



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: February 8, 2006
AGENDA DATE: February 16, 2006
PROJECT ADDRESS: 222 and 224 W. Yanonali Street (MST2005-00192; CDP2005-00007)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner
 Steve Foley, Project Planner

I. PROJECT DESCRIPTION

The project consists of the demolition of thirteen existing residential units and construction of five residential condominiums distributed in four buildings. Eight covered parking stalls are proposed within five garages. A voluntary lot merger is proposed. The statistics table below specifies the units and buildings. Units A1, A2 and A3 are separate, and B1 and B2 are attached

Current development on the site includes thirteen rental units, five covered and two uncovered parking stalls on two adjacent parcels. Refer to Exhibit A (Applicant's Letter) and Development Plans for additional details on the proposal.

Proposed unit sizes are as follows

Unit No.	Size (sq. ft.)	Bedrooms	Parking Spaces	Affordability
1 (A1)	1,440	2	2	Market Rate
2 (A2)	1740	3	2	Market Rate
3 (A3)	1770	3	2	Market Rate
4 (B1)	740	1	1	Market Rate
5 (B2)	740	1	1	Market Rate

II. REQUIRED APPLICATIONS

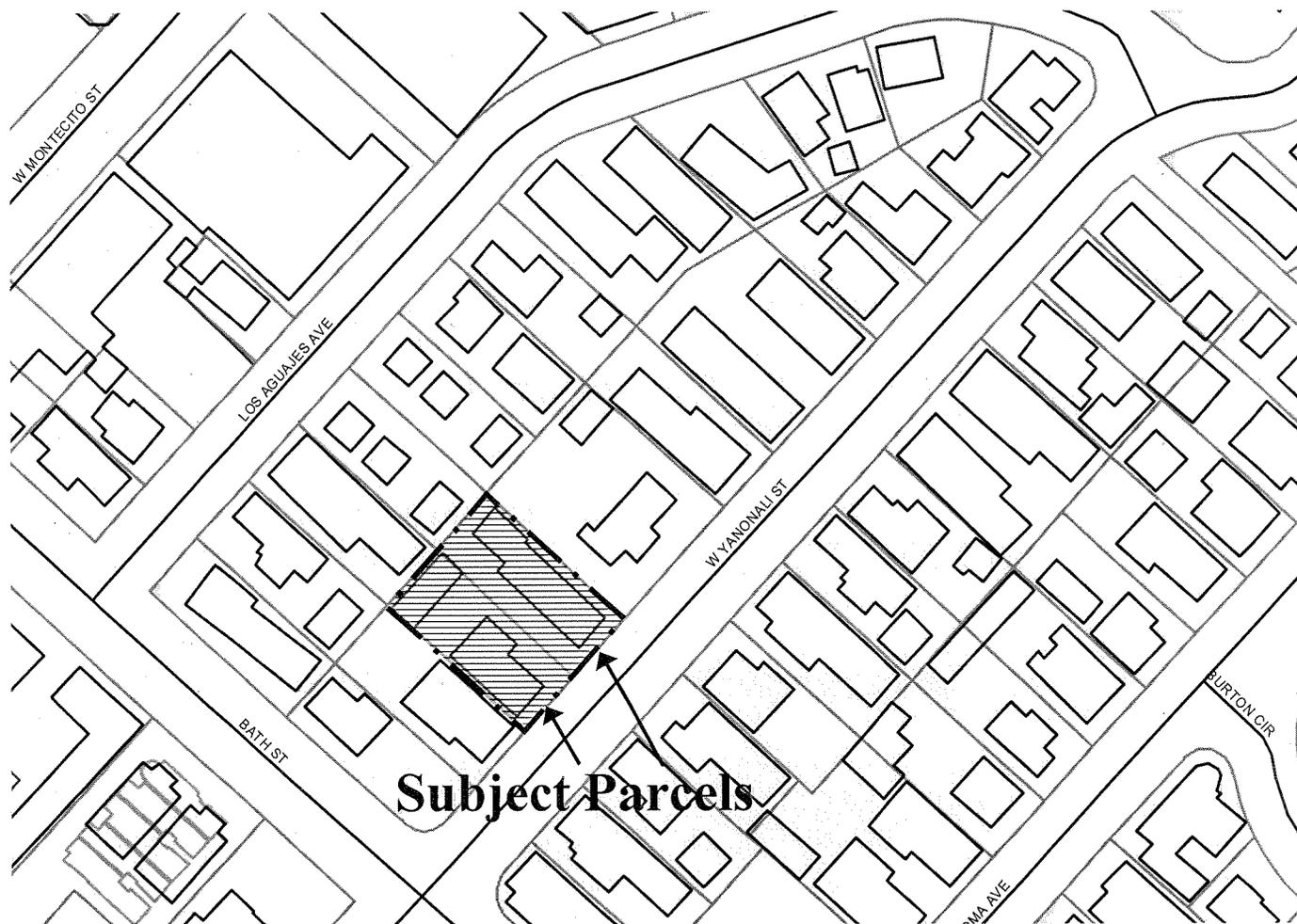
The discretionary Applications required for this project are:

1. Tentative Subdivision Map (TSM) for a one-lot subdivision to create five residential condominium units (SBMC Chapters 27.07 and 27.13); and
2. Coastal Development Permit to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.45.009).

III. RECOMMENDATION

The proposed project conforms to the City's Zoning, Building Ordinances and policies of the General and Coastal Plan. In addition, the size and massing of the project are compatible with the surrounding neighborhood. Staff recommends that the Planning Commission approve the project, making the findings outlined in section VIII of this report, and subject to the conditions of approval in Exhibit A.

APPLICATION DEEMED COMPLETE: January 31, 2006
DATE ACTION REQUIRED: April 21, 2006



Vicinity Map – 222 & 224 W. Yanonali Street

VI. BACKGROUND

The project was submitted to the City's Pre-Application Review Team (PRT) process on March 29, 2005. The primary issue areas identified in the PRT letter were: the loss of housing in the coastal zone, the interior yard setback modification request, the parking modification request and the private outdoor living space modification request.

On June 17, 2005, the project was submitted to the Development Application Review Team (DART). The project had been modified to eliminate the previously required private outdoor living space modification and the mix of unit sizes and bedrooms had been modified to reduce the parking requirement, although a modification was still required. The remaining primary issues included the loss of housing units, the interior yard setback modification request and the parking modification request. This redesigned project has eliminated the need for all of the modifications by proposing to demolish the buildings and reconstruct in conformance to the setback requirements. The decrease in the proposed number of units and the subsequent decrease in the number of required parking spaces, has allowed the applicant to adhere to the parking requirements.

This project was conceptually reviewed by the Architectural Board of Review (ABR) for the previous design iteration on October 24, 2005. The project resubmitted the existing design for ABR review to be heard in late February. The applicant submitted for staff review and a Historic Structures Report for the project. Staff reviewed the report and agrees with the conclusion that the project will not result in significant environmental impacts with respect to historic architecture or resources in the area. The Historic Landmarks Committee reviewed and approved the report on January 11, 2006. The main issue is neighborhood compatibility and that will be in the realm of the Planning Commission and Architectural Board of Review (ABR).

On November 17, 2005, the Planning Commission conceptually reviewed the current design at a lunch hearing and relayed supportive comments to the applicant and staff. Direction was given to the applicant to install story-poles for site visit purposes to allow the Planning Commission to understand the third story elements and to soften the hardscape.

VII. ISSUES

A. AFFORDABLE HOUSING

Projects that involve a net reduction in units, and particularly the loss of rental housing, have previously raised concerns by local decision-makers. The units existing on the property were built/converted with permits; however, many of them are considered substandard in terms of size (less than 400 square feet) under current Codes. The existing development of the site has a density of approximately 45 units per acre. The project would result in a net loss of 8 housing units. The proposed project would have a density of 17 units per acre. The existing units are rented at market rates that exceed affordable housing standards.

The City's Housing Element contains goals and policies to address conservation of housing (see Exhibit D). The most relevant policy on this issue is Policy 2.2 that makes reference to State Laws and recommends a number of strategies that the City should pursue. The City has initiated or completed most of the feasible recommended strategies.

The California Government Code (Section 65590) does provide regulations for the replacement of affordable housing in the Coastal Zone. That Code does not apply in this case because the unit rents are not affordable to low or moderate income households as defined by State Law.

Staff has examined the issue of the loss of rental housing and determined that the project is consistent with the relevant Housing Element goals and policies.

B. COMPLIANCE WITH THE LOCAL COASTAL PLAN (LCP)

The entire area around the project site, north to U.S. Highway 101, lies within the Coastal Overlay Zone (S-D-3), which was established to ensure that all development in the Coastal Zone in the City is consistent with the LCP and the Coastal Act. The proposed project site is located in Component 3 of the LCP, which is bordered by the City College campus to the west, Chapala Street to the east, Montecito Street to the north, and Cabrillo Boulevard to the south. The major coastal issues within this component include: hazards from flooding of Mission Creek and potential liquefaction; protection of existing recreational facilities; provision of visitor serving uses, primarily hotel/motel related; protection of the unique West Beach residential neighborhood; problems of circulation and parking related to the waterfront area in general and, specifically, possible City College expansion.

The subject site is currently developed and is not in proximity to Mission Creek. The proposed use as condominiums conforms to the coastal plan designation and is compatible with the neighborhood. Parking will be provided onsite and will significantly decrease the existing off-street parking due to the insufficient existing on-site parking facilities. The project has been reviewed by the HLC, where it was determined that the project would be compatible with the existing neighborhood and would not create any neighborhood historical resource concerns.

C. ENVIRONMENTAL REVIEW

Historic Resources: The City's Master Environmental Assessment showed that the project site is located within several Cultural Resource Sensitivity Zones (Hispanic-American Transition Period 1850-1870, American period 1870-1900, and Early 20th Century 1900-1920). As a result, a Phase 1 Archaeology Report was required to be prepared and submitted for review and acceptance by the Historic Landmarks Commission (HLC). The Historic Structures Report dated December 08, 2005, prepared by Post/Hazeltine Associates, was reviewed by the HLC on January 11, 2006. The report states that neither of the two existing buildings is historically significant, nor qualifies as a Structure of Merit or a Historic Landmark. Additionally, this property is within the boundaries of the proposed West Beach Historic District. However, the existing development is not considered to contribute to the district. Staff and the HLC agreed with the conclusions and recommendations in the report and approved the report as submitted with one clarifying word addition.

Staff and the Environmental Analyst have determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15332, which allows for infill development meeting the conditions of that section. Specifically, the project is consistent with the Local Coastal Plan designation and general plan policies as well as the applicable zoning district designation. The proposed development within the City limits is less than five acres and is surrounded by urban uses. The project site has no value as habitat for endangered or threatened species. The approval of the project will not result in any significant effects retaining to traffic, noise, air quality or water quality. The site is adequately served by all required utilities and public services.

D. DESIGN REVIEW

The ABR reviewed a different project on October 24, 2005 and continued the item, finding that, while some large structures existed in the neighborhood, the size, bulk, scale, and site layout of the proposal was too aggressive and out of scale with those structures. Based on ABR's comments and direction, the applicant revised the proposal and submitted to the Planning Commission at the November 17, 2005 lunch meeting where the project received generally positive comments. The project is scheduled for ABR review after the Planning Commission review hearing.

VIII. FINDINGS

The Planning Commission finds the following:

A. THE TENTATIVE MAP (SBMC §27.07.100)

The Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. 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.
2. The project complies with density requirements. Each unit includes laundry facilities, separate utility metering, adequate unit size and storage space, and the required private outdoor living space.
3. The proposed development is consistent with the General Plan of the City of Santa Barbara.
4. The project can be found consistent with policies of the City's General Plan including the Housing Element, Conservation Element, and Land Use Element.

The project will provide infill residential development that is compatible with the surrounding neighborhood.

5. 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.
6. 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.

C. COASTAL DEVELOPMENT PERMIT (SBMC §28.45.009)

1. The project is consistent with the policies of the California Coastal Act.
2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code.
3. The project is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation.

Exhibits:

- A. Conditions of Approval
- B. Applicant's letter, dated December 19, 2005
- C. Site Plan
- D. Applicable Coastal and General Plan Policies
- E. Arborist's Report dated May 25, 2005
- F. ABR/HLC Minutes

PLANNING COMMISSION CONDITIONS OF APPROVAL

222 & 224 W. YANONALI STREET
TENTATIVE SUBDIVISION MAP, CONDOMINIUM CONVERSION PERMIT
FEBRUARY 16, 2006

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. **Recorded Agreement(s) Prior to Permits.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the following conditions shall be imposed on the use, possession and enjoyment of the Real Property, the Owner shall execute a written instrument, 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. **Subdivision Agreement.** "Agreement Relating to Subdivision Map Conditions Imposed on Real Property".
 2. **Final Map.** "Final Map" shall be recorded prior to or concurrently with an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property". The Final Map shall be prepared by a licensed land surveyor or registered civil engineer in conformance with current Subdivision Map Act and in conformance with the requirements of the City Survey Control Ordinance.
 3. **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.
 4. **Trash Accessibility.** Trash and Recycling Containers shall contain equal volume, 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 offsite by the landscaping maintenance company. If no containers are used for multi-unit residential developments, include an item in the CC&R stating that the green waste will be hauled offsite.
 5. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property.
 6. **Approved Development.** The development of the Real Property approved by the Planning Commission on February 16, 2006 is limited to 4,770 sq. ft. of building area, five dwelling units and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

EXHIBIT A

7. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan as 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.
 8. **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.
 9. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Exterior lighting shall be directed toward the ground.
- B. **Prior to Map Recordation.** Prior to the recordation of Final Map or issuance of any Public Works permit or Building permit for the project on the Real Property:
1. **Water Rights Assignment.** "Agreement Assigning Water Extraction Rights". Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property. This assignment of rights *does* not include a right of surface entry on or from the Real Property.
- C. **Public Works Submittal prior to Permits.** The Owner shall submit the following or evidence of completion of the following to the Public Works Department prior to the

recording of the Final Map and prior to the issuance of a Building permit or Public Works permit.

1. **Street Improvement Plans.** The Owner shall submit building plans for construction of improvements along the subject property road frontage on W. Yanonali Street. As determined by the Public Works Department, the improvements shall include new, and/or remove and replace to City standards: sidewalk, driveway apron modified to meet Title 24 requirements, crack seal to the centerline of the street along entire subject property frontage, underground service utilities, connection to City water and sewer mains, on-site drainage system and collection outlets(A470 curb drain outlet, slot/trench drain, Type B etc.), preserve and/or reset survey monuments, supply and install directional/regulatory traffic control signs, storm drain stenciling, on-site storm water pollution prevention interceptor device, drought-tolerant parkway landscaping, and provide adequate positive drainage from site. The building plans shall be prepared by a registered civil engineer or licensed architect and reviewed and signed by the City Engineer.
2. **Storm Water Pollution Control Systems Maintenance.** The Owner(s) shall maintain 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 City Engineer.
3. **Construction Best Management Practices.** Construction Best Management Practices Required. Construction activities shall address water quality through the use of best management practices (BMP's) as approved by the City Building Official.

D. **Building Permit Plan Requirements.** The following requirements shall be incorporated into the construction plans submitted to the Building and Safety Division with applications for building permits. All of these construction requirements shall be carried out in the field and completed prior to the issuance of a Certificate of Occupancy:

1. **Design Review Requirements Included on Plans.** Plan submitted for building permits shall show all design elements, as approved by Architectural Board of Review.
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. **Utilities.** Provide individual water, electricity, gas meter, and building sewer for each residential unit. Service lines for each unit shall be separate until a point five (5) feet outside the building. Utilities from one unit may not pass through another unit pursuant to Santa Barbara Municipal Code Section 27.13.060.
4. **Water-Conserving Fixtures.** All plumbing fixtures shall be water-conserving devices in new construction, pursuant to Santa Barbara Municipal Code Section 14.20.020, Water Saving Devices, subject to the approval of the Water Resources Management Staff.
5. **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 1 st *
Martin Luther King's Birthday	3 rd Monday in January
Presidents' Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th *
Labor Day	1 st Monday in September
Thanksgiving Day	4 th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25 th *

*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 at night, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the

procedure outlined in SBMC § 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.

6. **Conditions on Plans/Signatures.** All Planning Commission Conditions of Approval shall be provided on a full size drawing sheet as part of the drawing sets. 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.

- E. **Prior to Certificate of Occupancy.** Prior to issuance of a Temporary Certificate of Occupancy, or Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any damaged public improvements along subject property frontage (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 are to be pruned under the direction of the City Arborist.
2. **Complete Public Improvements.** Public improvements as shown on the building plans.
3. **Backflow Device.** Provide an approved backflow device placed on the private property side of consumer's service pursuant to Municipal Code Section 14.20.120. The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist.

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

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

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

The Planning Commission'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 section 27.07.110 or the provisions of the California Subdivision Map Act.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

The Planning Commission's action approving the Coastal Development Permit shall expire two (2) years from the date of approval, per SBMC 28.45.009.q, unless:

1. Otherwise explicitly modified by conditions of approval of the development permit, or unless construction or use of the development has commenced.
2. A building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. A one (1) year time extension may be granted by the Planning Commission if the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy. Not more than three (3) extensions may be granted.

December 19, 2005

Planning Commission
Community Development Department
City of Santa Barbara
630 Garden Street
Santa Barbara, California 93102

RE: 222-224 West Yanonali Street, Santa Barbara

Dear Members of the Planning Commission:

I am pleased to submit on behalf of Del Mar Development – Santa Barbara, LLC a proposal for a five-condominium residential project located at 222 and 224 West Yanonali Street, in the West Beach area of Santa Barbara. The project, as proposed, is in response to the City of Santa Barbara's planning agencies input to date, the feedback from the two Planning Commission "Concept" hearings on August 11, 2005, and November 17, 2005, as well as the Architectural Board of Review's input at the "concept" hearing on October 24, 2005.

Outside of the merger of the two lots totaling less than 14,000 square feet, the project will not be requesting any modifications or variances.

The project has become a small enclave development featuring a diversity of unit types and sizes. The five reasonably sized detached units are all surrounded by communal open space. The unit program consists of two one-bedroom town homes, one two-bedroom residence and two three-bedroom residences.

The application is sensitive to its neighborhood context by designing the Yanonali Street frontage units to have well articulated two story massing and entrances facing the street. The complement a majority of the existing housing in the area, the project architecture has become Spanish Colonial. More unique, the total lot area, less building coverage including garages, allows for 62% of the site to be either landscaped open space or vehicular drives. Also, all resident parking will be garages and not visible from the street.

The proposal mitigates existing parking congestion and traffic by substantially reducing the current property's combined residential densities by 61%. Of the 13 existing units, 11 are substandard in size. Also noted, the current properties provide a total of 7 on-site parking spaces for the 13 units.

In addition the lower densification and intensification of the site, the proposed redevelopment of the West Yanonali site is designed to accomplish two key planning objectives: (1) Neighborhood Compatibility – the units are well proportioned in terms of mass, bulk and scale and are in the Spanish Colonial

EXHIBIT B

period architecture. The proposed product mix adds diversity, at the same time reducing the existing traffic impacts. As for the land plan, 61% of the total site consists of very usable communal open spaces and professionally designed landscaped and hardscaped areas; (2) Environmental - the project will incorporate responsible, sustainable development practices.

Description of Project's Concept.

Product Type and Mix – The Applicant is proposing to provide a total of six condominiums. The proposed mix is as follow:

<u>Unit #</u>	<u>Bedroom Count</u>	<u>Parking</u>	<u>Unit SF</u>
Unit 1	One Bedroom	One Car Garage	740 SF
Unit 2	One Bedroom	One Car Garage	740 SF
Unit 3	Three Bedroom	Two Car Garages	1,740 SF
Unit 4	Three Bedroom	Two Car Garages	1,770 SF
<u>Unit 5</u>	<u>Two Bedroom</u>	<u>Two Car Garage</u>	<u>1,440 SF</u>
5 Units	10 Bedrooms	8 Covered Spaces	6,430 SF

Description of Existing and Proposed Uses.

Existing Site Information. The existing improvements are as follows:

222 W. Yanonali

Assessor's Parcel Number: 033-033-019

Site square footage: 6,250 (.14 ac.)

Existing uses: 7 residential units

Entitled uses: 222 W. Yanonali: Motel

Net Square footages of improvements: 222 W. Yanonali: 1,655 sf

Parking: 2 uncovered spaces

224 W. Yanonali

Assessor's Parcel Number: 033-033-020
Site square footage: 6,250 (.14 ac.)
Existing uses: 6 residential units
Entitled uses: 224 W. Yanonali: Multi-Family

Net Square footages of improvements: 224 W. Yanonali: 2,888 sf
Carport (224 W. Yanonali): 972sf

Parking: 5 covered spaces

General (Combined)

Landscape: Approximately, 3,153 square feet of landscape including three mature trees in the front setback (to remain) and several recently planted palms along interior driveway.

Drainage: Surface flow collects in the driveway in the center of the site and flows south to Yanonali Street.

Proposed Project Information. A summary of the proposed uses and improvements is as follows:

Proposed use: Residential condominiums
Improvements: Residential Living Space of 6,480 sf
8 covered parking spaces of 1,600 sf
300 cf of storage space per unit
Secured parking for bicycles
Open Space: 5,680 (46%) sf
Vehicular Drives: 2,050 (16%) sf

Demolition: Demolition of 222 W. Yanonali
Partial demolition of 224 W. Yanonali

Demolition of carport and hardscape

Remove existing newly planted palms and ground cover and provide new landscape; preserve two existing mature trees in front yard setback area.

Drainage: A preliminary drainage report prepared by Flowers and Associates demonstrates that the proposal does not increase drainage.

In fact, the proposed drainage plan is an improvement over existing drainage in that the rear quarter of the site, including the back two unit's downspouts, will be collected in a retention basin, as the balance of the site water flow is controlled and filtered with drainage structures.

Grading: Finish grades will be similar to existing; new construction will require a minimum of grading, approximately 20 cubic yards of cut and fill.

The Applicant proposes to replace 13 residential units, 45% of the units being less than 200 square feet in size, and 11 of the 13 less than 400 square feet. The proposal envisions: (a) two one-bedroom town homes with private gardens and decks, (b) one two-bedroom residence with a private garden and patio, and (d) two three-bedroom residences with private gardens and decks. There are three distinct communal open spaces within the project, each custom designed for form and function. Each residence has covered automobile and bicycle parking on site as well as private storage space.

The units range in size from 740 square feet to 1,770 square feet with an average size of 1,296 square feet and an average bedroom count of 2 per unit. The Applicant believes these market rate residences will appeal to the more moderate end of the market spectrum.

The project is a substantial improvement over existing conditions on site and in its neighborhood. The existing buildings significantly exceed zoning density, fail to provide each resident with on-site parking, have no outdoor private living space or project open space, provide no private storage space and 11 of the 13 units fail to qualify as legal units under Santa Barbara's Housing Policy.

The original structure at 222 W. Yanonali was built as a motel in 1947. It had a one bedroom manager's unit, three motel rooms and a carport for three vehicles. Subsequently, the carport was converted into three additional "guest" rooms raising the density to 183% of that allowed under the applicable zoning. Two carport conversions were made pursuant to building permits, one without, leaving only two uncovered parking spaces on site. In addition, seven mechanical rooms were built in the side yard setback without a permit. The motel has been used as multi-family rentals for more than twenty years, apparently without the City's prior consent to the changed use.

The multi-family building at 224 W. Yanonali was built in 1961, a portion of which encroaches into the side yard setback. The six-unit building has 192% of the density permitted under applicable zoning. The building's six units have only five covered parking spaces on site.

Of the 13 existing residential units, only two units provide more than 400 habitable square feet, the minimum size for a standard "legal unit" in the City of

Santa Barbara. The units at 222 W. Yanonali average 279 square feet in net area while the units at 224 W. Yanonali average only 481 net square feet in size.

<u>222 W. Yanonali</u>	<u>SF/U</u>	<u>Total</u>	<u>224 W. Yanonali</u>	<u>SF/U</u>	<u>Total</u>
One bedroom unit (1):	505sf	505sf	One bedroom unit (4):	386 sf	1,544 sf
Studios (3):	203sf	609sf	Two bedroom unit (2):	672 sf	<u>1,344 sf</u>
Garage conversion (3):	180sf	<u>540sf</u>	Total Area		2,888 sf
Total Area		1,655 sf			

Average Net Unit Size: 229sf

Average Net Unit Size: 481 sf

The Applicant believes that replacing the existing substandard housing with new residences significantly enhances the quality of housing provided on site.

The existing 13 units have only seven on-site parking spaces. The parking ratio for 222 W. Yanonali Street is .29 spaces per unit with only .83 spaces per unit provided at 224 W. Yanonali Street. Per the City's zoning requirements, the existing buildings collectively are 15 parking spaces shy of meeting code. The proposed project meets the City of Santa Barbara's zoning requirements by providing eight garage spaces on site. Accordingly, parking congestion on the street will be greatly alleviated.

Reducing the density on site from 13 units to five substantially reduces the estimated peak-hour trips according to a traffic analysis prepared by Associated Transportation Engineers.

Outline of Design Consultant's Input

The Applicant already has on file a Phase 1 Archaeological Resources Report prepared by David Stone, and Arborist Report prepared by Bill Spiewak and a drainage study prepared by Flowers and Associates.

Historic Report. The Historic Structures Report prepared by Post/ Hazeltine determined that the property at 222 West Yanonali Street lacked sufficient historic, cultural or architectural significance or integrity to qualify for designation as a City of Santa Barbara Structure of Merit or Landmark. The property at 224 West Yanonali Street, built in 1961, lacked sufficient age or potential significance to require further evaluation.

Archaeological Resources Report. The Archaeological Report finds that there is a low potential for encountering archaeological artifacts or other resources on site.

Arborist Report. The arborist report makes recommendations as to care and maintenance of the two mature trees along the Yanonali Street frontage. It also describes the process to preserve the trees while reconditioning the public sidewalks.

Drainage Report. The drainage study finds that the proposed development's improvements do not increase the storm water runoff in a 25 and/or 100 year storm.

The Applicant is providing with this submission new architectural floor plans and elevations prepared by BBG Architects, an updated Historic Resources Report prepared by Post/Hazeltine Associates, an updated Tentative Map prepared by Waters Land Surveying and an updated civil plan prepared by Waters and Associates.

Responsible, Sustainable Development.

Built-Green Santa Barbara. The Applicant will integrate the Santa Barbara Built-Green program into its design and built-out systems. The Applicant seeks to make this project the first one to be guided and tracked from conception to completion under the Built-Green program.

Relocation Assistance. Del Mar Development -- Santa Barbara has committed to maintain rents established by the prior owner through the entitlement/permit process. As a further assistance to the renters, Del Mar Development -- Santa Barbara intends to offer these tenants relocation mitigation equal to two months' free rent.

Zoning Modifications Requested.

The project requests a lot merger of less than 14,000 sf, therefore, a modification to the lot area requirements will be required.

Approval Sought.

Del Mar Development -- Santa Barbara seeks approval of a lot merger and single-lot subdivision (condominium) tentative map along with the proposed Development Plan.

We believe that the proposed residential project is consistent with the context of its Waterfront neighborhood and helps eliminate substandard residential units and on-street parking. The Applicant requests that the Planning Commission approve the project as proposed.

Very truly yours,

Del Mar Development — Santa Barbara

Steven Berkus
Project Manager

Enclosures:

- 1) Architectural – BBG Architects
 - a. Site/ Landscape Plan
 - b. Floor Plans
 - c. Elevations
- 2) Civil – Flowers and Associates
 - a. Base map
- 3) Survey – Waters Land Surveying
 - a. Tentative Map
- 4) Historical – Post/ Hazeltine
 - a. Historic Resources Report

Applicable General Plan Policies

Local Coastal Plan Policies:

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.”
Policy 11.5	“All new development in the waterfront area, excepting Stearns Wharf, shall provide adequate off-street parking to fully meet their peak needs. Parking needs for individual developments shall be evaluated on a site-specific basis and at minimum be consistent with City Ordinance requirements.”
Policy 11.10	“The City shall investigate developing a residential parking sticker program for the West beach and East Beach residential neighborhoods to guarantee parking for residents and discourage long-term parking by non-residents.”

Housing Element Goals, Policies and Implementation Strategies

Goal 2	<p>“Conserve the City’s existing housing stock and improve its condition while accomplishing the following: minimizing displacement, maintaining housing affordable to all economic groups with special emphasis on low income, moderate income, middle income and special needs households, and preventing future blight or deterioration while allowing appropriate rehabilitation.”</p> <p>POLICY 2.2: THE CITY SHALL PROTECT AND PRESERVE EXISTING HOUSING IN ALL PARTS OF THE CITY TO THE EXTENT FEASIBLE UNDER STATE LAW.</p> <p><u>Implementation Strategies</u></p> <p>2.2.1 Amend the Municipal Code to include a Demolition Review Ordinance to protect the City’s historic residential resources.</p> <p>2.2.2 Amend the Municipal Code to remove hotels and motels as allowed uses in the R-4 / R-3 multi-family residential areas west of Downtown and in the Lower Westside neighborhood, except in the Coastal Zone.</p>
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	<p>2.2.3 Amend the Municipal Code in order to provide tenant protection measures similar to those in the Condominium Conversion Ordinance in connection with the demolition of rental units.</p> <p>2.2.4 Research legal and feasible ways to regulate projects which propose to demolish rental units and re-build condominiums.</p> <p>2.2.5 Continue to allow the appropriate demolition of substandard housing.</p>
Goal 3	“Protect existing neighborhood character while encouraging infill development.”
Policy 3.3	“New development in or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood.”
Policy 4.6.9	“Pursue all feasible opportunities to reduce, reuse and recycle building and construction materials.”



Bill Spiewak

CONSULTING ARBORIST

Registered Consulting Arborist #381 • American Society of Consulting Arborists

May 25, 2005

Steve Berkus
27 West Anapamu St. Suite #267
Santa Barbara, CA 93101

(805) 331-3920

RE: 222 & 224 West Yanonali St., Santa Barbara

BACKGROUND & HISTORY

I was contacted by Steve Berkus regarding a new project on West Yanonali Street in Santa Barbara. He was proposing to renovate two properties with large trees in the front yard. One is a city owned street tree and the other is within the front yard set back. Both trees are specimen quality and he was directed by the City of Santa Barbara to obtain an arborist's report that addresses potential impacts and mitigation measures. I met with Steve Berkus at the site on May 23, 2005.

ASSIGNMENT

I have been assigned to assess the two trees in front of 222 and 224 West Yanonali St. in Santa Barbara. I have been asked to identify potential construction impacts from the proposed renovation and recommend mitigation measures. My findings are to be documented in a report.

LIMITS OF THE ASSIGNMENT

- I have no historical information on previous treatments of these trees including root-pruning and sidewalk repair.
- I do not have a clear picture of the root systems of these trees and must rely on experience and knowledge in my assessment and recommendations.
- This report is based on a conceptual design and not the final plan.

USE OF THIS REPORT

I intend for this report:

- To be used by the City of Santa Barbara in review of the project with openness toward alternative techniques that minimize impacts.
- To be used by Steve Berkus as a guideline for tree protection and preservation of the two trees.

EXHIBIT E

RECEIVED

JUN 17 2005

**CITY OF SANTA BARBARA
PLANNING DIVISION**

OBSERVATIONS

1. There are two trees in front of the properties. A Montezuma Cypress (*Taxodium mucronatum*) is in front of 224 West Yanonali and a Floss Silk Tree (*Chorisia speciosa*) is in front of the 222 West Yanonali.
2. The Montezuma Cypress is in the front yard setback and abuts up to the north edge of the sidewalk.
3. The tree has a DBH of 58" (diameter at breast height measured at 54" above ground) and is approximately 80' tall.
4. The tree is in very good condition although a large limb had recently broken from the crown leaving a long ripped stub at about 45' above ground.
5. The sidewalk appears to be relatively new (compared to other concrete sections) although it has been slightly lifted by the tree.



Figure 1: View of the Montezuma cypress trunk looking west. Notice how close the tree is to the sidewalk and building. Also notice the lift in the sidewalk.

6. The Floss Silk tree is a city street tree and is squeezed into the parkway strip between the curb and sidewalk.
7. It has a 37" DBH and is approximately 70' tall.
8. This tree is also in very good condition although the roots have extensively lifted the concrete sidewalk about 8" above the natural grade of the tree.
9. Roots can also be observed in the front lawn of the property.
10. According to the site plan, the project uses the existing footprint of the buildings but a small wall (primary wall) will be built between the front of the buildings and sidewalks.
11. The plan also calls for the removal of a 12" DBH juniper tree at the southwest corner of the 222 W. Yanonali St. property (not shown).



Figure 2: View of the Floss Silk tree trunk looking east.

DISCUSSION

Despite the obvious limitations of root growth on this site, it appears the trees have been able to maximize their growth from utilization of sub surface resources, soil, oxygen and moisture. Aside from what is visible, I can speculate that an abundance of roots are very close to the surface. Roots tend to grow within the interface of soil and concrete or other hard surface. Because sidewalks are designed for downward pressure, the upward force of root growth explains why sidewalks are easily lifted. Any repairs to the sidewalk or front yard will undoubtedly encounter part of the root system.

Proposed in the plan, is a primary wall in front of each property. In order to minimize impacts to roots, these walls can be supported by *above* grade beams set on pier footings. If the footings are small, they will have little impact on tree roots, especially if there is some flexibility in their location.

I am mostly concerned with potential impacts from sidewalk repair, especially adjacent to the Floss Silk tree. At this location the existing sidewalk has been lifted by tree roots, about 8" higher than the grade of the curb. Replacing this concrete sidewalk at the grade of the curb will require extensive root cutting.

Consideration should be given to alternative techniques in sidewalk repair. I would like to see the walk raised over the tree roots and covered with the new rubberized sidewalk panel. This would reduce the amount of roots that need to be cut, reduce impacts to the trees and hopefully reduce the long-term cost of repairs. Upon success, the raised, rubberized sidewalk could continue eastward along Yanonali St. where city street trees are creating similar problems.

Another alternative could be construction of a concrete sidewalk placed on *above* grade beams and pier footings that bridges over the roots. This raised sidewalk could be bordered with rails for safety.

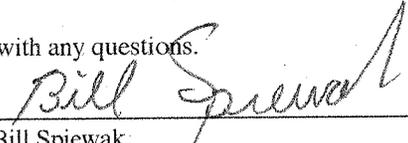
Although both alternatives are different than the status quo they seem to be a good alternative to extensive root cutting and possible damage to the health and stability of the trees. Root pruning may require crown pruning to compensate for loss in stability.

CONCLUSIONS/RECOMMENDATIONS

1. To reduce impact to tree roots, design the primary wall to be constructed on above grade beams supported by pier footings.
2. To reduce impact to tree roots, design a raised sidewalk with rubberized panels or a concrete bridge that spans roots.
3. Temporary construction fencing around all sides of the trees and at the edge of the work area will delineate a tree protection zone. All people, activities and materials should be kept out of the tree protection zones.
4. During excavation any encountered roots greater than 1" in diameter, should be cleanly cut.
5. Soil should be kept moist after roots are cut.
6. Pruning trees will reduce the weight of heavy limbs where necessary, particularly the Montezuma Cypress.
7. Three cables should be installed in a triangular system in the upper portion of the crown of the Montezuma Cypress to help resist splitting of the three trunks. Install cables after pruning.
8. The project arborist should monitor all work near trees, assess any problems and direct measures to mitigate any damage.
9. These conclusions and recommendations are based on a conceptual design. The project arborist should assess final drawings that address work near trees.

Please contact me with any questions.

Prepared by:


 Bill Spiewak
 Registered Consulting Arborist #381
 American Society of Consulting Arborists

Board Certified Master Arborist #310-B
 International Society of Arboriculture



ABR Minutes: October 24, 2005
CONCEPT REVIEW - NEW ITEM

3. **222 W YANONALI ST** R-4/SD-3 Zone
 Assessor's Parcel Number: 033-033-019
 Application Number: MST2005-00192
 Owner: John & Carol L. Nagy
 Applicant: Del Mar Development
 Architect: B3 Architects
 Agent: Post/Hazeltine Associates

(Proposal to construct six new condominium units in two buildings, replacing 13 existing apartment units on a 12,500 square foot site located in the Coastal Zone. The project includes four one-bedroom units and two two-bedroom units. Two modifications are requested: a setback modification to allow one building to encroach into the interior yard setback, and a parking modification to provide 11 parking spaces rather than the 12 required spaces. A voluntary lot merger is also a part of the project.)

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

(3:57)

Keith Rivera, Architect; Laurie Romano, Landscape Architect; and Steve Berkus, present.

Motion: Continued indefinitely with the following comments: 1) The Board finds the size, bulk and scale of the proposal to be too aggressive. 2) The amount of proposed covered space, including parking, covered entrance ways and covered deck spaces have created a site plan that is too aggressive. 3) The Board recognizes that the overall neighborhood has large scaled buildings; however, the proposed remodeling of the existing structure has resulted in a form which is out of scale with the larger structures of the neighborhood.
4) The Board applauds the use of green building techniques, but encourages the applicant to study alternative green techniques, then simply retaining the existing structure. 5) It is suggested to reduce the uncovered guest parking spaces, reduce the two story volume spaces, create exterior entry sequences, and open up covered, enclosed deck spaces.
6) The Board finds the new building on the east side to be in keeping with the neighborhood and nicely conceived and suggests studying the fenestration detail and size. 7) The modification

request for the building to encroach into the interior west yard setback would no longer be relevant with these changes; therefore, the Board withholds judgment at this time. 8) The Board supports the modification request for parking, as it is technical in nature.

Action: Manson-Hing/Bartlett, 6/0/0.

HLC Minutes: January 11, 2006
HISTORIC STRUCTURES REPORT

2. **222 W YANONALI ST** R-4/SD-3 Zone
Assessor's Parcel Number: 033-033-019
Application Number: MST2005-00192
Owner: John and Carol L. Nagy
Applicant: Del Mar Development
Architect: B3 Architects
Agent: Post/Hazeltine Assoc

(Proposal to construct five new condominium units in four buildings, replacing and demolishing 13 existing apartment units on a 12,500 square foot site located in the Coastal Zone. The project includes two one-bedroom units, one two-bedroom unit and two three-bedroom units. A voluntary lot merger is also a part of the project.)

(Review of Historic Structures/Sites Report prepared by Post Hazeltine Associates.)

(2:12)

Pam Post and Tim Hazeltine, Post/Hazeltine Associates, present.

Staff comment: Jake Jacobus, Associate Planner/Urban Historian, stated he has previously reviewed the report and, since then, the project description has changed. He stated that corrections will be needed to assure consistency and it has been determined that neither of the two buildings is historically significant, nor qualifies as a Structure of Merit or a Historic Landmark. Mr. Jacobus went on to explain specific corrections to the report and stated that otherwise, Staff agrees with the conclusions and recommendations in the report.

Motion: The Commission accepts the report with corrections as identified by staff, and with the following condition: Change page 3, second section, Modifications and Alterations, to insert the word "alterations."

Action: Hausz/Murray, 9/0/0.