consistent with the Subdivision Map Act and the Zoning Ordinance.

As described in Section VI of the Staff Report, the project is consistent the policies of the City’s General Plan in the Land Use Element, Housing Element, Conservation Element, and Circulation Element by providing a mixed-use residential development that is compatible
with the surrounding neighborhood, conducting a coordinated review with Santa Barbara County, providing new housing, providing energy-efficient buildings and electric vehicle charging stations, minimizing dust and emissions during construction, preserving trees, and widening the existing sidewalk.

As described in Section VI of the staff report, the site is physically suitable for the mixed-use condominium development and the proposed density of the development.

As discussed in Section VII of the staff report, the design of the project will not cause substantial environmental damage, will not cause serious public health problems, and will not result in water quality violations.

As discussed in Section VI of the staff report, the design of the development will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed development and the project site is not located adjacent to, nor have access to, any public natural resources.

E. NEW CONDOMINIUM DEVELOPMENT (SBMC §27.13.080)

1. There is compliance with all provisions of Chapter 27.13 (Residential Condominium Development), including parking, private storage space, separate utility metering, laundry facilities, public improvement districts, density, unit size, outdoor living space, and storage of recreational vehicles, as described in Section VI of the Staff Report.

2. The project is consistent the policies of the City’s General Plan in the Land Use Element, Housing Element, Conservation Element, and Circulation Element by providing a mixed-use residential development that is compatible with the surrounding neighborhood, conducting a coordinated review with Santa Barbara County, providing new housing, providing energy-efficient buildings and electric vehicle charging stations, minimizing dust and emissions during construction, preserving trees, and widening the existing sidewalk, as described in Section VI of the Staff Report.

3. 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 because the design of the proposed project is compatible with the surrounding neighborhood, the project is adequately served by public streets, has adequate parking, and will not result in project specific traffic impacts, as described in Sections VI, VII, and VIII of the Staff Report.

F. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)

As described in Section VI of the Staff Report, the project is consistent with the policies of the California Coastal Act and all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code because no major coastal issues such as shoreline access, marine resources, environmentally sensitive habitat, coastal hazards, or scenic coastal views have been identified on the project site. Issues which do apply generally to development on Coast Village Road include views, recreational facilities, visitor-serving uses, and housing; however, the proposed project would not significantly block views of the mountains more than the existing trees and structures, increase recreational demand, would not negatively impact visitor-serving uses, would be compatible with the neighborhood, and would not overburden on-street parking.
Exhibits:

A. Conditions of Approval
B. Site Plan
C. Applicant's letter (3/15/18)
D. Coordinated City and County Review Process Memo (1/29/2010)
E. Montecito Association Minutes (11/7/17); Letter from President (11/14/17)
F. Montecito Planning Commission Comments (11/15/17)
G. Montecito Board of Architectural Review Minutes (11/30/17)
H. ABR Minutes (1/17/17; 7/3/17; 2/26/18)
PLANNING COMMISSION CONDITIONS OF APPROVAL

1062 COAST VILLAGE ROAD
VESTING TENTATIVE SUBDIVISION MAP, COASTAL DEVELOPMENT PERMIT, MODIFICATIONS
MAY 10, 2018

I. 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. Order of Development. In order to accomplish the proposed development, the following steps shall occur in the order identified:

1. Obtain all required design review approvals.
2. Pay Land Development Team Recovery Fee (30% of all planning fees, as calculated by staff) at time of building permit application.
3. Pay the displacement assistance in accordance with the Tenant Displacement Assistance Ordinance.
4. Pay Inclusionary Housing In-Lieu Fee.
5. Submit an application for and obtain City Council approval of the Final Map and Agreement(s) and record said documents.
6. Permits following recordation of Final Map.
   a. Submit an application for and obtain a Building Permit (BLD) for construction of approved development.
   b. Submit an application for and obtain a Public Works Permit (PBW) for all required public improvements.

Details on implementation of these steps are provided throughout the conditions of approval.

B. 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 concurrent with the Final Map, and shall include the following:

1. Approved Development. The development of the Real Property approved by the Planning Commission on May 10, 2018 is limited to one 874 square foot (net) commercial condominium unit and nine residential condominium units and the improvements shown on the Vesting Tentative Subdivision Map and project plans signed by the chair of the Planning Commission on said date and on file at the City of Santa Barbara.

2. Uninterrupted Water Flow. The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.

EXHIBIT A
3. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in a functioning state and in accordance with the Storm Water BMP Guidance Manual and Operations and Maintenance Procedure Plan approved by the Creeks Division. 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 Owner shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and Coastal Development 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.

4. **Landscape Screening on Roof Decks (Units 1 and 2).** A six foot high hedge shall be provided and maintained on the roof decks of Unit 1 and 2 in order to provide a buffer from Highway 101 for air quality purposes.

5. **Landscape Screening on Roof Deck (Unit 9).** A six foot high hedge shall be provided and maintained on the roof deck of Unit 9 in order to provide privacy to the surrounding residential uses.

6. **Rooftop Equipment.** All rooftop equipment shall be screened.

C. **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. **Final Map.** The Owner shall submit to the Public Works Department for approval, a Final Map prepared by an appropriately licensed land surveyor or registered Civil Engineer. The Final Map shall conform to the requirements of the City Survey Control Ordinance.

2. **Dedication.** Easements, as shown on the approved Tentative Subdivison Map 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:
   
   An easement for all street purposes along Coast Village Road in order to establish a 12-foot wide sidewalk corridor.

3. **Can and Will Serve Letters.** Obtain a "can and will serve" letter from Montecito Water District.

4. **Water Rights Assignment Agreement.** 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 prepares said agreement for the Owner’s signature.

5. **Drainage and Water Quality.** The project is required to comply with Tier 3 of the Storm Water Management Plan (treatment, rate and volume). The Owner shall submit a hydrology report prepared by a registered civil engineer or licensed architect demonstrating that the new development will comply with the City’s Storm Water Management Plan. Project plans for grading, drainage, stormwater facilities and treatment methods, and project development, shall be subject to review and approval by the 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 (including, but not limited to trash, hydrocarbons, fertilizers, bacteria, etc.), or groundwater pollutants would result from the project.

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.

6. **Coast Village Road Public Improvements.** The Owner shall submit C-1 public improvement or Public Works plans for construction of improvements along the property frontage on Coast Village Road. Plans shall be submitted separately from plans submitted for a Building Permit, and shall be prepared by a licensed civil engineer registered in the State of California. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: 100 linear feet of sidewalk, a driveway apron modified to meet Title 24 requirements with a maximum width of 20 linear feet, crack and slurry seal to the median of the Coast Village Road along entire subject property frontage and slurry seal a minimum of 20 feet beyond the limits of all trenching, preserve and/or reset survey monuments, protect and relocate existing contractor stamps to parkway, supply and install directional/ regulatory traffic control signs per the CA MUTCD during construction. Any work in the public right-of-way requires a Public Works Permit.

7. **Agreement to Secure Public Improvements.** The Owner shall submit an executed Agreement for Land Development Improvements, prepared by the Engineering Division. Owner shall submit an Engineer’s Estimate, wet signed, and stamped by a civil engineer registered in the State of California, and shall submit securities for construction of improvements prior to execution of the Agreement.

8. **Encroachment Permits.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements (including any required appurtenances) within their rights of way or easements shall be obtained by the Owner.
D. **Design Review.** The project, including public improvements, is subject to the review and approval of the Architectural Board of Review (ABR). ABR shall not grant project design approval until the following Planning Commission land use conditions have been satisfied.

1. **Landscape Screening on Roof Decks (Units 1 and 2).** A six foot high hedge shall be provided and maintained on the roof decks of Unit 1 and 2 in order to provide a buffer from Highway 101 for air quality purposes.

2. **Landscape Screening on Roof Deck (Unit 9).** A six foot high hedge shall be provided and maintained on the roof deck of Unit 9 in order to provide privacy to the surrounding residential uses.

3. **Rooftop Equipment.** All rooftop equipment shall be screened.

4. **Screened Backflow Device.** All backflow devices shall be provided in a location screened from public view or included in the exterior wall of the building, as approved by the ABR.

5. **Location of Dry Utilities.** Dry utilities (e.g., above-ground cabinets) shall be placed on private property unless deemed infeasible for engineering reasons. If dry utilities must be placed in the public right-of-way, they shall be painted “Malaga Green,” and if feasible, they shall be screened as approved by ABR.

6. **Project Directory.** A project directory 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 acceptable to the Fire Department and Community Development Department, shall meet current accessibility requirements, and is subject to Design Review Approval.

7. **Existing Sandstone.** The sandstone material within the existing sandstone wall on the Coast Village Road frontage shall be preserved during demolition and re-used on the project site.

8. **Plaque.** A plaque shall be installed on the project site to commemorate architect Sherrill Broudy’s role in transforming Coast Village Road in the post-World War II period.

E. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.

1. **Public Works Department.**
   a. **Approved Public Improvement Plans.** Public Improvement Plans as identified in condition C.7 “Coast Village Road Public Improvements” shall be submitted to the Public Works Department for review and approval. Upon acceptance of conceptual public improvement plans, a Building permit may
be issued if the Owner has bonded for public improvements and executed the Agreement for Land Development Improvements.

b. **Haul Routes Require Separate Permit.** Apply for a Public Works Permit to establish 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.

c. **Construction-Related Truck Trips.** Construction-related truck trips for trucks with a gross vehicle weight rating of three tons or more 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.) in order to help reduce truck traffic on adjacent streets and roadways.

2. Community Development Department.

a. **Required Private Covenants.** The Owner shall submit a copy of the draft Required Private Covenants, Conditions and Restrictions (CC&Rs) for the project, which shall provide for the following:

   (1) 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.

   (2) Garages Available for Parking. A requirement that all residential 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.

   (3) Parking Space Assignment. Parking spaces for the residential uses within the project shall be allocated.

   (4) Recreational Vehicle Storage Prohibition. No recreational vehicles, boats, or trailers shall be stored on the Real Property.

   (5) Landscape Maintenance. That the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan. Such Plan shall not be modified unless prior written approval is obtained from the appropriate design review board. If said landscaping is removed for any reason without approval by the appropriate design review board, the owner is responsible for its immediate replacement. The covenant shall also include the following specific requirements:

   (a) A six foot high hedge shall be provided and maintained on the roof decks of Unit 1 and 2 in order to provide a buffer from Highway 101 for air quality purposes.
(b) A six foot high hedge shall be provided and maintained on the roof deck of Unit 9 in order to provide privacy to the surrounding residential uses.

(6) 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.

(7) Public Improvement Districts. A waiver to protest formation of public improvement districts.

(8) Covenant Enforcement. An express method that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.

b. **Inclusionary Housing In-lieu Fee.** The project is subject to the Inclusionary Housing Ordinance (SBMC Chapter 28.43). Submit evidence that the Owner has paid the required inclusionary housing in-lieu fee of $211,275.00.

c. **Recordation of Final Map and Agreements.** After City Council approval, the Owner shall provide evidence of recordation of the map and agreements to the Community Development Department prior to issuance of building permits.

d. **Interior Noise.** All recommendations in the noise analysis (e.g., mechanical ventilation, air conditioning system, sound-rated doors and windows, etc.) to comply with the City's 45 dB CNEL interior noise standard shall be required and included on the plans.

e. **Sound Barriers.** Plans shall show the location of the required temporary sound barriers along the northern property line, the eastern property line (from the northern property line of the adjacent restaurant to the northern property line of the project site), and the western property line (from the southern property line of the project site to the north approximately 25 feet).

f. **Arborist's Monitoring.** Submit to the Planning Division an executed contract with a qualified arborist for monitoring of all work during construction. The contract shall include a schedule for the arborist's presence during grading and construction activities, and is subject to the review and approval of the Planning Division.

**g. Tenant Displacement Assistance Ordinance Compliance.** Submit evidence of compliance with the Tenant Displacement Assistance Ordinance
(SBMC Chapter 28.89), including displacement assistance and right of first refusal.

h. **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 draft copy of the notice to the Planning Division for review and approval.

i. **Letter of Commitment for Neighborhood Notification Prior to Construction.** The Owner shall submit to the Planning Division a letter of commitment to provide the written notice specified in condition F.1 “Neighborhood Notification Prior to Construction” below. 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.

j. **Letter of Commitment for Pre-Construction Conference.** The Owner shall submit to the Planning Division a letter of commitment to hold the Pre-Construction Conference identified in condition F.2 “Pre-Construction Conference” prior to disturbing any part of the project site for any reason.

k. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the appropriate design review board and as outlined in Section D “Design Review,” and all elements/specifications shall be implemented on-site.

l. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the sheet as follows: The undersigned have read and understand the required conditions, and agree to abide by any and all conditions which are their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

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<th>Property Owner</th>
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<td>Contractor</td>
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<td>Architect</td>
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F. **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, including demolition and grading.

1. **Neighborhood Notification Prior to Construction.** At least twenty (20) days prior to commencement of demolition, grading or construction, the contractor shall provide written notice to all property owners, businesses, and residents within 300 feet of the project area. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, the name and phone number of the Contractor(s), site rules and Conditions of Approval pertaining to construction activities, and any additional information that will assist Building Inspectors, Police Officers and the public in addressing problems that may arise during construction.

2. **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, and construction conditions shall be held by the General Contractor. The conference shall include representatives from the Public Works Department (Engineering and Transportation Divisions), Community Development Department (Building and Planning Divisions), the Property Owner or Agent, Architect, Arborist, Landscape Architect, Biologist, Project Engineer, Contractor and each Subcontractor.

3. **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) name, contractor(s) telephone number(s), construction 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 multifamily or commercial zone or six square feet if in a single family zone.

4. **Construction Hours.** Construction (including preparation for construction work) shall only be permitted Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m., excluding the following holidays:
New Year’s Day
Martin Luther King, Jr. Day
Presidents’ Day
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Following Thanksgiving Day
Christmas Day

January 1st*
3rd Monday in January
3rd Monday in February
Last Monday in May
July 4th*
1st Monday in September
4th Thursday in November
Friday following Thanksgiving 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.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the City to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out said construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

5. **Construction Storage/Staging.** Construction vehicle/equipment/materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Public Works Director with a Public Works permit.

6. **Construction Parking.** During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Public Works Director.

7. **Tree Protection Plan.** The tree protection measures contained in the Tree Protection Plan prepared by Arcadia Studio, dated April 4, 2018, shall be implemented.

8. **Pre-construction Nesting Bird Survey.** A pre-construction survey for nesting birds shall be conducted by a City-qualified biologist for areas impacted by the project site consistent with the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (FGC) as enforced by the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife, respectively. The survey will be conducted to determine if active nests of special-status birds and common bird species, protected by the MBTA and/or the FGC, are present in the survey area. The survey should be conducted within one week prior to construction or site preparation activities that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically March 1 through August 30). If construction activities are halted for greater than two weeks then a follow-up nesting bird survey will be required.
9. **Nesting Bird Buffers and Requirements.** If active nests are found, a no-construction buffer shall be established at a minimum of 100-foot (this distance may be greater or reduced depending on the bird species and construction activity, as determined by the biologist) around the nest site where it overlaps with work areas. Clearing and construction within no-construction buffer shall be postponed or halted, at the discretion of the biologist, until the nest is vacated, juveniles have fledged, and there is no evidence of a second attempt at nesting. In addition, all active nests shall be mapped with a GPS unit and nest locations with 100-foot buffers overlain on aerial photographs to provide regular updated maps to inform the project manager/engineer and construction crew of areas to avoid. A City-appointed biologist should also serve as a construction monitor during the breeding season to ensure that there are no inadvertent impacts to nesting birds.

10. **Air Quality and Dust Control.** The following measures shall be shown on grading and building plans and shall be adhered to throughout grading, hauling, and construction activities:

   a. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.

   b. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.

   c. If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.

   d. Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.

   e. After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

   f. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.
g. All portable diesel-powered construction equipment shall be registered with the state’s portable equipment registration program OR shall obtain an APCD permit.

h. Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.

i. All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

j. Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.

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

l. If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.

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

n. All construction equipment shall be maintained in tune per the manufacturer’s specifications.

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

p. 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 worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

11. **Noise Control.** The following measures shall be shown on grading and building plans and shall be adhered to throughout grading, hauling, and construction activities:
Planning Commission Conditions of Approval
1062 Coast Village Road
May 10, 2018
Page 12 of 16

a. Stationary construction equipment that generates noise that exceeds 63 dB(A) at the property boundaries shall be shielded with a barrier that meets a STC rating of 25. Depending upon the location of the barrier with respect to the equipment and the nearest property boundary, sound level attenuation in the range of 5 to 10 dB(A) would be expected at the property line.

b. 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.

c. 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.

d. Install a temporary construction sound barrier wall along the northern site boundary. The barrier should be made of sound attenuating material (not landscaping). 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. For example, 5/8 inch plywood, mounted with no gaps between adjacent sheets, would be of sufficient density to achieve the target attenuation. The barrier shall be 8 feet in height from the ground surface on the construction side of the wall, to achieve the goal of blocking direct line of sight to the adjacent residence windows. It is estimated that a noise barrier of the prescribed density would reduce average noise levels to sensitive receptors by up to 5 dB by blocking direct line of sight to ground-level receptors.

e. Along the eastern subject property line, starting at the northern China Castle property line and heading north to the northern property boundary of the project site, install a temporary construction sound barrier immediately following removal of existing onsite structures that currently conflict with the location of the barrier. The barrier should be made of sound attenuating material (not landscaping). 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. For example, 5/8 inch plywood, mounted with no gaps between adjacent sheets, would be of sufficient density to achieve the target attenuation. The barrier shall be 8 feet in height from the ground surface on the construction side of the wall, to achieve the goal of block direct line of sight to the adjacent first floor residence windows. It is estimated that a noise barrier of the prescribed
density would reduce average noise levels to sensitive receptors by up to 5 dB by blocking direct line of sight to ground-level receptors.

f. Along the western property boundary, starting at the southern property boundary and extending northward approximately 25 feet, install a temporary construction sound barrier immediately following removal of existing on-site improvements that currently conflict with the location of the barrier. The barrier should be made of sound attenuating material (not landscaping). 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. For example, 5/8 inch plywood, mounted with no gaps between adjacent sheets, would be of sufficient density to achieve the target attenuation. The barrier shall be 8 feet in height from the ground surface on the construction side of the wall, to achieve the goal of blocking direct line of sight to the outdoor eating area for the adjacent Starbucks. It is estimated that a noise barrier of the prescribed density would reduce average noise levels to sensitive receptors by up to 5 dB by blocking direct line of sight to diners in the ground level patio area.

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

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

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

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

G. **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 public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60. 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 public improvement plans or building plans, shall be completed.

3. **New Construction Photographs.** Photographs of the new construction, taken from the same locations as those taken of the story poles prior to project approval, shall be taken, and submitted to the Planning Division.

4. **Evidence of Private CC&Rs Recordation.** Evidence shall be provided to the Community Development Department, Planning Division that the private CC&Rs required in Section B “Recorded Conditions Agreement” have been recorded.

H. **General Conditions.**

1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.

2. **Approval Limitations.**
   a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
   b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Planning Commission.
   c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.
3. **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 being notified of a lawsuit regarding 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.

II. **NOTICE OF MODIFICATION APPROVAL TIME LIMITS:**

The Planning Commission action approving the Modifications shall terminate three (3) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or

2. A Building permit for the use authorized by the approval is issued and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.

**NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:**

The Planning Commission action approving the Coastal Development Permit shall expire two (2) years from the date of final action upon the application, per Santa Barbara Municipal Code §28.44.230, unless:

1. Otherwise explicitly modified by conditions of approval for the coastal development permit.

2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. The Community Development Director grants an extension of the coastal development permit approval. The Community Development Director may grant up to three (3) one-year extensions of the coastal development permit approval. Each extension may be granted upon the Director finding that: (i) the development continues to conform to the Local Coastal Program, (ii) the applicant has demonstrated due diligence in completing the development, and (iii) there are no changed circumstances that affect the consistency of the development with the General Plan or any other applicable ordinances, resolutions, or other laws.

NOTICE OF TENTATIVE SUBDIVISION MAP TIME LIMITS:

The Planning Commission action approving the Tentative 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.

NOTICE OF TIME LIMITS FOR PROJECTS WITH MULTIPLE APPROVALS (S.B.M.C. § 28.87.370):

If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the land use discretionary applications, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the longest discretionary land use approval related to the application, unless otherwise specified by state or federal law.
March 15, 2018

City of Santa Barbara
Members of the Planning Commission
630 Garden Street
Santa Barbara, CA 93101

SUBJECT: Proposed Mixed-Use Project with 9 Condominiums at 1062 Coast Village Road (APN: 009-211-014), in the City of Santa Barbara.

Dear Commissioners:

On behalf of the property owner, we are pleased to submit this Vesting Tentative Subdivision Map/Coastal Development Permit request for a proposed mixed-use project containing commercial space and nine residential condominiums on the property located at 1062 Coast Village Drive, in the City of Santa Barbara. The request also includes two modifications, one to allow three minor encroachments into the required interior setback and one to allow slightly less than the required distance between buildings within the interior of the project. The basis for the three interior setback encroachments is to allow for ‘break-up’ and articulation of the building along the east side; as a result, portions of the building are not setback the full ½ of the building height from the property line, but still no closer than 12 feet to the property line. It should be noted that the three interior setback encroachments actually meet the intent of the requirements, as the actual setbacks are ¼ the building height, and once the New Zoning Ordinance (NZO) is implemented in the Coastal Zone, the shown interior setbacks would be compliant, not requiring a modification.

1.0 EXISTING CONDITIONS

The property is located at 1062 Coast Village Road between Hot Springs Road and Hermosillo Road within the City’s Coast Village neighborhood. This neighborhood is predominantly a commercial corridor with some older residential development. The Local Coastal Plan land use designation applied to this area is Commercial. The City’s 2011 General Plan land use designation applies a Commercial/Medium High Density that allows a range of between 15-27 du/acre for future residential or mixed use developments; however, the General Plan land use designation has not been formerly adopted in the Coastal Zone, and therefore, the Local Coastal Plan designation of Commercial applies. As a result, any residential density must use the City’s Variable Density Program to determine allowable density under the land use designation. The zoning designation for the Coast Village Neighborhood is C-1, Limited Commercial, which permits commercial and residential uses.
The subject property is approximately 25,554 square feet (0.59 acres) in size and is developed with a two story 14-unit apartment building (totaling approximately 11,367 sf) and a carport accommodating fifteen (15) vehicles constructed in 1958. The site was previously vacant prior to construction of the existing apartment building. The property has an average slope of approximately 8% and slopes up from Coast Village Road toward the north property line. The site contains approximately 25% building footprint, 38% paving, and 37% landscaping, with current site drainage largely handled by surface runoff into the City's storm water drainage system.

The property is bounded on the south by Coast Village Road, commercial uses to the west and east, with residential uses located within the unincorporated area of Santa Barbara County.

Site information is summarized in the table below.

### 1.1 Site Information

<table>
<thead>
<tr>
<th>Parcel Number: 009-211-014</th>
<th>Lot Area: 0.60 acres (25,554 sf)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Coastal Plan: Commercial</td>
<td>Zoning: C-1 Limited Commercial</td>
</tr>
<tr>
<td>General Plan: Commercial/medium high density</td>
<td>SD-3 – Coastal Zone</td>
</tr>
<tr>
<td>Existing Use: Residential</td>
<td>Topography: 8% slope</td>
</tr>
<tr>
<td>Adjacent Land Uses:</td>
<td></td>
</tr>
<tr>
<td>North – Residential</td>
<td>East – Commercial/Residential</td>
</tr>
<tr>
<td>South – Coast Village Road/US 101</td>
<td>West - Commercial</td>
</tr>
</tbody>
</table>

### 2.0 PROPOSED MIXED USE PROJECT

The proposed project is a new two-story mixed-use development over a subterranean parking garage with an approximately 874 net square foot single story commercial space and nine (9) two-story residential condominiums. The subterranean parking garage will accommodate 23 vehicular parking spaces. The proposed project is discussed in more detail below.

The residential portion of the project includes nine 3-bedroom condominium units each with an average size of 2,412 net square feet (not including private garages). Due to the slope of site toward the north property line, vehicular access into the garage is at the lowest portion of the site, off of Coast Village Road. The commercial portion of the project is located at the street frontage for pedestrian access and is at the same elevation as the subterranean parking garage. Pedestrians will access the residential portion of the site from a stairway and elevator located at street level adjacent to the commercial space, as well as from elevators and stairs located within each private garage.
Commercial Space:

The proposal includes one single-story separate building approximately 874 net square feet in size to accommodate the commercial space located on the southwest corner of the project fronting Coast Village Road, which is at the same elevation as the subterranean parking garage. Pedestrian access to the commercial space is available from the public right of way via the existing sidewalk.

Residences:

The residential component of the mixed use project includes nine (9) two-story, three bedroom residential condominiums located above the subterranean parking garage, encompassing approximately 21,714 net square feet, housed in five separate buildings. The floor area breakdown of each unit is shown in the table below.

<table>
<thead>
<tr>
<th>Unit #</th>
<th># of Bedrooms</th>
<th>1st Floor</th>
<th>2nd Floor</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3</td>
<td>1,575 s.f.</td>
<td>1,031 s.f.</td>
<td>2,606 s.f.</td>
</tr>
<tr>
<td>2</td>
<td>3</td>
<td>1,335 s.f.</td>
<td>1,133 s.f.</td>
<td>2,468 s.f.</td>
</tr>
<tr>
<td>3</td>
<td>3</td>
<td>1,308 s.f.</td>
<td>1,082 s.f.</td>
<td>2,390 s.f.</td>
</tr>
<tr>
<td>4</td>
<td>3</td>
<td>1,451 s.f.</td>
<td>1,234 s.f.</td>
<td>2,685 s.f.</td>
</tr>
<tr>
<td>5</td>
<td>3</td>
<td>1,288 s.f.</td>
<td>1,049 s.f.</td>
<td>2,337 s.f.</td>
</tr>
<tr>
<td>6</td>
<td>3</td>
<td>1,277 s.f.</td>
<td>1,055 s.f.</td>
<td>2,332 s.f.</td>
</tr>
<tr>
<td>7</td>
<td>3</td>
<td>1,207 s.f.</td>
<td>887 s.f.</td>
<td>2,094 s.f.</td>
</tr>
<tr>
<td>8</td>
<td>3</td>
<td>1,352 s.f.</td>
<td>1,183 s.f.</td>
<td>2,535 s.f.</td>
</tr>
<tr>
<td>9</td>
<td>3</td>
<td>1,200 s.f.</td>
<td>1,067 s.f.</td>
<td>2,267 s.f.</td>
</tr>
<tr>
<td>TOTAL</td>
<td>27</td>
<td>11,993 s.f.</td>
<td>9,721 s.f.</td>
<td>21,714 s.f.</td>
</tr>
</tbody>
</table>

The residential density in the Coastal Zone is based on the City’s Variable Density that uses lot size to determine the number of allowable units. One 3-bedroom unit is allowed for every 2,800 square feet of lot area. Based on a lot size of 25,554 square feet (net lot size of 25,215 sf), nine 3-bedroom units (9 x 2,800 sf lot area = 25,200 sf) would be allowed.

Parking:

The project includes an 17,254 net square foot subterranean parking garage that includes nine private two-car parking garages for each residential unit and three public parking spaces for the commercial space. A single vehicular entrance to the subterranean parking garage is located off of Coast Village Road at the lowest portion of the site that minimizes the visual effect of the dedicated parking for the project.
Required and provided parking for the proposed development is as follows:

<table>
<thead>
<tr>
<th>Land Use</th>
<th># of Units/Floor Area</th>
<th>Parking Spaces Required</th>
<th>Total Spaces Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential (3-bedroom unit)</td>
<td>9</td>
<td>2 spaces per unit = 18</td>
<td>18</td>
</tr>
<tr>
<td>Residential Guest</td>
<td>-</td>
<td>1 space for every 4 units = 2</td>
<td>2</td>
</tr>
<tr>
<td>Commercial</td>
<td>874 n.s.f.</td>
<td>1 space per 250 s.f.</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>23</strong></td>
</tr>
</tbody>
</table>

The residential portion of the project includes nine 3-bedroom condominium units each with a two-car private garage. The net square footage of each private garage is listed below.

<table>
<thead>
<tr>
<th>Unit #</th>
<th>No. of Parking Spaces</th>
<th>Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>801 s.f.</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
<td>719 s.f.</td>
</tr>
<tr>
<td>3</td>
<td>2</td>
<td>702 s.f.</td>
</tr>
<tr>
<td>4</td>
<td>2</td>
<td>737 s.f.</td>
</tr>
<tr>
<td>5</td>
<td>2</td>
<td>772 s.f.</td>
</tr>
<tr>
<td>6</td>
<td>2</td>
<td>775 s.f.</td>
</tr>
<tr>
<td>7</td>
<td>2</td>
<td>740 s.f.</td>
</tr>
<tr>
<td>8</td>
<td>2</td>
<td>1,031 s.f.</td>
</tr>
<tr>
<td>9</td>
<td>2</td>
<td>688 s.f.</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>18</strong> 6,965 s.f.</td>
</tr>
</tbody>
</table>

Two residential guest parking spaces are required and provided. The 874 net square foot commercial space requires 3 parking spaces.

The project requires two van-accessible parking spaces that are provided in the subterranean garage and incorporated into the required parking for the residential and commercial uses.

**Open Space:**

The project provides Private Outdoor Living Space and Common Outdoor Living Space for each unit per Municipal Code Section 28.21.081. The private open space is provided in accordance with the Private Outdoor Living Space Method A (10% of lot) and greatly exceeds the required amount of 2,522 square feet. There is a total of 8,825 square feet of open space that is located throughout the project (35% of lot), with some on grade and roof top deck areas with hedge plantings...
(Architectural Plan Sheets A-102, A-103, A-104, A-105, and Landscape Plan Sheet PL-1). The Common Open area is provided in accordance with Municipal Code Section 28.21.081.A.3 and all of the required 15'x15' common open area is located on the podium as shown on Architectural Plan Sheet A-103 and Landscape Plan Sheet PL-1.

**Setbacks/Height:**

The proposed mixed-use project lay-out has been designed to respect front and interior setbacks; however, a minor area along the eastern property line discussed below requires a "technical" modification. The front setback is 10 feet. The interior setbacks vary around the property due to adjacent commercial and residential zoning. The setback adjacent to commercial zoning has a 0 interior setback. The interior setback adjacent to the residential zoning is designed to meet R-3 setback requirements, which requires 10 feet or ½ the building height, whichever is greater.

The project includes a varied interior setback. The interior setback along the west side of the project varies from 6 feet along the northwestern portion to 12 inches near Coast Village Road. The interior setback along the eastern side of the site is predominantly 13'6". The buildings along the eastern property line (with the exception of three stairwell areas) have a maximum height of 27' (and therefore a setback of 13'6" [1/2 of the building height]), and the three stairwell areas have a height of 24' (therefore a setback of 12' [1/2 of the building height]. However, the City's methodology for calculating building heights does not allow for individual elements of buildings (i.e., stairwells) to be separated out from the overall building height, and as such the three stairwell portions of the building require a “technical” modification of ½ feet. It should be noted that the City has recognized this problem and addressed it in the New Zoning Ordinance (NZO), such that if the Project was located outside of the Coastal Zone, no such “Modification” would be required. However, the City’s NZO has not yet been adopted in the Coastal Zone, and therefore a “Modification” is required. It should be noted that at the 2/26/18 ABR hearing, the ABR accepted the eastern property line setback modification.

The proposed mixed-use project has a maximum height of 2 stories that varies in height due to adjacent zoning and sloped parcel. The maximum building height allowed adjacent to the commercial C-1 zone is 45 feet, with a maximum building height of 30 feet adjacent to the E-1 residential zone within a distance of 23 feet, and 25 feet building height within a distance of 13'6". As such, the building height along the northern end of the project is approximately 27 feet with the height increasing from the natural grade to about 30 feet for most of the project as the grade slopes down toward Coast Village Road. A small portion of the project has a height of approximately 37 feet near the southern end of the project (Sheets A-201 and A-202). The project complies with the applicable zoning height requirements adjacent to residential and commercial zones.
Distance Between Buildings:

The proposed mixed-use project lay-out has been designed to respect the City’s standard for “Distance Between Buildings” requirement; however, portions of some of the interior buildings do not meet the standard “Distance Between Buildings” requirements and as such require a “Modification”. However, it should be noted that this “Modification” does not impact any neighbors or views from outside the project area. Additionally, it should be noted that the City has historically allowed such “Modifications” for other projects such as Bella Riviera (former St. Francis Hospital site). And finally, it must be noted that the City has recognized this problem and addressed it in the New Zoning Ordinance (NZO), such that if the Project was located outside of the Coastal Zone, no such “Modification” would be required. However, the City’s NZO has not yet been adopted in the Coastal Zone, and therefore a “Modification” is required. It should be noted that at the 2/26/18 ABR hearing, the ABR accepted the interior setback modification with the provision that the interior setback for the paseo, would be no less than 12’ and could average 15’.

Tree/Vegetation Removal:

The proposed development will require the removal of nine (9) trees on the property. The trees to be removed include seven (7) mature Canary Island Pine trees located at the northwest corner of the property in order to excavate for the subterranean parking garage, one (1) Blackwood Acacia tree and one (1) Gold Medallion tree will also be removed to accommodate the development. A total of four (4) trees will be protected and include one (1) Coast Live Oak and three (3) Canary Island Pines (Tree Protection Plan).

A total of forty-five (45) replacement trees will be provided around the perimeter of the site, including accent landscaping around each unit. The proposed Planting Plan provides specific detail as to the location of proposed plantings that will encompass approximately 22.7% of the site.

The project would result in approximately 89,003 cubic feet of existing biomass being removed as part of the proposed project. The attached letter from Arcadia Studios, Landscape Architect, dated January 10, 2018 outlines proposed measures to address the removal of the noted biomass onsite. As discussed in the letter, the landscape plan includes a plant palette that will provide replacement biomass of 86,711 cubic feet, which will provide a 97% replacement ratio and more opportunity for forage and habitat than the current non-native biomass on site.

In addition, the existing pine trees onsite were planted after 1958 and do not appear to be part of a significant designed landscape. Consequently, the trees do not constitute a potentially significant landscape resource.
Site Statistics:

Site coverage is as follows:

Building Footprint: 12,928 SF (51.3%)
Landscaping: 5,736 SF (22.7%)
Paved Areas: 6,551 SF (26.0%)
TOTAL: 25,215 SF (100%)

Grading and Drainage:

Site preparation will require approximately 6,960 cu. yd. of cut and 75 cu. yd. of fill. Export material is anticipated to be moved to other local site(s) in need of fill (estimated within a 5-10 mile radius). Based upon the attached Preliminary Grading and Drainage plan and Preliminary Drainage Analysis report, the project has adequate raised planter areas that will be utilized to satisfy stormwater retention requirements. All roof runoff will be directed to adjacent filtering planter boxes, and courtyard runoff will be filtered via proprietary filters inserted below the storm drain grates. The condominium unit patios will runoff into the adjacent perimeter landscaping. All treated flows will subsequently be directed to the south end of the site for both detention (to trim peak flows) and retention and further treatment via infiltration in order to satisfy the City BMP requirements.

Lighting:

Exterior lighting will be designed to control glare, minimize light trespass onto adjacent properties, minimize direct upward light emission, promote effective security, and avoid interference with the safe operation of motor vehicles. The minimum intensity needed for the intended purpose will be used. Lighting design will be consistent with the City’s Outdoor Lighting and Street Lighting Design Guidelines (2009).

Utilities:

Water service will be provided by the Montecito Water District (MWD). Sanitary sewer services will be provided by the City of Santa Barbara. The site is currently serviced by these agencies; a Certificate of Water Service Availability from MWD is included with this application. Southern California Edison will provide electrical service and natural gas will be provided by the Gas Company (Sempra Energy). Telephone/cable service will be provided by Verizon and/or Cox Communications.
**Historical Resources:**

A Preliminary Historic Resources Report was prepared for the property dated June 23, 2016 by Post/Hazeltine Associates. The report concluded that the apartment building is not a significant historic resource; and therefore, would not be eligible for listing as a significant historic resource. However, prior to demolition of the building, it should be recorded by photo-documentation and measured drawing to preserve the record of the building. In addition, the existing pine trees onsite were planted after 1958 and do not appear to be part of a significant designed landscape. Consequently, as noted in the report, the trees do not constitute a potentially significant resource.

**Demolition/Construction:**

The project will not be phased and projected demolition and construction duration is anticipated to take approximately 16 months. No pile driving is anticipated. Grading associated with the project is projected to be 6,960 cubic yards of excavation. Construction staging would likely be necessary along the frontage of the project on Coast Village Road and will be subject to issuance of a Temporary Road Encroachment Permit. In addition, offsite construction parking will be required for about 15-20 vehicles. An area to be utilized for temporary construction parking will be evaluated.

Demolition activity is anticipated to utilize two track hoes, two front loaders, one dozer, and subcontracted haul off using commercial trucks. Grading will likely utilize two track hoes, two front loaders, street sweeper, and subcontracted haul off using commercial trucks.

**Construction Recycling and Reuse:**

As part of the demolition of the existing 14 unit apartment building, the demolition contractor will be recycling and hauling to a City certified waste facility.

**Non-Residential Growth Management Program:**

The property does not have any existing non-residential floor area on the property and never had any non-residential floor area on the property. As a result, the property is eligible to apply for up to 1,000 square feet of new non-residential floor area from the City’s Minor Allocation Category within the Coast Village Road Development Area. The proposed mixed-use project at 1062 Coast Village Road includes a total commercial floor area of 874 net square feet.
**Sustainable Design:**

The City’s Climate Action Plan provides strategies for reducing future carbon dioxide and other greenhouse gas emissions through methods such as energy efficiency and “green” building designs and products, use of renewable sources of energy, reduction of vehicle trips and mileage, vegetation to sequester carbon, reduction of solid waste, and water conservation.

The City’s General Plan includes the following policy and implementation action requiring new development to incorporate measures to minimize contributions to climate change.

*Policy ER1:* As applicable, private development and public facilities and services may be required to incorporate measures to minimize contributions to climate change and to adapt to climate changes anticipated to occur within the life of each project.

*Implementation Strategy ER1.2:* Require new development, redevelopment and substantial remodels to demonstrate how the project will support the City in attaining regional GHG vehicular emissions reduction targets. The Santa Barbara region has targets of zero net increase (from 2005 levels) in per capita GHG vehicular emissions in 2020 and 2035. These regional targets were adopted in 2010 by the Santa Barbara County Association of Governments (SBCAG) and the California Air Resources Board (CARB) pursuant to SB 375.

The applicant for the 1062 Coast Village Road Mixed-Use Project is committed to sustainable design and incorporating any and all practical technologies and systems into the development plan. These will include, but are not limited to: construction waste management, integrated stormwater design, water efficient landscaping & fixtures, optimized energy performance, infrastructure provided for on-site renewable energy (photo-voltaic), day-lighting in homes and retail unit, and low-emitting materials.

More specifically, the proposed mixed use project will implement the following construction techniques and materials to minimize carbon emissions consistent with City goals and policies related to climate change.

- The project itself is an urban infill redevelopment. The proposed mixed project will be much more efficient than the existing apartment building and will require fewer resources and be less burdensome on the community and its resources.
- A number of water conservation management strategies will be incorporated into the design to encourage minimal water usage:
  - Low flow toilets will be fitted in all residences and public bathrooms;
o Low flow shower heads and sink fixtures will also be utilized;
o Drip irrigation will be applied in watering the landscaping;
o The property will be landscaped with native plants that are drought resistant, requiring minimal watering; and
• Electric charging stations will be wired for electric vehicles.
• Solar panels technology will be able to be applied to roofs, but will be an individual homeowner decision.
• Energy efficient appliances will be fitted in all residential units.
• The HVAC system will be energy efficient.
• All windows will have low emissivity.
• Energy efficient insulation in the walls will be utilized.
• The property will be supplied with both trash and recycle bins.

**Inclusionary Housing:**

The project does not include any affordable housing units, and therefore, pursuant to the City’s Inclusionary Housing requirements (SBMC 28.43.030), the project will be required to pay an Inclusionary Housing In-Lieu fee of $23,475 per unit for a total of $211,275.

**General Plan and Zoning/Local Coastal Program Consistency**

The proposed mixed-use development project has been designed in a manner to be consistent with the allowable land uses in this area as outlined in the City’s General Plan Land Use Element and Local Coastal Program. The project also conforms to all applicable General Plan and Local Coastal Land Use Plan policies, and the Zoning designation and regulations, with exception of the minor encroachments within the side yard setback and distance between buildings discussed above.

**Pedestrian Master Plan**

The proposed project is subject to the City’s Pedestrian Master Plan that includes guidelines and policies to provide for pedestrian improvements in the public right-of-way. The project is providing 2.5 feet of additional public surface right-of-way, which will allow development of a 4.0 foot wide parkway, an 8-foot wide sidewalk, and a 2.5 feet frontage area, allowing for a pleasant pedestrian streetscape, consistent with the provisions of the Pedestrian Master Plan.
**Design Review**

The proposed project was reviewed conceptually by the Architectural Board of Review (ABR) on three occasions. The first ABR hearing was held on January 17, 2017 and the Board provided generally positive comments, with recommendations to provide a landscape plan, continue to meet with neighbors, study design to salvage trees, and study elevator tower height. The project was reviewed again by ABR on July 3, 2017. The Board again provided positive comments with recommendations to have the landscape plan reviewed by Board members, address privacy issues to address neighbor concerns expressed at the hearing, provide section through the site, and provide photo simulations of the project and adjacent properties to the east. The project was reviewed again by ABR on April 26, 2018. The Board again provided the following comments:

- They liked the overall architecture
- They were very positive about the changes made since the last ABR hearing (pulling the buildings forward, reducing the size of the commercial space, adding hedges on appropriate roof decks, saving the 4 trees, etc.)
- They were in support of the setback “Modification” request for the eastern property line
- Supported the “Modification” request for “distance between buildings” (along the “paseo”), with the proviso to include a minimum distance of 12’ and allowing an average of 15’
- With the above revisions, they made the “Compatibility Findings” so that the Project could be forwarded to the Planning Commission

In addition to the above design changes, the following design changes were made subsequent to the above-referenced February 26, 2018 ABR meeting:

- Unit #1 building was pulled away from the property line and doors flanking fireplace become windows.
- Unit #2 & #4 the fireplace moved to west wall with smaller flanking openings.
- Unit #7’s large folding door was eliminated and French doors added instead.

The revised plans have taken into consideration ABR comments in addressing the landscape plan, neighbor’s privacy, section views, and photo simulations are provided as part of this submittal.
Montecito Association/Montecito Planning Commission/Montecito BAR

The proposed project was reviewed conceptually by the Montecito Association Land Use Committee (MALUC) on November 7, 2017 and by the Montecito Association (MA) Board on November 14, 2017. The project has been revised to address comments received from the MA and MALUC. See above changes made in the “Design Review” paragraph above.

The proposed project was also reviewed conceptually by the Montecito Planning Commission (MPC) on November 15, 2017 and by the Montecito BAR on November 30, 2017. The project has been revised to address comments received from the MPC and MBAR. See above changes made in the “Design Review” paragraph above.

3.0 REQUESTED ENTITLEMENTS

The discretionary approval requested for the proposed project is:

- Vesting Tentative Subdivision Map: Approval of a Tentative Tract Map for Subdivision of one parcel into Airspace Condominiums for Residential and Commercial Purposes. The project contemplates nine (9) residential condominium units and one (1) commercial condominium unit.

- Architectural Board of Review: Approval of the mixed-use project architectural, landscape, and civil, design.

- Coastal Development Permit: Approval of a coastal development permit (SBMC 28.44) to allow construction of a mixed-use project in the Coastal Zone (SD-3).

- Setback Modification: Approval of an interior yard setback modification for three stairwell areas and portion of building (SBMC 28.63.060.C.1).

- Distance Between Building Modification: Approval of a modification to allow a minor reduction in the required distance between the interior of buildings (SBMC 28.21.070).

4.0 Environmental Considerations

Air Quality:

The subject site is located within 250 feet of the freeway, and therefore, is subject to specific Air Quality Design Standards. Pursuant to SBMC Section 22.65.040, sensitive land uses that include residential uses are required to incorporate specific development standards, such as air infiltration
systems and roof deck hedges.

The project will include specific air quality design standards to address potential air pollution to residents of the project. The project has also been designed to incorporate specific design features to orient doors and outdoor living spaces on the side of the building away from the highway to provide a physical screen, including roof deck hedges, where appropriate. In addition, a filtration system is proposed to be incorporated into each unit to remove particulates and material selection will be sensitive to air quality design standards.

**Noise:**

An acoustical noise analysis has been prepared to analyze compliance with the City's noise limitations of 65dBA for outdoor and 45 dBA indoor spaces. The acoustical analysis determined that the project design provides for exterior use areas meeting exterior noise levels in compliance with the exterior criterion of 65 dBA CNEL. For indoor noise levels, an interior noise study will be required to be prepared for the portion of the structures fronting Coast Village Road prior to issuance of building permits. The interior noise analysis will determine if implementation of specific recommendations will be required, such as mechanical ventilation and/or air conditioning system and sound-rated doors and windows.

**Traffic/ Circulation:**

A traffic study was completed for the subject project by the City. The analysis indicated that the project will not have a project-specific or a cumulative traffic impact.

**Visual Resources:**

As illustrated in the photographs and visual simulations shown on Sheets A-203, A-204, and A-205, the proposed one and two story project above the subterranean parking garage will not impact the view of the Santa Ynez Mountains. In addition, the photos illustrate that the proposed project is compatible with the neighborhood in its design and scale and surrounding properties.

**4.0 JUSTIFICATION OF PROJECT**

The proposed Tentative Subdivision Map project will allow for the sale or transfer of individual residential and commercial condominiums. The Vesting Tentative Map will subdivide the existing single parcel into nine (9) residential condominiums and one (1) commercial condominium in the C-1 zone within the Coast Village neighborhood.
The proposed project will provide an opportunity for housing ownership that achieves high quality appearance and safety, and is consistent with the goals of the City's General Plan/Local Coastal Plan and conforms with the density and parking requirements of the General Plan Land Use Element/Local Coastal Plan. The project is also consistent with the City's Housing Element policies to provide home ownership in a variety of locations, provide sustainable housing through reduced energy and resource use, and provide infill residential redevelopment development that is compatible with the surrounding neighborhood.

### 5.0 ZONING ORDINANCE CONSISTENCY

The table below provides a summary of the proposed tentative subdivision map consistency with the City's Zoning Ordinance.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement/Allowance</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Setbacks</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Front (1 or 2 story)</td>
<td>10 ft.</td>
<td>10 ft.</td>
</tr>
<tr>
<td>- Interior (adj. comm. zone)</td>
<td>0 ft.</td>
<td>0 ft.</td>
</tr>
<tr>
<td>- Interior (adj. res. zone)</td>
<td>10 ft. or ½ building height</td>
<td>13'6&quot; (½ building ht.)*</td>
</tr>
<tr>
<td><strong>Distance Between Buildings</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Single story</td>
<td>10 ft.</td>
<td>N/A</td>
</tr>
<tr>
<td>- Multi-Story</td>
<td>15 ft.</td>
<td>Varies (4’ - 16’ 4’’)**</td>
</tr>
<tr>
<td><strong>Building Height</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Adj to C-1 zone</td>
<td>45 ft.</td>
<td>37 ft.</td>
</tr>
<tr>
<td>- Adj to E-1 Zone</td>
<td>30 ft.</td>
<td>30 ft.</td>
</tr>
<tr>
<td>- Adj to R-1 zone</td>
<td>20 ft.</td>
<td>27 ft.</td>
</tr>
<tr>
<td><strong>Parking (residents)</strong></td>
<td>2 covered/unit (18 spaces)</td>
<td>18 covered</td>
</tr>
<tr>
<td><strong>Parking (Guests)</strong></td>
<td>1 space / 4 units = 2</td>
<td>2</td>
</tr>
<tr>
<td><strong>Parking (commercial)</strong></td>
<td>1 space / 250 sf = 3</td>
<td>3</td>
</tr>
<tr>
<td><strong>Lot Area Required (Variable Density)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- 3 bedroom: 2,800 sf (9 x 2,800 sf = 25,200 sf)</td>
<td>25,215 sf (2,801 sf &gt; variable density lot area)</td>
<td></td>
</tr>
<tr>
<td><strong>Inclusionary Housing</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- One unit or In-Lieu fee / unit ($23,475/unit x 9 = $211,275)</td>
<td>In-Lieu fee ($211,275)</td>
<td></td>
</tr>
<tr>
<td><strong>Common Outdoor Living Space</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- 10% of lot area</td>
<td>17.7% of lot area</td>
<td></td>
</tr>
<tr>
<td><strong>Lot Coverage</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Building</td>
<td>n/a</td>
<td>12,928 sf. 51.3%</td>
</tr>
<tr>
<td>- Paving/Driveway</td>
<td>n/a</td>
<td>6,551 sf. 26.0%</td>
</tr>
<tr>
<td>- Landscaping</td>
<td>n/a</td>
<td>5,736 sf. 22.7%</td>
</tr>
</tbody>
</table>

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* A modification is required for the three areas where the stairwell portions of the building are setback 12', which is ½ of the 24' building height associated with the stairways, but the City's methodology for calculating building height is the overall building height, not individual portions of a building. As a result, the three stairwells should "technically" be setback 13'6" rather than 12' as proposed and the other area where it is 13'-6" instead of 15'.

** A modification to allow portions of the interior buildings to be less than the noted standard for distance between buildings. The City has allowed similar modifications for other projects in the City. The NZO has eliminated the need for such a modification for projects located outside the Coastal Zone. The NZO has not yet been adopted in the Coastal Zone.
The proposed project is consistent with the Subdivision Map Act, and the General Plan and Zoning Ordinance of the City of Santa Barbara, with exception of the minor “technical” modification for the interior setback for the three stairwells and the modification for the distance between the interior of the buildings, which would not warrant a modification if located outside the Coastal Zone, but the City’s NZO has not yet been adopted in the Coastal Zone, and therefore a modification is required.

The site is physically suitable for the proposed development due to the site previously being developed with residential apartments. The project is consistent with the density provisions of the Municipal Code and the General Plan. The proposed use is consistent with the vision for this neighborhood for the following reasons:

- Project protects views.
- Project does not increase the existing density of the neighborhood.
- The division of the existing property into condominiums will not cause serious public health problems because the condominiums are consistent with surrounding development.
- The project will not increase the existing density.
- The development will be setback from Coast Village Road to minimize any visual impacts.

On behalf of the property owner, we would like to thank the Commission for its time and consideration, and respectfully request the Commission’s support of the proposed mixed use project at 1062 Coast Village Road. Should you have any questions or concerns regarding our application prior to the hearing date, please do not hesitate to give me a call at (805) 308-8521 or by e-mail at kmarshall@dudek.com.

Sincerely,

[Signature]

Ken Marshall
Principal/Regional Office Manager

cc: Mike Spainhour
    Brian Cearnal
TO:  Santa Barbara City Council  
Santa Barbara City Planning Commission  
Santa Barbara County Board of Supervisors  
Montecito Planning Commission

FROM:  Paul Casey, Santa Barbara City Community Development Director  
Glenn Russell, Santa Barbara County Planning and Development Director

DATE:  January 29, 2010

RE:  Coordinated City and County Review Process  
Coast Village Road Projects

City and County Planning staff have worked together to formalize a coordinated review process for projects located along Coast Village Road. Staff also met with members of the Montecito Planning Commission, Board of Architectural Review and Montecito Association to discuss this proposed process. This process is in the best interest of the residents of the area, both City and County. It provides a familiar forum for residents in Montecito, including the Montecito Association representatives, to provide their input to the City. It also provides a formal structure to obtain comments from the Montecito Planning Commission and Board of Architectural Review members. The standards for review for projects located on Coast Village Road remain the City adopted codes and policies. While they are similar to the County codes and policies for the Montecito community, they differ in some respects. The key planning issues of neighborhood compatibility and environmental consequences are shared between the jurisdictions.

The attached documents the review process in some detail. The City and County staff are committed to implementing this process immediately, as projects warrant, and periodically reviewing the process and modifying it as appropriate based upon experience with the process.

Please feel free to contact either Bettie Weiss, City Planner, City of Santa Barbara at 564-5509 or Dianne Black, Director of Development Services, County of Santa Barbara at 568-2086 with any questions or comments on this review process.

EXHIBIT D
Coast Village Road Projects
Coordinated City & County Review Process
January 2010

Area Covered: Coast Village Road and Coast Village Circle

Threshold: Projects that require City Planning Commission approval, or projects that are heard by the City Staff Hearing Officer and are appealed to City PC.

Review: Montecito Planning Commission review, including presentation by City staff, including analysis to date, public comment, and input from the Montecito Planning Commission. Montecito Board of Architectural Review (MBAR) members will be invited to the meeting. All information gathered during the review will be forwarded to the City Planning Commission and included in written staff reports.

City staff will request that 1 to 3 of the City Planning Commissioners attend the Montecito PC meeting.

Timing: Review should occur early in the process – either after a project has been deemed complete, or after the draft environmental document has been prepared. Decision on timing will be made jointly by City and County planning staff.

Noticing: County Staff for the Montecito PC and the Montecito Association will request to be listed as interested parties for parcels in the area. The City will then send noticing of any hearing scheduled before City Architectural Board of Review, Historic Landmarks Commission, and/or City Planning Commission that require noticing.

Noticing of Montecito Planning Commission hearing will need to be determined case-by-case, however, it will include the City’s standard noticing procedures, i.e. property owners within 300 ft, residents within 100 feet, and interested parties.

Agreement: This agreement will be in writing and implemented administratively immediately.
Land Use Committee Meeting  
November 7, 2017 – 4:00 PM  
1469 East Valley Road  
MINUTES

Present: Blue, Bollay, Bridle, Emmens, Gray, Hayman, Johnson, Lee, van Duinwyk  
~ Absent: Thielscher

I. Call to Order – Co-Chair Bridle called to order at 4:00 p.m.

II. Approval of Minutes – October 3, 2017  
MSC – van Duinwyk/Johnson, Bollay abstained

III. Public Comment for Items not on Agenda

Charlene Nagel, President, introduced Allison Marcilliac, Executive Director of the Montecito Association. The County of Santa Barbara and Caltrans has approved the placement of a speed feedback sign along the 1400 block of East Valley Road. Emmens and Thielscher will form an Ad-Hoc Committee for this project to work with staff and the County Public Works Department.

IV. Conference Agenda Items

A. Receive Presentation on East Mountain Drive Low Water Crossing at Cold Spring Creek

Ron Bensel and Morgan Jones, County of Santa Barbara, Public Works, presented. The County is directed by the Board of Supervisors, is pursuing a bridge improvement at this crossing to address public safety, liability and habitat concerns. Grant funding was received to help cover cost for this project, estimated at over three million dollars, from the Caltrans Highway Bridge Program and with a 2020 construction date. The project is also designed to address a 100-year flood event so will provide safety improvements downstream by improving water flow and limiting debris buildup in this area during heavy rain and flood events. The bridge will be two lanes with pedestrian shoulders, over seven hundred feet in length and with a ninety foot span.

The Committee expressed concerns about the necessity for a bridge, aesthetics, maintenance, safety, funding, design, width, road improvements, neighborhood intrusion, community input, less expensive options, road and trail closures, parking and compliance with the Montecito Community Plan. Public comment included opposition to the project citing similar concerns. Hayman suggested obtaining any safety study including accident history and that the project goes before the Montecito Board of Architectural Review. The project is subject to California Environmental Quality Act. Bollay along with Gray will form a sub-committee to monitor this project and work with County staff.

B. 1062 Coast Village Road-In City of Santa Barbara

Brian Cearnal, Architect, and Ken Marshall, Dudek (agent) were present. Cearnal provided an overview of the nine condominium and commercial space project located in the City of Santa Barbara.
Cearnal met several times with immediate neighbors and explained adjustments to the project as a result of those meetings. He explained that the roof decks had parapets intended to screen rooftop activity from neighbors to the north, along with 24 and 36" box size trees in the landscape plan along the north elevation. The front of the building would be set back further than the current wall, and with varying wall recesses and architecture. Committee concerns included roof deck heights and lighting, noise impacts of nine roof decks adjacent to a residential neighborhood, setbacks, neighbor privacy, parking, Canary Island pine removal, landscaping, street setback, slope, reduction of current rental units, number of bedrooms and potential for nonresident owners. Several neighbors (Sascha Liebowitz, Paul Craig and Sybil Rosen) spoke and expressed similar concerns and included size, scale and scope, views and privacy. The project complies with City ordinances and is scheduled to go before the Montecito Planning Commission, November 15, 2017 and the City Planning Commission in early 2018.

V. Committee Member Reports

A. Montecito Board of Architectural Review-Johnson attended the October 6, 2017 meeting where the Casa Dorinda sign project was resolved by the Montecito Board of Architectural Review by reducing lighting specifications. Johnson will attend the November 9, 2017 meeting and site visit Picacho Lane.

B. Manning Park Ad-Hoc Committee-Bridley reported that Montecito Union School plans to provide additional parking on their adjacent lot just south of the campus and those plans should be released to the Ad-Hoc Committee later this month or in December. With extra parking in that location, many of the issues related to circulation and parking at Manning Park may lessen, though it is still about a year or so out. Therefore, the Ad-Hoc Committee will continue to meet to address Manning Park parking issues.

VI. Montecito Planning Commission Items - For Information Only

A. November 15, 2018 Agenda-Hayman reported that the Montecito Association Citizen of the Year, Jack Overall will be presented at this meeting.

1. South Coast HOV Lanes Project Jurisdiction-Committee will continue to monitor.

2. 17APL-00000-00008 Zissler/Cable Gate and Posts Appeal-Iterative appeals on this site that the Committee may monitor.

3. Cannabis Land Use Ordinance Amendments and Licensing-Nothing to report.

B. Other Montecito Planning Commission and Ordinance Updates

1. Phase II Montecito Board of Architectural Review Guidelines-Hayman reported that this will go to the Board of Supervisors for approval in January, 2018.

2. Accessory Dwelling Units Ordinance-Hayman reported on discussions with the Montecito Fire Protection District researching adequate and safe fire evacuation routes with current and increased density in a wildfire occurrence.

VII. Old Business

Robin Hodges, resident, requested an update on the proposed Channel Drive pathway, which he supports. Bridley and Emmens explained that they will be meeting with County Staff before reaching out again to owners and residents in the area, hopefully in the coming two months.

VIII. New Business

IX. Adjournment-The meeting adjourned at 6:14 p.m.

Next Meeting December 5, 2017

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Susan Keller, Chair
Montecito Planning Commission
123 E. Anapamu Street
Santa Barbara, CA 93101

RE: 1062 Coast Village Road, Item XII.2 on 11-15-17 MPC Agenda

Dear Chair Keller and Members of the Commission,

The Montecito Association Land Use Committee received a presentation by the applicant team for 1062 Coast Village Road on November 7, 2017, and our Board considered this review at its meeting of November 14. The Association thanks the County, City of Santa Barbara and applicant for the opportunity to provide input on this City project and we hope such mutual review of projects in Montecito is beneficial to all parties.

The Association has the following comments about this project:

- While this is an attractive project, the Committee has some concerns about its size and scale immediately adjacent to residential uses and the setting of an architectural precedent for this end of Coast Village Road.

- The location of this project, adjacent to Montecito residential sites, made care with the northern side of the project important.

- There were some concerns about the height of the building, as seen from the rear of the site, due in part to the existing slope of the property. However, the roof top decks added to that intensity, and it was suggested that the parapet for the decks of the rear two be pulled in further to improve privacy for Hermosillo Road residents.

- It is appreciated that the applicant team had met with the neighbors already and had made certain revisions, which partially addressed neighbor concerns.

Thank you again for the opportunity to comment.

Sincerely,

Charlene Nagel,
President

Cc: Kathleen Kennedy and Allison DeBusk, City of Santa Barbara Planning Division
    Ken Marshall, Dudek
November 22, 2017

City of Santa Barbara
Community Development Dept.
Planning Division
Kathleen Kennedy, Associate Planner
PO Box 1990
Santa Barbara, CA 93102

RE: 1062 Village Coast Road, MST2016-00451 – City of Santa Barbara

The Montecito Planning Commission received a presentation from the City of Santa Barbara for the proposed project, and provided input to the City Planning Commission, City of Santa Barbara staff, and the applicant. The proposed project consists of the demolition of a 14-unit apartment building and the construction of a new 21,167 square foot mixed-used development, including nine three-bedroom condominium units, 989 square feet of commercial space, and an underground garage with 24 parking spaces. The application involves Assessor Parcel No. 009-211-014, located at 1062 Coast Village Road, in the City of Santa Barbara, First Supervisorial District.

Dear Ms. Kennedy:

At the Montecito Planning Commission hearing of November 15, 2017, the following comments were made by the Commission:

Newman:
- The project will be an enhancement to the neighborhood.
- Commissioner Newman indicated that he had concerns with the privacy of neighbors.
- Commissioner Newman stated that further architectural refinements are needed.
- Commissioner Newman stated that mature landscape screening would be appreciated as part of the proposed project.

Brown:
- Commissioner Brown recommended increased noticing range for the project. Commissioner Brown was particularly concerned with noticing neighbors on Palm Tree Lane and Hermosillo Road.
- The project should be reviewed by MBAR and be placed on the MBAR agenda after story poles have been placed on the site.
Commissioner Brown indicated that the ingress/egress off of Coast Village Road is inadequate. Concerns about the trash pickup from site were indicated.

- A parking plan should be developed for the project as the proposed parking is inadequate.
- Construction traffic should not be allowed to park on the streets. Commissioner Brown stated concerns with any overflow parking of visitors to the site that could result in parking in adjacent neighborhoods.
- Commissioner Brown indicated that construction should not occur at the same time as that for Highway 101 improvements.
- Loss of the trees on the property would be a significant impact. Commissioner Brown stated that an effort should be made to save some of the trees. For example, the three trees located at the rear of the property should be saved.
- The existing trees should be reviewed by the Historic Landmark Commission for any historic value.
- Commissioner Brown indicated concerns with landscaping. She stated that the proposed honeysuckle vine is unimpressive. In addition, she is not supportive of the choice of Magnolia trees, as they are slow growers. She also indicated that tall hedges may cause solar issues.
- Commissioner Brown provided comments on the architectural design and stated that there was too much humping, i.e. the balconies, decks, and sun dials, etc. She stated that she would like to see less architectural designs.
- Commissioner Brown shared her concern on impact to privacy that the project may have to adjoining properties.
- Commissioner Brown recommended that the roof top decks be eliminated.
- Concerns with potential noise and lighting issues were indicated by the use of the rooftop decks.
- She recommended that the roof top utilities should be camouflaged from Coast Village Road.
- Commissioner Brown supported the removal of the telephone pole. Further separation between buildings was recommended by Commissioner Brown.
- Potential parking issues with the location being four blocks from the beach and conflicts with parking for the project as well as public parking for beach goers could develop.
- Commissioner Brown recommended that frosted glass on skylights and on windows be used for privacy.
- Commissioner Brown indicated that the project should be story poled.
- Commissioner Brown also encouraged that the project proponents consider one bedroom unit development.

Senauer:

- Commissioner Senauer recommended that the noticing of the project be increased.
- She indicated that story poles should be required for the project.
- Commissioner Senauer expressed concerns with privacy issues with the project and adjoining properties.
- She indicated that the project should be reviewed by MBAR.
- Commissioner Senauer stated she had concerns with construction parking.
- Commissioner Senauer also expressed concerns with the landscaping.
Keller:

- Commissioner Keller indicated that she had concerns with the overbuilding of the site and with maximizing construction or development on the site. Concerns with maximizing construction on the site.
- She encouraged the developer to review scale of development. Commissioner Keller felt that the size of the development will affect the quality of life and property values for neighbors.
- She indicated that the project should be reviewed by MBAR.
- Commissioner Keller indicated that the project should be story poled.
- She expressed concerning regarding parking.
- Commissioner Keller indicated concerns with the use of the rooftops for outdoor living, the type of entertainment that could occur, and the size of the desk space.
- She also indicated that the project would result in a loss of affordable housing.
- Commissioner Keller supported the removal of the telephone poles.
- Commissioner Keller indicated a concern with the loss of trees on the project site.
- Commissioner Keller recommended that the Juliette windows be removed from the project design.
- She supported that the stairway windows being frosted.
- Commissioner Keller stated that the proposed project is an improvement to the existing buildings.

Sincerely,

Dianne Black
Secretary to the Montecito Planning Commission

cc: Montecito Planning Commission File
    Records Management
    Montecito Association, P.O. Box 5278, Montecito, CA 93150
    Supervisor Williams, First District
    Commissioner Keller
    Commissioner Brown
    Commissioner Newman
    Commissioner Senauer
    Commissioner Eidelson
    Deputy County Counsel

SC:tlc
The project received comments only. The project is to return for further conceptual review/preliminary approval after meeting with neighbors.

6. 17BAR-00000-00210 Mozilo Addition 240 Hot Springs Road
   (No Planner Assigned) Ridgeline: N/A

Request of David Watkins, architect for the owners, Eric & Terri Mozilo, to consider Case No. 17BAR-00000-00210 for conceptual review of an addition to the existing single family dwelling of approximately 977 square feet. The following structures currently exist on the parcel: a single family dwelling of approximately 1,493 square feet and an attached garage of approximately 406 square feet. The proposed project will not require grading. The property is a .42 acre parcel zoned 2-E-1 and shown as Assessor’s Parcel Number 009-103-004, located at 240 Hot Springs Road in the Montecito area, First Supervisorial District. (Appearance by David Watkins)

Public Comment:
1. Dorinne Lee Johnson

MBAR Comments:
1. Nice project.
2. Study window fenestration.
3. Refine details.
4. Provide landscape plan.

The project received comments only. The project is to return for preliminary/final approval.

7. 1062 Coast Village Road (MST2016-00451)
   Kathleen Kennedy, Associate Planner, City of Santa Barbara (805) 564-5470 x4560

The Montecito Board of Architectural Review will receive a presentation from the City of Santa Barbara for the proposed project for comments only. The proposed project consists of the demolition of a 14-unit apartment building and the construction of a new 21,167 square foot (net), mixed-use development on a 25,534 square foot (0.59 acre) lot. The proposed project includes nine three-bedroom condominium units, 989 square feet (net) of commercial space, and an underground garage with 24 parking spaces. The residential units vary in size between 2,039 and 2,501 square feet. The project involves 7,600 cubic yards of cut and 50 cubic yards of fill, and the removal of 13 trees including ten Canary Island Pines, one Coast Live Oak, one Black Acacia, and one Gold Medallion. The property is zoned as C-1, SD-3 and shown as Assessor’s Parcel Number 009-211-014, located at 1062 Coast Village Road in the Montecito area.

Project Representatives:
Kathleen Kennedy- City of Santa Barbara
Brian Cearnal- Architect
Martha DeGasis- Arcadia Studio
Ken Marshall- Dudek

Public Comments:
1. Dorinne Lee Johnson
2. Sarah Maiani
3. Ron Sickafoose
4. Sybil Rosen & Letter
5. Sascha Leibowitz & Letter
6. Mike Taigman - Letter
7. Paul & Julie Craig - Letter

EXHIBIT G
MBAR Comments:
1. One member concerned about fire response time.
2. Consider planter boxes on rooftop balconies to push people away from edge of parapet walls to improve privacy.
3. One member would like to see more of a community benefit from the project in exchange for losing trees.
4. City is urged to take MBAR comments seriously.
5. One member thinks project is overbuilt and would like to see project reduced to retain some of the existing vegetation/trees.
6. Concerned about forcing same amount of biomass packed into a smaller area – seems to create a fire hazard.
7. Architecture is nice.
8. Concerned about impacts to residential properties on the east end.
9. Could reduce square footage and massing by making some of the units smaller, eliminating commercial element, reducing plate heights, and/or lowering the northern finished floor by lowering garage slope and reducing roof pitch as the project moves up the slope.
10. Deep policy issues that need to be addressed.
11. One member thinks it’s a nice project if you ignore the policy issues related to parking, density, and affordable housing.
12. Front portion of project is well designed. Rear portion is overbuilt where it transitions to residential uses.
13. Several members suggest reducing scale of project in the rear of the site by reducing the back 4 units to single story and/or eliminating roof decks.

The project received comments only.

8. 17BAR-00000-00212 Neithart Renovation and Addition 277 East Mountain Drive
   (No Planner Assigned)  Ridgetale: N/A

Request of Jeremy Roberts, architect for the owners, Charmean and Rob Neithart, to consider Case No. 17BAR-00000-00212 for conceptual review of an addition to the existing single family dwelling of approximately 1,766 square feet, new exterior renovations to include new porches and a new detached garage/storage of approximately 690 square feet. The following structures currently exist on the parcel: a single family dwelling of approximately 1,467 square feet. The proposed project will require approximately 544 cubic yards of cut and approximately 112 cubic yards of fill. The property is a 1.03 acre parcel zoned 2-E-1 and shown as Assessor’s Parcel Number 013-050-053, located at 277 East Mountain Drive in the Montecito area, First Supervisorial District. (Appearance by Jeremy Roberts, Rob Neithart)

MBAR Comments:
1. Look for opportunities to place excess soil material on the site.
2. Nice project.
3. Consider higher plate heights.

The project received comments only. The project is to return for preliminary/final approval.

9. 17BAR-00000-00213 Horn Remodel and Additions 128 Santa Elena
   (No Planner Assigned)  Ridgetale: N/A

Request of Robert Pester, architect for the owners, Jeff & Gretchen Horn, to consider Case No. 17BAR-00000-00213 for conceptual review of the conversion of the existing attached garage of approximately 329 square feet to habitable space with an addition of 807 square feet, a new deck and landing and entry porch of approximately. The following structures currently exist on the parcel:
ARCHITECTURAL BOARD OF REVIEW
MINUTES

Tuesday, January 17, 2017  David Gebhard Public Meeting Room: 630 Garden Street  3:00 P.M.

BOARD MEMBERS:  KIRK GRADIN  COURTNEY JANE MILLER  KEVIN MOORE  AMY FITZGERALD TRIPP  DAVID R. WATKINS  WM. HOWARD WITTAUSCH

CITY COUNCIL LIAISON:  FRANK HOTCHKISS
PLANNING COMMISSION LIAISON:  JOHN CAMPANELLA
PLANNING COMMISSION LIAISON (Alternate):  SHEILA LODGE

STAFF:  JAIME LIMÓN, Design Review Supervisor  MATTHEW CAMERON, Planning Technician  KRYS TAL M. VAUGHN, Commission Secretary

Website: www.SantaBarbaraCA.gov

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

1062 COAST VILLAGE RD

C-1/SD-3 Zone

(5:40)  Assessor’s Parcel Number:  009-211-014  Application Number:  MST2016-00451  Owner:  David Baek Revocable Trust  Architect:  The Cearnal Collective, LLP

(Proposal for a new 30,316 square foot, 3-story mixed use development on a 25,215 square foot lot in the non-appealable jurisdiction of the Coastal Zone. The parcel is currently developed with a 10,872 square foot apartment building and carport, and the proposal involves the demolition of all buildings and paving, and the removal of all site trees. The project comprises nine condominium units totaling 20,192 square feet, and a 5,913 private residential garage area providing 18 spaces. The project also includes 966 square feet of commercial space, and 8,724 square feet of commercial and common garage areas providing six parking spaces and one commercial bicycle space. There will be 8,500 cubic yards of grading excavation. This project requires Planning Commission review for a Tentative Subdivision Map.)

(Comments only. Requires Environmental Assessment and Planning Commission review.)

Actual time:  6:40 p.m.


Public comment opened at 6:53 p.m.
The following people spoke in opposition or with concerns:
1. Timothy Fox Harding, neighbor, presented concerns regarding privacy, the size of the project and the negative environmental impact associated with the removal of the site's trees.
2. Sascha Liebowitz, neighbor, presented concerns regarding privacy and impact on the neighborhood.
3. Victoria Green, Montecito Planning Commission, expressed that she would like to see more on the size bulk and scale of the project.
4. A letter of expressed concerns from Dorothy Fox & Timothy Harding regarding the project’s negative environmental impact; neighborhood incompatibility; and mass, bulk, and scale was acknowledged.

Public comment closed at 7:02 p.m.

Motion: Continued indefinitely with comments:
1. The Board is appreciative of the design approach and the style.
2. The Board agrees that the project's style is in keeping with the traditional Santa Barbara style and fits in well with the best examples of Spanish/Mediterranean architecture that currently exists along Coast Village Road.
3. Applicant to return with a landscape plan and existing photographs that illustrates trees or hedges around the perimeter of the project so as to add additional screening for adjacent neighbor.
4. Applicant to continue meeting with the neighbors so as to address any of their concerns.
5. Study shifting the current footprint away from the along the west property line to salvage the healthy trees.
6. Study varying the height of the roof and eave elements along the west property to give a more village feel.
7. Study reducing the height of the elevator tower at Coast Village Road, and pulling it back away from the street.
8. Study the detailing of the elevator tower.

Action: Wittausch/Gradin, 5/0/0. (Miller absent.) Motion carried.
CONCEPT REVIEW - CONTINUED ITEM

1062 COAST VILLAGE RD
(4:00)
Assessor's Parcel Number: 009-211-014
Application Number: MST2016-00451
Owner: David Back Revocable Trust
Architect: The Cearnal Collective, LLP

C-1/SD-3 Zone

(The project proposes to demolish a 10,872 square-foot 14-unit apartment building, carport, hardscape and ten mature pine trees, and construct a new 22,312 square foot, three story mixed use development. The new development would include nine two-bedroom condominium units, 989 net new square feet of commercial, and a subterranean garage with 24 vehicular parking spaces. The project will require design review by the Architectural Board of Review and review by the Planning Commission for the Tentative Subdivision Map for condominiums, Coastal Development Permit, and Modification to provide a portion of the common yard not at grade. Per a 2010 Memorandum of Understanding with Santa Barbara County, all projects on Coast Village Road also require a courtesy review by the Montecito Planning Commission. This review is required prior to Planning Commission review.)

(Second Concept Review. Comments only. Requires Environmental Assessment and Planning Commission review. Item was last reviewed on January 17, 2017.)

Actual time: 4:27 p.m.

Present: Brian Cearnal, Architect, The Cearnal Collective, LLP; Bob Cunningham, Landscape Architect, Arcadia Studio; and Jessica Grant, Project Planner, City of Santa Barbara

Staff comments: Ms. Grant stated that the project requires Planning Commission review for Tentative Subdivision Map for condominiums and a Coastal Development Permit. She also mentioned that a 2010 memorandum of understanding between the County and the City states
that any project on Coast Village Road is required to go before the Montecito Planning Commission for comments only prior to its hearing at the City of Santa Barbara’s Planning Commission. Lastly, she asked the Board to comment on if a height modification would be supportable.

Public comment opened at 4:53 p.m.

The following people expressed opposition or concerns:
1. Timothy Harding stated that the east elevation would face his backyard and the second-story French doors with patios look directly into his backyard, causing privacy concerns.
2. Sascha Liebowitz emphasized concerns regarding privacy as the second-story windows and roof decks would look into her backyard and son’s bedroom. She also stated that the architect continues to disregard her concerns and expressed that the project will change the look and feel of the entire neighborhood.
3. Mike Taigman emphasized privacy concerns because of the second-story elements looking down into his home and backyard.
4. Correspondence from S. Dorothy Fox & Timothy Harding; Sascha Liebowitz & Mike Taigman; Mindy Wolfe, Attorney, on behalf of Sascha Liebowitz & Mike Taigman; Victoria Greene, on behalf of the Montecito Association; and Andre & Beverly Weckstrom was acknowledged.

Public comment closed at 5:01 p.m.

Motion: Continued indefinitely with comments:
1. The Board appreciated the direction of the project, the architectural style, and the articulation of the massing in the stepping of the building.
2. The Board suggested a landscape review by either Board Member Courtney Jane Miller or the Historic Landmarks Commission’s Landscape Architect.
3. Further address the privacy issues from neighbors and restudy openings, doors, and balconies that directly face neighbors. Study the potential of refining floorplans to work for future tenants and current residents.
4. Study scaling back the roof decks to further increase privacy.
5. Provide a section through the site in both directions to provide a clear understanding of the grading and heights between this building and neighboring buildings, and provide information for a possible height modification.
6. Provide a photo simulation that shows the relationship between the project and adjacent properties at the east.

Action: Wittausch/Watkins, 5/0/0. (Gradin absent.) Motion carried.
CONCEPT REVIEW - CONTINUED ITEM
4. 1062 COAST VILLAGE RD

(5:15) Assessor’s Parcel Number: 009-211-014
Application Number: MST2016-00451
Owner: David Back Revocable Trust
Architect: The Cearnal Collective, LLP

(The project proposes to demolish a 10,872 square-foot 14-unit apartment building, carport, hardscape and ten mature pine trees, and construct a new 22,312 square foot, three story mixed use development. The new development would include nine two-bedroom condominium units, 989 net new square feet of commercial, and a subterranean garage with 24 vehicular parking spaces. The project will require design review by the Architectural Board of Review and review by the Planning Commission for the Tentative Subdivision Map for condominiums, Coastal Development Permit, and Modification to provide a portion of the common yard not at grade. Per a 2010 Memorandum of Understanding with Santa Barbara County, all projects on Coast Village Road also require a courtesy review by the Montecito Planning Commission. This review is required prior to Planning Commission review.)

(Third Concept Review. Comments Only. Project requires Planning Commission Review. Item was last heard on July 3, 2017.)

RECUSAL: Board Member Cunningham stepped down from the hearing of this item.
Actual time: 5:26 p.m.
Present: Brian Cearnal, Architect, The Cearnal Collective; Martha Degasis, Arcadia Studio, Landscape Architect; and Kathleen Kennedy, Associate Planner, City of Santa Barbara

Staff comments: Ms. Kennedy stated that the project is currently going through a 30-day Development Application Review Team review and there are three modifications being requested, which will need to be reviewed by the Board. She also advised that the project has received comments from the Montecito Planning Commission, Montecito Board of Architectural Review, Montecito Association, and the Coast Village Road Merchants Association. Ms.
Kennedy summarized the comments received by the Montecito review boards and stated that copies of the comments will be provided to the ABR for the next review.

Public comment opened at 5:50 p.m.

The following people expressed opposition or concerns:
1. Timothy Harding had questions regarding privacy trees and visibility from the project's roof decks down to his property.
2. Correspondence from Sascha Liebowitz and Mike Taigman, and Paul and Julie Craig in opposition was acknowledged.

Public comment closed at 5:56 p.m.
Straw vote: How many Board Members can support the interior modification with the condition that the corridor be a minimum of 12 feet wide? 3/1 Passed
Straw vote: How many Board Members can support the modification request along the east property line as proposed? 4/0 Passed

Motion: Continue to the Planning Commission for return to the Full Board with comments:
1. The Board supports the interior modification if the smallest width in the paseo is 12 feet wide.
2. Overall the Board finds the architectural style appropriate.
3. The Board is appreciative of the applicant moving the buildings further away for the north property line and retaining the large trees along that area.
4. Looking at unit 1, the Board suggest studying the proximity of the building to the property line and study the openings to make sure they are feasible.
5. On the second floor of units 7 and 5, study the large windows and their relationship to their neighbors in regards to privacy.
6. Continue the dialogue with the neighbors and share any updates of the design.
7. The Historic Landmarks Commission Landscape Architect should review the design and provide feedback.
8. The Board finds that the Compatibility Analysis Criteria have been satisfied (per SBMC 22.68.045.B.) as follows:
a. The proposal complies with the City Charter and Municipal Code and is consistent with design guidelines.
b. The proposal is compatible with the architectural character of the City and neighborhood, including the style, character, color, materials, and detailing.
c. The proposal is appropriate in size, mass, bulk, height, and scale, including the 11 foot floor to floor height, in this instance, because the height is pulled back from the street and not perceived as a high building from the street view.
d. The proposal is not near any historic resources.
e. The preservation of established scenic public views is not applicable as there are none in proximity to the project.
f. The proposal includes an appropriate amount of open space and landscaping, particularly because the buildings have been moved away from the north and east property line to preserve trees and allow for additional planting.

Action: Wittausch/Tripp, 3/1/0. (Watkins opposed. Cunningham and Gradin absent.) Motion carried.