

and bulk of the proposed structure.

Page 14: Biological Resources - Recommended Mitigation

In order to enhance the Mission Creek riparian corridor, the mitigation requirements of only native plant material should include the entire rear yard. The oak tree should be preserved. The non-native palms should be replaced with sycamores, which would provide better screening.

Page: 16: "The HLC did not initiate Structure of Merit designation..."

The report should include the vote of HLC of April 13, 2005. I think the mater of designation was to be forwarded to the Designations Subcommittee.

Page: 16: "... the design of the project is subject to the purview of the ARB."

Back in 2005 there was a lack of communication between the three reviewing bodies, the ARB, the Planning Commission and the HLC. I do not recall that the ARB in its consideration of 124 Los Aguajes had access to or considered the HLC's recommendation of a Spanish Colonial Revival Style. The proposed West Beach Historic District and the HLC's jurisdiction over it should be included in this report.

Page 19: CR - 5: "Prior to issuance of demolition or building permits... consistent with the guidance provided by ABR."

Since the West Beach Neighborhood is a proposed Historic District, the Historic Landmarks Commission should be included as a reviewing body along with the ABR.

Sincerely yours,

Kellam de Forest
2651 Todos Santos Lane
Santa Barbara CA 93105
805 682-4834

Robert & Patricia Maxim
123 W. Yanonali Street
Santa Barbara, CA 93101-3523
Tel: 805-962-9013

February 27, 2009

Ms. Susanne Johnston
Santa Barbara Planning Department
City of Santa Barbara
Santa Barbara, CA 93101

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CITY OF SANTA BARBARA
PLANNING DIVISION

RE: DMND/124 Los Aguajes St. as presented on Feb 19, 2009.

Dear Ms Johnston:

We apologize for not attending the Feb 19th meeting, but we were unaware of the completed DMND and its scheduled hearing. We have been in Central America from Jan 23-Feb 20.

Comments to the Draft Mitigated Negative Declaration MST2004-00725: 124 Los Aguajes St., Santa Barbara.

A. Page 4: Land Use 7, Zoning. New Construction requires a Coastal Development Permit with the provision of required setbacks. Setbacks for a three-story building are 15' front and 10' on sides. This project demands 10' front and 4' on sides. It does not meet the necessary standards for the neighborhood. It is too big for the lot. None of the most current projects needed/demanded any modifications: 205-215 Bath Street (5 units, 2004), 220-228 W. Yanonali St. (5 units, 2008), 208 Chapala St (8 units, proposed 2011). These projects have and will comply with the West Beach zoning/setback ordinances.

B. Page 5: Local Coastal Plan-Housing Policy 5.3 "... new developments must be compatible in scale, size, design and prevailing character of the established neighborhood. The 124 project does not meet any of these criteria. The proposed 208 Chapala St. has gone before the HLC and requested three-story condos on the W. Yanonali St./Los Aguajes side of the project. This was rejected as not in scale with the neighborhood: it will be a maximum of two stories. The 220-228 W. Yanonali St complex is two stories with considerable setbacks on the front and is three stories only at the rear portion of the project. 205/215 Bath Street has minor design setbacks and even though it is a 15' setback from the street it's 30+-foot height is overwhelming to the neighborhood, street and pedestrians. This later sense of high density and massive scale will be a characteristic of #124 Los Aguajes, but on a single lot.

C. Page 5: Policy 5.4 "... Los Aguajes St. is a unique residential neighborhood and should be treated in a manner that strives to maintain this unique character. Also the LCP states the predominant style in this area is Spanish flavor architecture typical of Santa Barbara.

Page 7:1B. ABR stated concerns from the very beginning for mass, bulk scale and neighborhood compatibility

Page 16. Historic Structures Report states that if demolition should be the developers choice that ... "the new construction should be compatible with the existing house and the predominant Spanish Colonial Revival style buildings of the West Beach Neighborhood.

All of the newly built structure and proposed (as listed above) are in the Spanish Colonial revival style. This would be in keeping with the vast majority of existing and planned buildings in the West Beach and in maintaining the continuing potential of a Historic Landmarks District. This new project would be easily visible and noted by all AMTRAK travelers who are south bound as they search around the bend for their anticipated train. This contemporary design and rear glass façade should not be neighboring the historic RR Station and hand cut stones of the mission Creek embankments. **This #124 Project will be the most similar in appearance to an "industrial" building when compared to existing and proposed residential structures.** Therefore Page 6, Aesthetics, Item B should be marked "*Significant*".

Page 19: "... architecture, massing and scale are compatible with the neighborhood". This building will be the only residential property on Los Aguajes with the modified 10' setback. All other residential properties are 13' plus and were built between 1925-1960, long before the existing setback regulations. **It is the only three story residential unit on this street. It is the only new project with front, or side modifications built in the past ten years (refer to all of those listed and projected above). It is the only project to be built in this "International/Bauhaus" design in the entire West Beach. How by, any standard is this project "compatible"?**

Page 22: #7 Noise B "Exposure of people to severe noise levels" This should be listed as "*significant*". Dohn Assoc, the acoustical consulting engineer emphasizes a well-sealed building to protect against noise and a warning with a disclosure to prospective buyers of sudden noises affecting both indoor and outdoor living. This also means HVAC (electricity) running most of the time (to ventilate a sealed premises) as there are 12 scheduled, AMTRAK trains a day and 10 large freight trains (5 freights operating between 6PM-6AM daily). All of these trains must sound their horns three times when approaching crossings at State Street and also at Montecito Street. This property is in the middle, between both RR crossings. Also impacting the environment of this and neighbors are the Modifications: natural light and air will be impacted: one of the reasons for the setbacks.

Analysis, criteria, findings are all 2-5 years old. I have read all of the MND and its attachments. Over the past 12 months, there exist radical changes in the citizen and planner's concepts of development in Santa Barbara. Two new/radical proposals will soon be before voters. Both involve the limiting construction of buildings that are too big for their lots and/or are not compatible with their neighbors in scale, mass or bulk. The

sale of high-end condos is at a standstill and no one dares predict when this will change. Surely many of aspects of this MND should be readdressed before establishing these precedents and setting this new "standard" for the West Beach.

You are welcome to contact us at our home, which is approx 500 feet from 124 Los Aguajes St.

Sincerely



Patricia Maxim



Robert Maxim

