



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: November 1, 2006
AGENDA DATE: November 8, 2006
PROJECT ADDRESS: 822 E. Canon Perdido (MST2005-00506)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner
 Chelsey Swanson, Assistant Planner

I. PROJECT DESCRIPTION

The proposed project involves the demolition of two existing residential units and two garages and the construction of four new three-bedroom, two-story condominium units ranging in size from 1,354 square feet to 1,468 square feet, on an 11,250 square foot lot in the C-2 zone. Parking would be provided with four attached two-car garages. Photovoltaics are also proposed as part of the project design. Approximately 1,300 cubic yards of fill is proposed for the site in order to create positive surface drainage. A reciprocal access and utility easement is also proposed, allowing for shared driveway use with the adjacent property to the north (824 E. Canon Perdido Street).

II. REQUIRED APPLICATION

The proposed project will require the following discretionary application:

Tentative Subdivision Map for a one-lot subdivision with four (4) new condominiums (SBMC §27.07.030 and §27.13).

III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Staff Hearing Officer approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



Vicinity Map – 822 E. Canon Perdido Street

Additional projects in the area:

A = Concurrently proposed four-unit condominium project with shared access (824 E. Canon Perdido).

B = Recently approved two-unit condominium conversion project

C = Proposed mixed-use project

D = Two proposed four-unit condominium conversion projects on two adjacent parcels

E = Mixed-use proposal with eight live-work condominiums.

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Kirk Gradin	Property Owner:	CCCP, LLC
Parcel Number:	031-042-006	Lot Area:	11,250 sq. ft.
General Plan:	Residential, 12 units/acre	Zoning:	C-2, Commercial Zone
Existing Use:	Residential	Topography:	~ 6%, slopes from street and rear of lot towards center of lot

Adjacent Land Uses:	
North – Residential and Commercial	East – Proposed Project and Commercial
South - Residential	West - Residential

B. PROJECT STATISTICS

	Living Area	Garage
Existing (gross sq. ft.)		
Front Unit	1,553	410
Rear Unit	520	290
Total	2,073	700
Proposed (net sq. ft.)		
Unit A	1,456	490
Unit B	1,363	490
Unit C	1,354	423
Unit D	1,468	468
Total	5,626	1,864

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks			
-Front	10'	>10'	10'
-Interior	6'	<6'	6'
-Rear	6' (1 st story) & 10' (2 nd story)	>6'	6' (1 st story) 10' (2 nd story)
Building Height	60' & four stories	One-story structures	29' and two-stories
Parking	4 covered, 4 uncovered	3 covered	8 covered
Lot Area Required for Each Unit (Variable Density)	At least 2,800 sq. ft./ unit	5,625 sq. ft./ unit	2,812 sq. ft./ unit
10% Open Space	1,125 sq. ft.	Requirement exceeded	1,193 sq. ft.
Private Outdoor Living Space	160 sq. ft. – 1 st floor OR 96 sq. ft. – 2 nd floor	Requirement exceeded	170 sq. ft. – 1 st floor (Unit D) 96 sq. ft. – 2 nd floor (Units A, B, C)

Lot Coverage					
-Building	N/A	2,700 sq. ft.	24%	4,882 sq. ft.	43%
-Paving/Driveway	N/A	1,688 sq. ft.	15%	3,180 sq. ft.	28%
		(gravel)			
-Patio area	N/A	N/A		662 sq. ft.	6%
-Landscaping	N/A	6,862 sq. ft.	61%	2,526 sq. ft.	23%

The proposed project would meet the requirements of the C-2, Commercial Zone.

VI. ISSUES

A. CONCEPTUAL REVIEW

Because a four-unit condominium project is also proposed on the adjacent property at 824 E. Canon Perdido, both projects were conceptually reviewed at a joint Planning Commission and Staff Hearing Officer Meeting on May 11, 2006. The main issues raised associated with 822 E. Canon Perdido were site drainage and the potential for vegetated swales, building height in relation to the existing residential structure to the west, modification supportability, and compatibility of architectural styles with development at 824 E. Canon Perdido (meeting minutes attached as Exhibit D).

The Commissioners requested the possibility of a vegetated swale instead of the proposed hard-surface swale along the narrow west side yard be studied further. The applicant explains in the attached letter (Exhibit C) that the project civil engineer has determined a vegetated swale is not feasible for this site unless slope of the site was increased and additional retaining walls were proposed; and therefore, the applicant is still proposing a concrete swale. A concern was also raised with regard to the height of the building and how it would relate to the existing residential apartment building to the south, potentially creating a "12-foot canyon" effect and impacting the neighbors' second-story outdoor living areas. The adjacent building is approximately 18' tall, and the proposed building would be approximately 7' taller as seen from Canon Perdido Street. The Architectural Board of Review (ABR) found the building height in relation to the adjacent apartment building to be appropriate, and therefore, the applicant has not changed the height of the building. At the time of conceptual review, the project included a modification request to allow a trash enclosure to encroach into the rear yard behind Unit D. Although the Planning Commission was supportive of the modification request, the project has been redesigned so that no modification is required. Finally, the Commissioners liked the art deco styles of both 824 and 822 E. Canon Perdido and felt that they were compatible developments.

B. COMPLIANCE WITH THE GENERAL PLAN

Before a condominium project and a tentative subdivision map can be approved, both must be found consistent with the City's General Plan.

Land Use Element: The project is located within the Milpas neighborhood, as described in the Land Use Element of the General Plan. This area is bounded on the north by Canon Perdido Street; on the south by Highway 101; and on the east and west generally by the rear of the commercial establishments on each side of Milpas Street. Commercial development is concentrated along both sides of Milpas Street with residential development behind commercial buildings. The project setting is a mix of residential uses and commercial uses and the proposed project would comply with the established neighborhood and land uses.

The General Plan land use designation for this area is Residential, 12 dwelling units per acre. The project density would be 15.4 units per acre. The General Plan recognizes that, in multiple family residential zones where variable density standards apply, development may be allowed that exceeds the limits of the 12 units per acre General Plan designation without causing an inappropriate increase in the intensity of development. Therefore, the proposed density is consistent with the General Plan.

Housing Element: Santa Barbara has very little vacant or available land for new residential development and, therefore, City housing policies support build out of infill housing units in the City's urban areas. The development would provide for homeowner opportunities in a neighborhood with adjacent proximity to a commercial center.

A goal of the Housing Element is to assist in the production of new housing opportunities, through the public and private sector, which vary sufficiently in type and affordability to meet the needs of all economic and social groups. The proposed project contains all relatively modest unit sizes. The proposed residential units would not be restricted to low- or moderate-income households. The City provisions for inclusionary zoning only apply to projects that involve ten or more units.

C. DESIGN REVIEW

This project was reviewed by the Architectural Board of Review (ABR) on four separate occasions (meeting minutes are attached as Exhibit E). The project initially proposed included a tandem parking configuration for Unit D, which was also proposed to be detached from the other three units. The ABR favored the aesthetics of the option that did not include tandem parking and included four attached units instead of three attached and one detached unit. At the most recent conceptual review on June 26, 2006, the ABR commented on the issues raised at the joint Planning Commission and Staff Hearing Officer meeting and stated the following: 1) The Board finds that the height as currently depicted is acceptable in relation to the adjacent apartment building to the west. 2) The redesign of the rear unit is beneficial and reduces the requirement for modifications. 3) Increase landscape areas adjacent to garages and entries. The Board looks for restudy upon return to the Consent Calendar. 4) The landscape plan with proposed reuse of plant material is a valid approach. 5) There is concern for the central gravel portion of the drive. Study adding enhanced paving to prevent gravel from tracking onto the public sidewalk. 6) The drainage swale along westerly property line is appropriate as presented. 7) Show clear definition of added wall and fence heights as they abut the property to

the west. 8) The Board understands that the trash enclosure, as currently depicted at Unit D, will be moving inside the garage on subsequent plans.

Since the last ABR review, trash enclosure areas were relocated into the garages for the units, which remain outside of the 20' by 20' interior clear space, so that additional open space landscaping could be proposed where the trash enclosures were. No additional design changes have been made to the project since the last ABR conceptual review.

D. ENVIRONMENTAL REVIEW

Archaeological Resources: The project site is located within the American Period 1870-1900, and Early 20th Century Period 1900-1920, Cultural Resource Sensitivity Zones, as identified in the City's Master Environmental Assessment (MEA). A Phase I Archaeological Resources Report was prepared and accepted by the Historic Landmarks Commission (HLC) on June 14, 2006. The report concluded that it is considered unlikely that development of the parcel will result in impacts to a prehistoric or historic site, and that impacts of the project are evaluated as less than significant. Standard conditions of approval have been implemented for the purpose of avoiding impacts to archaeological resources, in the unlikely event that grading reveals the presence of cultural artifacts or sites.

Conclusion: Staff has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15303 for new construction of small structures, and Section 15313, Minor Land Divisions.

E. OTHER PROJECTS IN THE VICINITY (SEE VICINITY MAP FOR LOCATIONS)

817 N. Milpas Street – There is currently a proposal for a two-story, mixed-use project consisting of five new condominium units totaling 7,728 square feet, one new 843 square foot commercial space and fourteen parking spaces on a 13,677 square foot lot. The existing 1,364 square foot one-story residence, 1,370 square foot garage and 599 square foot shed on the property would be demolished. This project is located on the parcel directly east and adjacent to the rear property line of 822 E. Canon Perdido. The proposed project has been through two Development Application Review Team (DART) reviews and conceptual review by the ABR.

902 N. Nopal Street – There is a recently approved (January 19, 2006) two-unit condominium conversion project located at this address, which is located across the street and at the end of the block.

924 and 930 Philinda Avenue – There are two proposed four-unit condominium conversion projects proposed by different owners on two adjacent properties. Both projects are subject to the SHO, and are being processed concurrently. An access agreement for the continuation of sharing the existing driveway is also proposed for these projects. These proposed projects are scheduled for SHO review on December 6, 2006.

803 N. Milpas – A Preliminary Review Team (PRT) application has recently been submitted for a proposal to construct a mixed-use development to include 8 live/work townhouse-style condominiums and one commercial condominium within three new buildings on a 21,756 square foot vacant lot on the corner of Milpas and De la Guerra Streets.

VII. FINDINGS

A. TENTATIVE MAP (SBMC §27.07.100)

The Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development, the project is consistent with the variable density provisions of the Municipal Code and the General Plan, and the proposed use is consistent with the vision for this neighborhood of the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems.

B. THE NEW CONDOMINIUM DEVELOPMENT (SBMC §27.13.080)

1. There is compliance with all provisions of the City's Condominium Ordinance.
The project complies with the physical standards for condominiums related to parking, private storage space, utility metering, laundry facilities, density, and outdoor living space requirements.
2. The proposed development is consistent with the General Plan of the City of Santa Barbara.
The project can be found consistent with policies of the City's General Plan including the Housing Element and Land Use Element. The project will provide infill residential development that is compatible with the surrounding neighborhood.
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.
The project is an infill residential project proposed in an area where residential development is a permitted use. The project is adequately served by public streets, will provide adequate parking to meet the demands of the project and will not result in traffic impacts. The design has been reviewed by the City's design review board, which found the architecture and site design appropriate.

Exhibits:

- A. Conditions of Approval

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- B. Site Plan
- C. Applicant's Letter, dated September 6, 2006
- D. PC/SHO Joint Meeting Minutes
- E. ABR Minutes

STAFF HEARING OFFICER CONDITIONS OF APPROVAL

822 E. CANON PERDIDO STREET
TENTATIVE SUBDIVISION MAP
NOVEMBER 8, 2006

- I. In consideration of the project approval granted by the Staff Hearing Officer 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. **Recorded Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property", which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. 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.
 2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property.
 3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
 4. **Maintenance of Drainage System.** Owner shall be responsible for maintaining the drainage system in a functioning state. Should any of the project's surface or subsurface drainage structures fail or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building permit is required to authorize such work.
 5. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on November 6, 2006, is limited to four dwelling units and the improvements shown on the Tentative Subdivision Map signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
 6. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or

a similar agreement which, among other things, shall provide for all of the following:

- a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium parcels:
 - b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
 - c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
 - d. **Trash and Recycling.** Adequate space shall be provided and maintained for trash and recycling purposes.
 - e. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
7. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance and most currently adopted Energy Code. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.
 8. **Storm Water Pollution Control Systems Maintenance.** The Owner(s) shall maintain the drainage system, storm drain water interceptor and other storm water pollution control devices in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official and/or the Public Works Director.
- B. **Design Review.** The following is subject to the review and approval of the Architectural Board of Review (ABR):
1. **Tree Relocation.** The existing trees indicated on the Landscape Plan for relocation, shall be relocated on the Real Property and shall be fenced and protected during construction.
 2. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.
 3. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.

- C. **Public Works Submittal Prior to Parcel 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 Parcel Map for the project:
1. **Parcel Map.** The Owner shall submit to the Public Works Department for approval, a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance.
 2. **Dedication(s).** Easements as shown on the approved Tentative Subdivision Map described as follows, subject to approval by the Public Works Department and/or the Building and Safety Division:
 - a. A 5-foot wide easement for storm drainage purposes as shown on the approved Tentative Subdivision Map.
 - b. A reciprocal access easement variable in width for vehicles on APN 031-042-006 and APN 031-042-007.
 3. **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. Said agreement will be prepared by Engineering Division Staff for the Owner's signature.
 4. **Required Private Covenants.** The Owner shall submit a copy of the recorded private covenants, reciprocal easement agreement, or similar private agreements required for the project.
 5. **Drainage Calculations.** The Owner shall submit drainage calculations justifying that the existing on-site and proposed on-site drainage system adequately conveys a minimum of a 25-year storm event.
 6. **East Canon Perdido Public Street Improvement Plans.** The Owner shall submit C-1 public improvement or building plans for construction of improvements along the property frontage on East Canon Perdido Street. As determined by the Public Works Department, the improvements shall include new and/or remove and replace to City standards, the following: sidewalk, driveway apron modified to meet Title 24 requirements, curbs, gutters, slurry seal to the centerline of the street along entire subject property frontage and 20 feet beyond any trenching, underground service utilities, connection to City water and sewer mains, private and public drainage improvements with supporting drainage calculations and/or hydrology report for installation of drainage pipe, curb drain outlets, slot/trench drain, (provide on-site storm water BMP plan), etc., supply and install one residential standard street light, style to be determined by the Public Works Department and the ABR, coordinate with City staff to retire light standard on existing utility pole, preserve and/or reset survey monuments and contractor stamps, supply and install directional/regulatory traffic control signs, storm drain stenciling, pollution prevention interceptor device, on-site biofilter/swale sized per drainage calculations, and provide adequate positive drainage from site. Existing private

sewer lateral(s) serving the property shall be repaired before new dwellings are occupied. Any existing sewer laterals identified to be abandoned, shall be disconnected at the sewer mainline connection. A licensed plumber shall verify if the property requires a backwater valve. If existing lateral already has a backwater valve, then it shall be inspected. The building plans, drainage calculations and hydrology report shall be prepared by a registered civil engineer or licensed architect. Any work in the public right of way requires a public works permit.

7. **Land Development Agreement.** The Owner shall submit an executed Agreement for Land Development Improvements, prepared by Engineering Division Staff, an Engineer's Estimate, signed and stamped by a registered civil engineer, and securities for construction of improvements prior to execution of the agreement.
 8. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.
 9. **Maintenance Agreement Required.** The Owner shall submit an Executed Agreement for Maintenance of the proposed driveway, subject to the review and approval of the Public Works Director and City Attorney.
- D. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Recordation of Parcel Map Agreements.** After City Council approval, the Owner shall provide evidence of recordation to the Public Works Department.
 2. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.
- E. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
1. **Design Review Requirements.** Plans shall show all design and landscape elements, as approved by the ABR, outlined in Section B above.
 2. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries

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

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

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

3. **Water-Conserving Fixtures.** All plumbing fixtures shall be water-conserving devices in new construction, subject to the approval of the Water Resources Management Staff.
4. **Conditions on Plans/Signatures.** The final Staff Hearing Officer Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner

Date

Contractor

Date

License No.

Architect

Date

License No.

Engineer

Date

License No.

F. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field for the duration of the project construction.

1. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill.
2. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.
3. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

New Year's Day.....	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day.....	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day.....	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day.....	December 25th*

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

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 Chief of Building and Safety 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 night 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.

4. **Construction Parking/Storage.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director.

- b. Storage or staging of construction materials and equipment within the public right-of-way is prohibited.
5. **Water Sprinkling During Grading.** During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
 - a. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
6. **Covered Truck Loads.** Trucks transporting fill material to and from the site shall be covered from the point of origin.
7. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used, as directed by the Building Inspector.
8. **Gravel Pads.** Gravel pads shall be installed at all access points to the project site to parking and staging areas at the construction site shall be swept daily to decrease sediment transport to the public storm drain system and dust. prevent tracking of mud on to public roads.
9. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
10. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractors name, contractors telephone number, work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval.
11. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
12. **Graffiti Abatement Required.** Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed within 24 hours of notice by the Building and Safety Division may result in a Stop Work order

being issued, or may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.

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

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

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

- 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 damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
 2. **Complete Public Improvements.** Public improvements, as shown in the improvement/building plans, including utility undergrounding and installation of street trees.
 3. **Backflow Device.** Provide an approved (backwater valve) (backflow device) placed on the property side of consumer's service pursuant to Santa Barbara Municipal Code Section 14.20.120.

4. **Manholes.** Raise all sewer and water manholes on easement to final finished grade.

H. **Litigation Indemnification Agreement.** In the event the Staff Hearing Officer approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

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

NOTICE OF TENTATIVE SUBDIVISION MAP (INCLUDING NEW CONDOMINIUMS AND CONDOMINIUM CONVERSIONS) TIME LIMITS:

The Staff Hearing Officer's action approving the Tentative Map shall expire two (2) 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 or the provisions of the California Subdivision Map Act.

SITE PLAN & COMPOSITE UTILITY PLAN

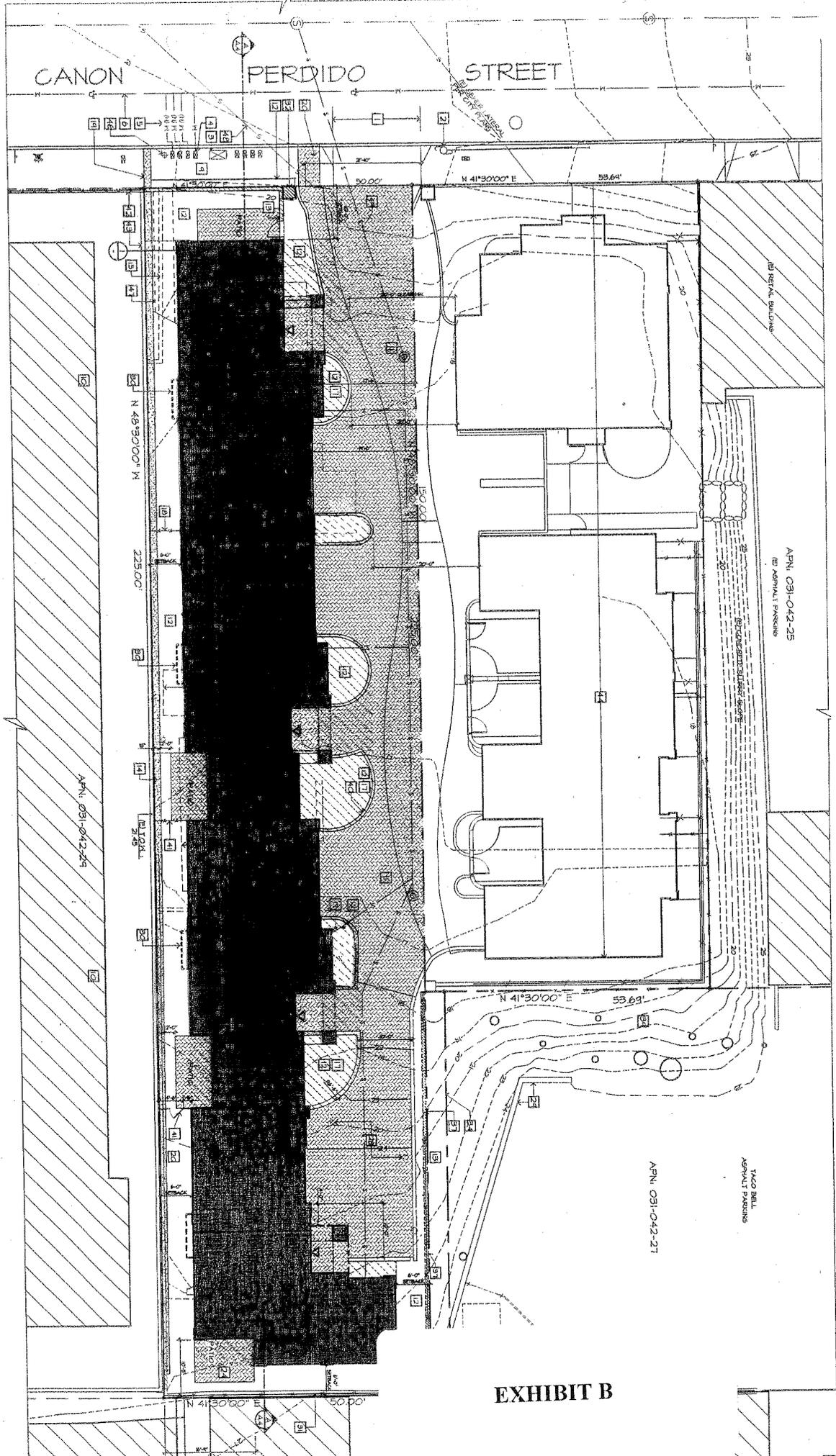
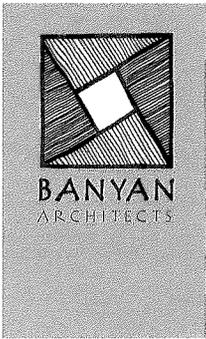


EXHIBIT B



City of Santa Barbara
Planning and Development
130 Garden Street
SB, CA 93101

9/06/2006

Attn: Staff Hearing Officer, Betty Henon

Re: CCCP Condos
822 E. Canon Perdido Street
Santa Barbara, CA 93101
A.P.N.: 031-042-06
Zone: C-2
Owner: CCP Inc
822 E. Canon Perdido Street
Santa Barbara, CA 93101

RECEIVED

SEP 07 2006

**CITY OF SANTA BARBARA
PLANNING DIVISION**

Dear Betty--

We are seeking SHO approval for four (4) new condos at 822 E. Canon Perdido Street. Each of the units (labeled "A", "B", "C" and "D") is two-story with 3 bedrooms, two baths and a two-car garage. The units vary in size from 1590 square feet to 1660 square feet and have private outdoor living areas either at the first or second floor. All of the condos are designed as "entry level" housing units and will utilize the latest technology in terms of solar water heating and photovoltaics for electricity generation along with other "sustainable" building materials to make this a truly "green" project. The project will also grant a driveway access easement to the adjacent lot to the north (A.P.N.: 031-042-07) which is also being submitted to the Staff Hearing Officer for condominium development. This shared driveway feature minimizes the total amount of paved surfaces needed for both projects and maximizes the available landscaped areas. Because the regrading of the topography is needed to create positive surface drainage away from the site, all of the current structures and landscaping at 882 will be removed except for some of the perimeter retaining walls, hedges and fencing. Many of the existing mature plantings will be potted and replanted in the new landscape design.

The total building footprint for the site would cover 43% of the lot, the driveway covers 28%, while the patios at the ground floor level covers 6% of the lot. This leaves 23% of the lot (2,538 sq. ft.) to landscaping. The open space for the lot is at 10% and is shown as a dashed hatch pattern on the Site Plan, sheet A.2.

A 16' wide driveway with permeable paving is being provided to within 150' of the rear of the back unit (Unit "D") and there is a fire hydrant within 20' of the

southwest corner of the lot. The project has been reviewed with the fire department to verify compliance with minimum standards.

The existing site is 11,250 square feet (.258 acres) and currently holds two small residential units. The first existing unit, closest to the street, is 1553 square feet (gross) with a two-car garage of 410 square feet. The second existing residence is 520 square feet with a one-car garage of 290 square feet. This smaller residence is currently encroaching on the side yard setback. Both residences are in advanced states of disrepair. There are also a number of small existing storage sheds (the largest one being 64 sq ft), garden structures and low garden walls on the site. All of the construction appears to have been poorly and haphazardly built. There is no documentation as to the year of construction but we would guess that it is roughly 30 or 40 years old. There is also perimeter fencing of various types. Along the southerly and westerly property lines there is exposed concrete block walls (most of which are retaining anywhere from 2' to 5') and which are topped by old redwood, vertical slat fencing. There is a chain-link fence (mostly covered by a mature hedge) along the street frontage and a chain-link gate at the driveway entrance. The existing gravel driveway is currently shared with the adjacent lot to the north (A.P.N: 031-042-07) which appears to have been used as amenities for 822 Canon Perdido: additional uncovered parking, gardens areas and a one-car carport. In addition to the hedges along the property lines at the west, south and east edges there is a number of small fruit trees on 822 along with an 18" diameter pine approximately 68 feet from the rear of the lot. The site slopes down away from the street (roughly 3') to a base elevation of 17 and then slopes back up to its highest grade at the rear of 25. Except on the northerly side, the existing site is 3' to 4' below its neighboring lots. To make matters worse, portions of both of the lots to the north drain on to our lot and there is no overland escape route for the current site drainage. All site and roof surface run-off is currently taken through an underground pipe to drain underneath the lot to the south. To eliminate this liability, approximately 1300 cubic yards of fill will be brought in to create a slope for positive surface drainage out to the street. 100 cubic yards of on-site cut will also be used for the new fill. All new surface and roof run-off will then be taken via hard-surface swales to drain underneath the existing sidewalk and empty into the street just south of the current driveway (see grading and drainage plan).

The Planning Commissioners at the joint PC/SO hearing (May 11, 2006) requested that the possibility of a vegetated swale instead of a hard-surface swale along the narrow easterly side yard be studied further. There are many reasons why a vegetated swale on this site is not feasible. As our civil engineer has confirmed, a vegetated swale requires a 3% to 5% slope. We only have a 1.5% slope from the rear to the front of the property. To increase the slope percentage sufficiently would require greatly increasing the amount of fill coming to the site and would necessitate **additional** retaining walls, 4' and higher around the rear and sides of the lot. The new retaining wall (already shown on our plans) along the westerly property line would also double in height, raising it to over 6'. Furthermore, a vegetated swale relies (in part) on the soil to absorb portions of the run-off. In an extreme storm event, if the ground becomes saturated and water cannot escape from the site quickly enough, then the water has no place to go except into the units or into our neighbors yard, thereby very likely flooding their units.

There are no modifications associated with this proposal.

Stylistically, the design vernacular is partly drawn from neighboring influences. Just one door away and across the street at the corner of Milpas and Canon Perdido is a finely wrought example of art deco incorporating the using of two-piece mission tile along with mostly flat roofs, stucco siding and wood windows. Down the street in the other direction is a recent condo project in a more contemporary Mediterranean style. We have sought to blend these into a unique statement called "Span-Deco". Both the architecture and the landscape plan have been reviewed by the Architectural Board and the Planning Commission. Both the board and the Commission found the architecture to be charming and appropriately massed. Some Planning Commissioners thought that the height should be reduced. However, when we returned to the ABR after the joint PC/SHO hearing, the ABR preferred the height of our original design for 822 and told us not to change it. They did ask 824 to lower their plate heights. The ABR also carefully reviewed the architectural design of 822 in relation to the impact to the neighbor to the west and found the undulations and architectural features to be appropriately addressed (see ABR minutes for June 26, 2006). The ABR also noted that the height of the whole building of the existing neighbor to the west is clearly shown (and has always been shown) on the West Elevation, sheet A.4.

In conclusion, this proposal offers a handsome development to the neighborhood in what was otherwise a troubled site. It also adds to the available entry level housing stock in Santa Barbara. The architecture is not only appropriate to the neighborhood in mass and scale, but a considerable upgrade to the existing conditions and surrounding developments and unique in its utilization of "green" technologies. As previously mentioned, both 822 and 824 have been previously reviewed at a PC lunch meeting, a joint PC/SHO hearing and have had multiple ABR and staff reviews including a PRT process which is now no longer required for condo projects of 4 units or less. Therefore, we look forward to your final, careful consideration and approval of this proposal.



Kirk B. Gradin, Architect
Banyan Architects

The commission thanked staff for the update and wished them well in presentation to Council.

IV. NEW ITEMS:

ACTUAL TIME: 2:40 P.M.

A. JOINT PLANNING COMMISSION AND STAFF HEARING OFFICER CONCEPT REVIEW:

Because the two projects listed below are adjacent to each other and share access, the Planning Commission requested a joint concept review with the Staff Hearing Officer, who will make the decisions on the individual projects.

1. APPLICATION OF KIRK GRADIN, ARCHITECT FOR CCCP, LLC, 822 E. CANON PERDIDO STREET, APN 031-042-006, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS/ACRE (MST2005-00506)

The proposed project for 822 E. Canon Perdido involves the demolition of two existing residential units and two garages and the construction of four new three-bedroom, two-story condominium units ranging in size from 1,354 square feet to 1,456 square feet, on an 11,250 square foot lot in the C-2 zone. Parking would be provided with four attached two-car garages. A Modification would be required for a trash enclosure to be located within the rear yard setback. The project is processing concurrently with the development of the adjacent property to the north (824 E. Canon Perdido Street) with shared easements for the access drive and utilities. The adjacent property is under a separate application for the development of four residential condominiums.

Upon review and formal action on the application for the development proposal, the proposed project will require the following discretionary applications:

- a. Tentative Subdivision Map for a one-lot subdivision with four (4) new condominiums (SBMC §27.07.030 and §27.13);
- b. Modification to allow a trash enclosure in the rear yard (SBMC §28.21.060);
- c. Design Review Approval by the Architectural Board of Review (SBMC §22.68).

Case Planner: Chelsey Swanson, Assistant Planner
Email: cswanson@SantaBarbaraCA.gov

2. APPLICATION OF CHRISTINE PIERRON, ARCHITECT FOR CANON PERDIDO COTTAGES LLC, 824 E. CANON PERDIDO STREET, APN 031-042-007, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS/ACRE (MST2005-00504)

The project proposed for 824 E. Canon Perdido Street involves the demolition of a 400 square foot garage and the construction of four new residential condominiums on a lot of approximately 8,053 square feet in the C-2 zone. The project contains one 1,268 square foot two-bedroom unit, and three 857 square foot one-bedroom units. Parking would be provided within four attached two and one-car garages. A Modification is required to allow the entry porch of Unit A to encroach into the required front yard setback. The project is processing concurrently with the development of the adjacent property to the south (822 E. Canon Perdido Street) with shared easements for the access drive and utilities. The adjacent property is under a separate application for the development of four residential condominiums.

Upon review and formal action on the application for the development proposal, the proposed project will require the following discretionary applications:

- a. Tentative Subdivision Map for a one-lot subdivision with four (4) residential condominiums (SBMC §27.07.030 and §27.13);
- b. Modification to allow the front condominium unit and the existing kiosk to encroach into the required front yard setback (SBMC §28.21.060); and
- c. Design Review Approval by the Architectural Board of Review (SBMC §22.68).
- d. Canon Perdido Street Setback Variance Approval by the City Council (SBMC §28.83.007)

The purpose of this joint concept review is to allow the Planning Commission and Staff Hearing Officer an opportunity to review the proposed project design at a conceptual level and provide the Applicants and Staff with feedback and direction regarding the proposed land use and design. No formal action on the development proposal will be taken at the concept review, nor will any determination be made regarding environmental review of the proposed project.

Case Planner: Irma Unzueta, Project Planner
Email: iunzueta@santabarbaraca.gov

Ms. Hubbell introduced the unique hearing situation. Commissioner Myers asked what happens after the Commission hears these items today. Ms. Hubbell explained that today's presentations would be joint; however, the projects will return to the Staff Hearing Officer separately.

Irma Unzueta, Project Planner, gave the Staff presentation.

Planning Commission and Staff Hearing Officer comments and questions:

1. Asked Staff about the drain line and suitability for proper drainage. Asked if there are concerns about having drain inlets used as the sole source of conveying water away from the property.
2. Asked if the drains are on the property and draining onto adjacent property. Asked if both homeowner associations of the proposed developments would address the maintenance.
3. Asked if either project would develop dwellings over existing easements and if so, how would access be addressed to the easements.
4. Would like to know more about the design consideration for the drainage swales and asked that the Commission review options.

Chris Hansen, Building Plan Check Supervisor, addressed the drainage concerns. He added that the issue of the drain inlets was taken into consideration and addressed with drainage swales. If the drain inlets become plugged, then they would spill over into the drainage swales. Mr. Hansen stated that maintenance is the responsibility of the property owner or association. He added that the downhill property owner has the duty to accept the uphill runoff, but has the right to modify it to his benefit to keep it from endangering those that are uphill. Mr. Hansen stated that the CC&R's would cover the HOA's maintenance.

Bettie Weiss, Staff Hearing Officer, recalled having seen a project where the paved open space was really a drainage swale and sees that as a design consideration; requests that these drainage swales be made more green or vegetated wherever possible.

Mr. Hansen stated that the private line of one property owner is being connected to the other. No easements are impacted.

Commissioner Jostes called a recess at 2:58 P.M. and reconvened at 3:13 P.M.

Christine Pierron, architect for the applicant, gave a brief presentation for 824 E. Canon Perdido Street and requested that the Planning Commission waive the required noise study for the project.

Kirk Gradin, architect for the applicant, gave a brief presentation for 822 E. Canon Perdido Street.

Mr. Vincent left the council chambers at 3:38 P.M and returned at 3:45 P.M.

Planning Commission and Staff Hearing Officer comment's and questions:

1. Asked Ms. Pierron if the requested front porch encroachment is due to a site constraint or for design purposes.
2. Asked Mr. Gradin where the concrete swale is on the site plan that is being requested by the engineers. Asked if there was a retaining wall currently in place.

3. Asked Ms. Pierron for a walk through of the elevations. Asked for locations of the uncovered parking spaces. Asked for the nearest "open" spaces.
4. Asked if there were any guest parking included in the project.
5. Asked Mr. Blankenship if the parking spaces would be designated for residents only.
6. Asked how the uncovered parking spaces for the one bedroom units will be assigned. Asked how the units would be marketed with the parking.
7. Asked Mr. Gradin about the composite west elevation and for the actual height. Also, asked about the relationship to adjacent property, and the height of the building. Asked about the setback distance between the two buildings.
8. Asked Staff about the variance and the intent behind the variance to protect that part of the Street more than is usually seen. Commented on the porch being in the setback; not an inhabitable area.
9. Asked about the floor-to-floor elevation in the 2 bedroom west elevation.

Ms. Pierron addressed the porch encroachment issue and commented that such porches address the street better and result in a superior design.

Mr. Gradin addressed concrete swale dimensions and the retaining wall issue. The concrete swale is 18-inches in width attached to a CMU slump-stone block retaining wall that runs the entire length of the property line. A portion of the site will be raised to meet the level of the current neighbor's retaining wall. Ms. Pierron also reviewed the elevations for the Commission.

Ms. Pierron clarified the front unit's Canon Perdido elevation, the parapet walls, one-car garages, entry courtyard walls, gates, and the locations of the uncovered spaces.

Ms. Hubbell stated the nearest open spaces were Santa Barbara Junior High, Santa Barbara High School, and Ortega Park, among others.

Ms. Hubbell commented that the two guest parking spaces identified by the applicant were not guest parking spaces under zoning, but required parking for the units of the project. Since there are two separate projects with 4 units each, there is no guest parking requirement.

Mr. Blankenship stated that the intent is for people purchasing the one bedroom units to have one covered parking space with access to the two remaining spaces on a first-come/first serve basis.

Mr. Gradin clarified the height of the adjacent buildings, the height of the lowest parapet on the front building, the aggregate distance between the buildings, and the stepping out & in design style.

Ms. Hubbell commented on the street setbacks. The setbacks are based on earlier considerations that were given for the possibility of street widening back in the 1950-60's

which has since lost focus as a solution to traffic congestion. Ms. Hubbell further clarified that the porch element is considered a structural element of the primary building, which may pose a concern.

Ms. Unzueta addressed the mailbox, porch, and other elements within the setback on Canon Perdido, and stated that conversations are still being held with Public Works regarding the supportability of the variance. Ms. Pierron commented on the justification of the variance if widening of the street were ever considered in the future.

Ms Pierron clarified the floor-to-floor west elevation dimensions of the project

Chair Jostes opened the public hearing at 4:02 P.M. With no one wishing to speak, the public hearing was closed at 4:02 P.M.

Commissioner Jostes asked Staff Hearing Officer Weiss what outcome was desired from the hearing regarding: drainage issue, noise issue on one of the projects, the front setback issue, overall design comments, and requested modifications for the project.

Ms. Hubbell stated that the decks are usable space and therefore subject to a noise threshold. After conferring with Debra Andaloro, Project Planner/Environmental Analyst, staff determined that the project is within the 60-65 noise decibel area, but until the analysis is complete, it cannot be determined if there should be further modifications to the site plan.

Commissioner's comments and questions:

1. Feels applicant makes compelling argument for waiver of noise study. Likes design of projects. Has concern over height relationship between 822 E. Canon Perdido and neighboring buildings to the west. Likes the entry courtyard at 824 E. Canon Perdido and deck over garage; supports modifications. Applauds use of green building techniques. Concern over landscaping, since not much was shown.
2. Finds design charming. Asks that both projects try to work with Architectural Board of Review (ABR) to reduce plate heights, especially 824 Canon Perdido, which supports green building techniques. Proposal for 822 Canon Perdido will create a 12 foot canyon for westerly neighbor, which would lose views, and feels that ABR and architect should address and make more pleasing for neighbor, undulation of building and landscaping would help. Agrees with architect that the deck area should be utilized. Feels City noise requirements may be too conservative in business areas where residential additions into the area expect higher traffic and noise levels. Feels that existing landscaping is charming and should be reused or duplicated to the extent practical in the new landscaping. Supports the variance for porch.
3. With regard to the drainage, asked to continue pursuing vegetative swales between 822 Canon Perdido and neighboring buildings. Supports noise study but would hope that a modification could be granted to keep the front deck and facilitate the cow overlook. Supports the requested variances and modifications as well as the art

deco and the Spanish style designs. Suggested use of story poles. The differentiated pavement should continue all the way to the street. Concerned that squeezing many cars over a shared driveway with a small lot impacts the amount of potential green space. Concur with the need for a landscaping plan and an easement agreement between the two projects for use of the shared driveway. Study possibility of a pedestrian path through adjacent properties (817 N. Milpas and Old Chevron property).

4. Commends the two project designers for working together and supports modifications. Likes the solar features. With regard to problematical drainage, suggests another look at hard swale versus soft swale. Feels it will be a challenge for two homeowners associations to work together to maintain one driveway.
5. Encourages another look at the drainage swale on the southwest side of the project, and didn't understand reasoning behind engineer's lack of more green approach. Supports all aspects of projects and its return to the Staff Hearing Officer.
6. Likes the combined architectural "Span-deco" styles. Finds Mr. Gradin's height estimates confusing and would like to see them better emphasized. Concerned with the parking within the properties and the reality that the prospective residents will have more cars than available parking. Would like more clarification on the drainage swale issue.

ACTUAL TIME: 4:29 P.M.

B. APPLICATION OF JOSE LUIS ESPARZA, ARCHITECT, FOR CARLOS ADAME, PROPERTY OWNER, 29 (UNITS A AND B) AND 33 S. SOLEDAD STREET, AND 1209 AND 1211 CARPINTERIA STREET, APN 017-183-012, R-2, TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS/ ACRE (MST2005-00321)

The project consists of the conversion of five existing rental units to five condominium units on a 20,080 square foot lot in the R-2 Zone. All of the units are two-stories with three bedrooms, and have two-car garages.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a one-lot subdivision to create five (5) residential condominium units (SBMC §27.07);
2. A Condominium Conversion Permit to convert five (5) existing residential units to five (5) condominium units (SBMC §28.88).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 (Existing Facilities).

Case Planner: Chelsey Swanson, Assistant Planner
Email: cswanson@SantaBarbaraCA.gov

Chelsey Swanson, Assistant Planner, gave the Staff presentation.



ARCHITECTURAL BOARD OF REVIEW
CASE SUMMARY

822 E CANON PERDIDO ST

MST2005-00506

R- CONDOS

Page: 1

Project Description:

822 CP - Proposal to demolish the two existing residential units totaling 2,073 square feet and construct four new two-story, three-bedroom condominium units totaling 6,692 square feet on an 11,210 square foot lot. The proposal includes three attached 1,605 square foot units with a 491 square foot two-car garage each and one detached 1,453 square foot unit with a 460 square foot two-car garage.

Activities:

6/26/2006

ABR-Concept Review (Continued)

(Fourth Concept Review.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT, STAFF HEARING OFFICER APPROVAL FOR A TENTATIVE SUBDIVISION MAP, AND MODIFICATIONS.)

(5:10)

Present: Kirk Gradin, Architect.

Motion: Continued indefinitely to the Staff Hearing Officer, and ready for Preliminary approval and return to consent with the following comments: 1) The Board finds that the height as currently depicted is acceptable in relation to the adjacent apartment building to the west. 2) The redesign of the rear unit is beneficial and reduces the requirement for modifications. 3) Increase landscape areas adjacent to garages and entries. The Board looks for restudy upon return to the Consent Calendar. 4) The landscape plan with proposed reuse of plant material is a valid approach. 5) There is concern for the central gravel portion of the drive. Study adding enhanced paving to prevent gravel from tracking onto the public sidewalk. 6) The drainage swale along westerly property line is appropriate as presented. 7) Show clear definition of added wall and fence heights as they abut the property to the west. 8) The Board understands that the trash enclosure, as currently depicted at Unit D, will be moving inside the garage on subsequent plans.

Action: LeCron/Manson-Hing 7/0/1: Sherry abstained.

EXHIBIT E

Project Description:

822 CP - Proposal to demolish the two existing residential units totaling 2,073 square feet and construct four new two-story, three-bedroom condominium units totaling 6,692 square feet on an 11,210 square foot lot. The proposal includes three attached 1,605 square foot units with a 491 square foot two-car garage each and one detached 1,453 square foot unit with a 460 square foot two-car garage.

Activities:**5/22/2006*****ABR-Resubmittal Received***

*3 sets of plans submitted for conceptual review in-progress.
Applicant is responding to PC/SHO conceptual review comments (hearing was on 5/11/06).*

1/17/2006***ABR-Concept Review (Continued)***

(Third Concept Review.)

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

(5:19)

Kirk Gradin, Architect, present.

Motion: Continued indefinitely to the Planning Commission with the following comments:

Option A: The Board is not in support of the tandem garage parking as presented due to maneuverability concerns. The Board does not have any major objections to the aesthetics of this option. However, the tandem garage scheme does present a garage presence facing the street and visually fills the end of the site.

Option B: The aesthetics of this design as presented is preferred, as the building is more cohesive and the entry more visible and inviting from a site plan perspective. This option opens the site to the public from the driveway paseo. If the applicant is directed by the Planning Commission to pursue Option B, the ABR would look for the architecture to be enhanced to lend individuality to the units by eliminating repetitive elements. The Board looks to the Planning Commission to make the decision between Option A and B based on the two proposed parking layouts.

With either option, the Board is in favor of the modifications to the east to grant flexibility to the design given the adjacent property has unusable space which would allow the building to be positioned closer to the property line. The Board also supports the encroachment into the front or side yards for the trash enclosures. The trash enclosures between units A and B are acceptable and aesthetically blend nicely with the architecture.

Action: LeCron/Wienke. 7/0/1. Mosel abstained.

Project Description:

822 CP - Proposal to demolish the two existing residential units totaling 2,073 square feet and construct four new two-story, three-bedroom condominium units totaling 6,692 square feet on an 11,210 square foot lot. The proposal includes three attached 1,605 square foot units with a 491 square foot two-car garage each and one detached 1,453 square foot unit with a 460 square foot two-car garage.

Activities:**1/3/2006*****ABR-Concept Review (Continued)***

(SECOND CONCEPT REVIEW.)

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

Items 4 and 5 were heard concurrently.

(4:51)

Christine Pierron, Architect; Kirk Gradin, Architect; and Sam Maphis, Landscape Architect; present.

Motion: Continued indefinitely with the following comments: 1) The Board finds the overall site planning and shared driveway works well with 826 Canon Perdido. The buildings are sympathetic in style, yet have their own distinguishing character and blend together well. 2) The collaboration between the two projects on the central paseo is quite successful. 3) The modification request for the front courtyard encroachment is supportable; however, the Board would like the courtyard to be enclosed with a plaster wall as opposed to a fence. 4) The site planning and architecture are well conceived and blend nicely with the Haley-Milpas Design Guidelines. 5) The Board is not in support of the tandem garage parking as presented due to maneuverability concerns. 6) The Board is concerned with the double-sided trash enclosure between units A and B, due to visual and functional issues.

Action: Wienke/Mudge, 7/0/0.

8/8/2005***ABR-Concept Review (New) - PH***

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

6:01

Items 6 and 7 were heard concurrently.

Kirk Gradin, Architect; Hazel Blankenship, Owner; present.

Motion: Continued indefinitely to the Planning Commission with the following comments: 1) The Board finds the overall site planning and shared driveway works well with 826 Canon Perdido. The buildings are sympathetic in style, yet have their own distinguishing character and blend together well. 2) As to the central driveway and site amenities, the Board encourages a design collaboration with the two projects (822 & 826 E. Canon Perdido) to create a Paseo feel and pedestrian connections. It is

Project Description:

822 CP - Proposal to demolish the two existing residential units totaling 2,073 square feet and construct four new two-story, three-bedroom condominium units totaling 6,692 square feet on an 11,210 square foot lot. The proposal includes three attached 1,605 square foot units with a 491 square foot two-car garage each and one detached 1,453 square foot unit with a 460 square foot two-car garage.

Activities:

suggested to develop a common driveway entry element by incorporating mailboxes and other features.

3) Study opportunities for the low entry court yard walls to announce the unit entries.

4) The site planning and architecture are well conceived and blends nicely with the Haley-Milpas Design Guidelines. 5) The Board likes the simple, fun elements as it relates to the Haley-Milpas Design Guidelines. 6) The Board is mixed on the need for some of the modifications. The rear parking could be treated differently. 7) Study opportunities for upper level decks to enhance the open, sunny yard spaces. 8) The Board would like to see some large trees in the open front entries of the units. 9) The Board supports that the front unit massing could be slightly taller (along Canon Perdido) 10) The Board would like to see the long south elevation, as the applicant has suggested use of potential pop outs at the stair wells. The Board reserves judgment until the applicant returns for review.

Action: LeCron/Mudge, 6/0/0.

8/8/2005***ABR-Optional Notice Prepared*****8/8/2005*****ABR-Mailed Notice Prepared***