

PLANNING COMMISSION CONDITIONS OF APPROVAL

1722 STATE STREET
ZONING MAP AMENDMENT, LOT AREA MODIFICATION, PARKING MODIFICATION,
CONDITIONAL USE PERMIT, DEVELOPMENT PLAN AND TENTATIVE SUBDIVISION MAP
MARCH 1, 2007

- I. In consideration of the project approval granted by the Planning Commission and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession and enjoyment of the Real Property:
- A. **Approval Contingent Upon Adoption of Zoning Map Amendment.** Approval of the subject project is contingent upon adoption of an Ordinance by the City Council approving the Zoning Map Amendment.
 - B. **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 Historic Landmarks Commission (HLC). Such plan shall not be modified unless prior written approval is obtained from the HLC. 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. **Ownership Unit Affordability Restrictions.** The dwelling units designated as units H and I on the Project Plans shall be designated as Affordable Middle Income Units with prices targeted to 120% of Area Median Income and sold only to and occupied only by households who qualify as Middle Income Households as defined

in the City's adopted Affordable Housing Policies and Procedures. The maximum sale prices upon initial sale shall not exceed the following:

Unit H (2-bedroom unit) = \$268,400

Unit I (3-bedroom unit) = \$320,600

The Affordable Units shall be sold and occupied in conformance with the City's adopted Affordable Housing Policies and Procedures. The resale prices of the Affordable Units shall be controlled by means of a recorded affordability covenant executed by Owner and the City to assure continued affordability for at least forty-five (45) years from the initial sale of the affordable unit. No affordable unit may be rented prior to its initial sale.

6. **Approved Development.** The development of the Real Property approved by the Planning Commission on March 1, 2007 is limited to approximately 9,100 net square feet of commercial building area that may be subdivided into as many as 43 commercial condominium units and 12 dwelling units as shown on the approved plans, 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.
7. **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 private 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. **Assigned Residential Parking.** At least one, but no more than two, parking space(s) shall be assigned to each residential unit.
 - d. **Unassigned Parking.** All parking spaces other than those designated for residential purposes shall remain unassigned and available to all occupants and visitors to the site.
 - e. **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.

- f. **Trash and Recycling.** Adequate space shall be provided and maintained for trash and recycling purposes.
 - g. **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.
8. **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.
9. **Oak Tree Protection.** The existing oak tree shown on the Tentative Subdivision Map shall be preserved, protected and maintained. The following provisions shall apply:
- a. No irrigation systems shall be installed within three feet of the drip line of any oak tree.
 - b. The use of herbicides or fertilizer shall be prohibited within the drip line of any oak tree.
10. **Street Tree Protection.** The street trees within the City's right-of-way shall be preserved and protected.
11. **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.
- C. **California Department of Fish and Game Fees Required.** Pursuant to Section 21089(b) of the California Public Resources Code and Section 711.4 et. seq. of the California Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified Department of Fish and Game fees are paid and filed with the California Department of Fish and Game within five days of the project approval. The fee required is \$1,800.00 for projects with Mitigated Negative Declarations. Without the appropriate fee, the Notice of Determination (which the City is required to file within five days of project approval) cannot be filed and the project approval is not operative, vested or final. The fee shall be delivered to the Planning Division immediately upon project approval in the form of a check payable to the California Department of Fish and Game.
- D. **Design Review.** The following is subject to the review and approval of the Historic Landmarks Commission (HLC):
- 1. **Design Approval.** Prior to building permit issuance, proposed project grading and landform alteration, structural design, landscaping, and lighting plans shall receive preliminary and final review and approval by the HLC. The required review and approval will ensure project consistency with design guidelines related to views, visual aesthetics and compatibility, and lighting. (A-1)

2. **Tree Replacement.** The project's landscape plan shall include the use of trees that, when mature, will provide a large tree canopy similar to the ficus trees removed from the project site. At least four such replacement trees shall be provided by the project. The proposed landscape plan shall be submitted to the HLC for review and approval. (B-1)
3. **Tree Protection Measures.** The landscape plan and grading plan shall include the following tree protection measures:
 - a. **Landscaping Under Trees.** Landscaping under the tree(s) that is compatible with the preservation of the tree(s).
 - b. **Arborist's Report.** Include a note on the plans that recommendations/conditions contained in the arborist's report prepared by Bill Spiewak, dated February 27, 2006, shall be implemented.
 - c. **Oak Tree Protection Measures.** The following provisions shall apply to the existing off site oak trees:
 - (1) A qualified Arborist shall be present during any grading or excavation adjacent to or beneath the dripline of any oak tree. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound. Any thinning or root pruning and trimming shall be done under the direction of a qualified Arborist.
 - (2) No storage of heavy equipment or materials, or parking shall take place within five (5) feet of the dripline of any oak tree.
 - (3) Landscaping provided under the oak tree(s) shall be compatible with preservation of the trees as determined by the Historic Landmarks Commission (HLC). No irrigation system shall be installed under the dripline of any oak tree.
4. **Existing Tree Preservation.** The existing tree shown on the approved demolition plan to be saved shall be preserved and protected and fenced three feet outside the dripline during construction.
5. **Minimize Visual Effect of Paving.** Textured or colored pavement shall be used in paved areas of the project to minimize the visual effect of the expanse of paving, create a pedestrian environment, and provide access for all users.
6. **Lighting.** Lighting design shall conform with City Lighting Ordinance requirements, including shielding and direction to the ground to avoid off-site lighting and glare effects. The proposed lighting plan shall be approved by the Historic Landmarks Commission. (A-2)
7. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers shall be provided on the project site and screened from view from surrounding properties and the street.

8. **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.
- E. **Public Works Submittal Prior to Final Map Approval.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to processing the approval of the Final Map for the project:
1. **Final Map.** The Owner shall submit to the Public Works Department for approval, a Final Map prepared by a licensed land surveyor or registered Civil Engineer. The Final Map shall conform to the requirements of the City Survey Control Ordinance.
 2. **Dedication(s).** Easements as shown on the approved Tentative Subdivision Map.
 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. **State Street Public Improvement Plans.** The Owner shall submit building plans for construction of improvements along the property frontage on State 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; crack seal to the centerline of the street along entire subject property frontage; underground service utilities; connection to City water, sewer and storm drain mains; private drainage improvements with supporting drainage calculations for installation of on-site drainage pipe and curb drain outlets (provide on-site storm water BMP plan); supply and install one City 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; on-site pollution prevention interceptor device; four new designated street trees as determined by approval of the City Arborist; and provide adequate positive drainage from site. Existing private sewer lateral(s) serving the property shall be repaired before the new dwellings are occupied. Any existing sewer lateral(s) 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 private driveway, subject to the review and approval of the Public Works Director and City Attorney.
- F. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Recordation of Final Map and Agreements.** After City Council approval, the Owner shall provide evidence of recordation to the Public Works Department.
 2. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.
 3. **Traffic Control and Staging:** Owner shall submit a detailed traffic control and staging plan to the Transportation Operations Supervisor for final review and approval.
 4. **Storm Drain System Stenciling and Signage.** Within the project area, the applicant shall implement stenciling of all storm drain inlets and catch basins, and posting of signs at all public access points along channels and creeks, with language in English and Spanish and graphic icons prohibiting dumping, per approved plans. The applicant shall submit project plans to the satisfaction of Public Works Engineering that identify storm drain inlet locations throughout the project area, and specified wording and design treatment for stenciling of storm drain inlets and signage for public access points that prohibit dumping. The owners association shall maintain ongoing legibility of the stenciling and signage for the life of the project, and shall inspect at least annually and submit report annually.
(W-3)
 5. **Trash Storage Area Design.** Project trash container areas shall incorporate approved long-term structural storm water best management practices (BMPs) to protect water quality: Trash containers shall have drainage from adjoining roofs and pavement diverted around the areas; and trash container areas shall be screened or walled to prevent off-site transport of trash. The applicant shall submit project

plans to the satisfaction of Public Works Engineering and Solid Waste that incorporate long-term structural best management practices for trash storage areas to protect storm water quality. The owners association shall maintain these structural storm water quality protections in working order for the life of the project, and shall inspect at least annually and report to City annually. (W-4)

G. Community Development Requirements Prior to Building or Public Works Permit Application/Issuance. The following shall be finalized prior to, and/or submitted with, the application for any Building or Public Works permit:

1. **Project Environmental Coordinator Required.** Submit to the Planning Division a contract with a qualified representative for the Owner, approved by the Planning Division, to act as the Project Environmental Coordinator (PEC). The PEC shall be responsible for assuring full compliance with the provisions of the Mitigation Monitoring and Reporting Program (MMRP) to the City. The contract shall include the following, at a minimum:
 - a. The frequency and/or schedule of the monitoring of the mitigation measures.
 - b. A method for monitoring the mitigation measures.
 - c. A list of reporting procedures, including the responsible party, and frequency.
 - d. A list of other monitors to be hired, if applicable, and their qualifications.
 - e. Submittal of semi-weekly reports during demolition, excavation, grading and footing installation and monthly reports on all other construction activity regarding MMRP compliance by the PEC to the Community Development Department.

The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in the MMRP, including the authority to stop work, if necessary, to achieve compliance with mitigation measures.

2. **Neighborhood Notification Prior to Construction.** At least thirty (30) days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses and residents within 450 feet of the project area. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) who can answer questions and provide additional information or address problems that may arise during construction, site rules and Conditions of Approval pertaining to construction activities and any additional information that will assist the Building Inspectors, Police Officers and the public in addressing problems that may arise during construction. A 24-hour construction hot line shall be provided. Informational signs with the PEC's name and telephone number shall also be posted at the site. The language of the notice

and the mailing list shall be reviewed and approved by the Planning Division prior to being distributed. An affidavit signed by the person(s) who compiled the mailing list shall be submitted to the Planning Division. (N-3)

3. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions and Conditions of Approval. Submit a copy of the notice to the Planning Division.
4. **Archaeological Monitoring Contract.** Submit to the Planning Division a contract with an archaeologist from the most current City Qualified Archaeologists List for monitoring during all ground disturbing activities associated with the project, including, but not limited to, grading, excavation, trenching vegetation or paving removal and ground clearance in the areas identified in the Phase 1 Archaeological Resources Report prepared for this site by MacFarlane Archaeological Consultants, dated March 9, 2006. The contract shall be subject to the review and approval of the Planning Division. (CR-1)

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

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

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

(CR-2)

5. **Park Commission Tree Removal Approval.** Submit to the Planning Division verification of approval from the Park Commission for the relocation of one street tree.

6. **Arborist's Monitoring.** Submit to the Planning Division a contract with a qualified arborist for monitoring of all work within the dripline of the off-site oak tree during construction. The contract shall include a schedule for the arborist's presence during grading and construction activities, and is subject to the review and approval of the Planning Division.
7. **Groundwater Contamination.** Prior to the issuance of a demolition permit for the proposed project, the applicant shall provide evidence to the City that the SBC FPD has reviewed required soil vapor testing results, and if necessary, a health risk evaluation prepared for the proposed project. If required, proposed building plans shall include measures approved by the SBC FPD to reduce potential health risk impacts to occupants of the proposed building to a less than significant level. All approved vapor control mitigation measures shall be depicted on proposed building plans prior to the approval of a building permit. (H-1)
8. **Sound Barriers.** Prior to the approval of a demolition permit, the applicant shall prepare and submit a sound control plan that identifies noise attenuation measures and/or devices, such as the use of noise shields and blankets, to reduce noise impacts to the office uses located north of and adjacent to the project site. If noise control devices are provided, they shall be maintained on the project site throughout all proposed demolition and grading operations. (N-6)
9. **Construction and Demolition Material Salvage.** Prior to the approval of a demolition permit for the proposed project, a construction and demolition waste management plan shall be developed and submitted to the City's Environmental Analysis for review and approval. (PS-3)
10. **Soils Report.** Submit to the Building and Safety Division a soils report.
11. **Recorded Affordability Covenant.** Submit to the Planning Division a copy of an Affordability Control Covenant that has been approved as to form and content by the City Attorney and Community Development Director, and recorded in the Office of the County Recorder, which includes the following:
 - a. **Initial Sale Price Restrictions.** The dwelling units designated as units H and I on the Project Plans shall be designated as Affordable Middle Income Units with prices targeted to 120% of Area Median Income and sold only to and occupied only by households who qualify as Middle Income Households as defined in the City's adopted Affordable Housing Policies and Procedures. The maximum sale prices upon initial sale shall not exceed the following:

Unit H (2-bedroom unit) = \$268,400
Unit I (3-bedroom unit) = \$320,600
 - b. **Resale Restrictions.** The Affordable Units shall be sold and occupied in conformance with the City's adopted Affordable Housing Policies and Procedures. The resale prices of the Affordable Units shall be controlled by

means of a recorded affordability covenant executed by Owner and the City to assure continued affordability for at least forty-five (45) years from the initial sale of the affordable unit. No affordable unit may be rented prior to its initial sale.

12. **Letter of Commitment for Pre-Construction Conference.** The Owner shall submit to the Planning Division a letter of commitment that states that, prior to disturbing any part of the project site for any reason and after the Building permit has been issued, the General Contractor shall schedule a conference to review site conditions, construction schedule, construction conditions, and environmental monitoring requirements. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, the assigned Building Inspector, the Planning Division, the Property Owner, the Archaeologist, the Architect, the Arborist, the Project Environmental Coordinator, the Contractor and each subcontractor.
 13. **Final Planning Commission Resolution Submittal.** The final Planning Commission Resolution shall be submitted, indicating how each condition is met with drawing sheet and/or note references to verify condition compliance. If the condition relates to a document submittal, describe the status of the submittal (e.g., Final Map submitted to Public Works Department for review), and attach documents as appropriate.
- H. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Historic Landmarks Commission, outlined in Section D above.
 2. **Monitoring Well Relocation.** The location of proposed replacement monitoring wells, as approved by the SBC FPD, shall be depicted on a final site plan. The final site plan shall be submitted to the City for review and approval prior to the issuance of a demolition permit for the proposed project. (H-2)
 3. **Exterior Noise Reduction.** A minimum five (5)-foot high wall extending upward from the exterior balcony floor shall be provided for units "K" and "L." The wall height requirement is relative to the patio floor elevation. (N-1)
 4. **Interior Noise Reduction.** Prior to the issuance of a building permit, a final interior noise assessment for proposed units facing State Street (units "K" and "L") shall be provided to the City. The assessment shall identify noise attenuation measures to be provided to ensure that interior noise levels do not exceed 45 dBA CNEL. Noise control measures may include, but are not limited to:
 - The use of sound-rated windows.
 - Installation of a ventilation system/air conditioning system. (N-2)

5. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers shall be provided on the project site and screened from view from surrounding properties and the street. Dumpsters and containers with a capacity of 1.5 cubic yards or more shall not be placed within five (5) feet of combustible walls, openings, or roofs, unless protected with fire sprinklers. (PS-1)
6. **Pre-Construction Conference.** Prior to commencement of construction, a conference to review site conditions, construction schedule, construction conditions, and environmental monitoring requirements, shall be held by the General Contractor. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, Building Division, Planning Division, the Property Owner, Archaeologist, Architect, Arborist, Project Environmental Coordinator, Contractor and each Subcontractor.
7. **Mitigation Monitoring and Reporting Requirement.** Note on the plans that the Owner shall implement the Mitigation Monitoring and Reporting Program (MMRP) for the project's mitigation measures, as stated in the Mitigated Negative Declaration for the project.
8. **Grading Plan Requirement for Archaeological Resources.** The following information shall be printed on the grading plans:

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

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

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

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Planning Division within 180 days of

completion of the monitoring or prior to the issuance of the Certificate of Occupancy, whichever is earlier. (CR-2)

9. **Erosion Control/Water Quality Protection Plan.** Provide an erosion control plan that is consistent with the requirements outlined in the Procedures for the Control of Runoff into Storm Drains and Watercourses and the Building and Safety Division Erosion/Sedimentation Control Policy (2003). The erosion control/water quality protection plan shall specify how the required water quality protection procedures are to be designed, implemented and maintained over the duration of the development project. A copy of the plan shall be submitted to the Community Development and Public Works Departments for review and approval, and a copy of the approved plan shall be kept at the project site.

At minimum, the erosion control/water quality protection plan prepared for the proposed project shall address the implementation, installation and/or maintenance of each of the following water resource protection strategies:

Paving and Grinding, Sandbag Barriers, Spill Prevention/Control, Solid Waste Management, Storm Drain Inlet Protection, Stabilize Site Entrances and Exits, Illicit Connections and Illegal Discharges, Water Conservation, Stockpile Management, Liquid Wastes, Street Sweeping and Vacuuming, Concrete Waste Management, Sanitary/Septic Waste Management, Vehicle and Equipment Maintenance, Vehicle and Equipment Cleaning, Vehicle and Equipment Fueling.

(W-1)

10. **Minimization of Storm Water Pollutants of Concern.** The applicant shall submit project plans incorporating long-term BMPs to minimize storm water pollutants of concern to the extent feasible, and obtain approval from Public Works Engineering. The owners association shall maintain approved facilities in working order for the life of the project, and shall inspect annually and submit report to City annually. (W-2)
11. **Technical Reports.** All recommendations of the Preliminary Foundation Investigation prepared by Pacific Materials Laboratory, dated July 27, 2005, and approved by the Building and Safety Division, shall be incorporated into the construction plans. (G-1)
12. **Fire Department Access Modification.** Prior to the approval of a building permit, a modification of Fire Department access standards shall be submitted to the Fire Department for review and approval. A copy of an approved access modification shall be provided on the cover sheet of the building plans. (T-1)
13. **Fire Sprinkler System.** A fire sprinkler system shall be provided.
14. **Fire Alarm System.** A fire alarm system shall be provided pursuant to City requirements.
15. **Bicycle Parking.** Ten bicycle parking spaces shall be provided.

16. **Project Directory.** A project directory, (including map and parking directional signs) listing all units on-site shall be indicated on the project plans. This directory shall be lit sufficient for readability for site visitors and placed in a location or locations acceptable to the Fire Department, shall meet current accessibility requirements, and is subject to Sign Committee Approval.
17. **Utilities.** Provide individual water, electricity, and gas meters, and sewer lateral for each residential unit. Service lines for each unit shall be separate until a point five feet (5') outside the building.
18. **Water-Conserving Fixtures.** All plumbing fixtures shall be water-conserving devices in new construction, subject to the approval of the Water Resources Management Staff.
19. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

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

- I. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction.
 1. **Demolition Notification.** Applicant shall submit an "Asbestos Demolition/Renovation Notification" Form to the Santa Barbara APCD and EPA Region IX at least ten days prior to starting any construction.
 2. **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. Indicate on the plans the location of an appropriately sized container, subject to review and approval by the City Solid Waste Specialist, for collection of demolition/construction materials. (PS-2)

3. **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.) to help reduce truck traffic and noise on adjacent streets and roadways. (T-2)
4. **Construction Related Traffic Routes.** The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods and minimize congestion, subject to approval by the Public Works Director. (T-2)
5. **Haul Routes.** The haul route(s) for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Transportation Engineer. (T-2)
6. **Construction Hours.** Noise-generating construction activities (which may include preparation for construction work) is prohibited Monday through Friday before 8:00 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 450 feet of the project property boundary and the City planning and Building Divisions 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. Night work shall not be permitted on weekends and holidays. (N-4)

7. **Construction Parking/Storage.** Construction parking and vehicle/equipment/materials 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 Transportation and Parking Manager.
 - b. On-site or off-site storage shall be provided for construction materials, equipment, and vehicles. Storage of construction materials within the public right-of-way is prohibited. (T-3)
8. **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.
- 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. (AQ-1)
9. **Covered Truck Loads.** Trucks transporting fill material to and from the site shall be covered from the point of origin. (AQ-2)
 10. **Gravel Pads.** Gravel pads shall be installed at all access points to the project site to prevent tracking of mud on to public roads. (AQ-3)
 11. **Disturbed Area Treatment.** After clearing, grading, earth moving or excavation is complete, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by:
 - a. Seeding and watering until grass cover is grown.
 - b. Spreading soil binders.
 - c. Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind.
 - d. Other methods approved in advance by the Air Pollution Control District. (AQ-4)
 12. **Expedient 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. (AQ-5)
 13. **Stockpiled Soil.** Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

14. **Street Sweeping.** The property frontage and adjacent property frontages, and parking and staging areas at the construction site shall be swept daily to decrease sediment transport to the public storm drain system and dust.
15. **Construction Ozone Precursors.** The following shall be adhered to during project grading and construction to reduce NOx and PM 2.5 emissions from construction equipment:
 - a. **Diesel Engines.** Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be utilized to the maximum extent feasible.
 - b. **Engine Size.** The engine size of construction equipment shall be the minimum practical size.
 - c. **Equipment Use Management.** The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
 - d. **Equipment Maintenance.** Construction equipment shall be maintained in tune per the manufacturer's specifications.
 - e. **Engine Timing.** Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines.
 - f. **Catalytic Converters.** Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
 - g. **Low Sulfur Fuel.** All diesel-powered equipment shall use ultra low sulfur diesel fuel.
 - h. **Diesel Emission Reduction.** Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.
 - i. **Diesel Equipment Reduction.** Diesel powered equipment shall be replaced by electric equipment whenever feasible.
 - j. **Engine Idling Limitations.** Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units shall be used whenever possible.
 - k. **Minimize Employee Trips.** Construction worker trips shall be minimized by requiring carpooling and by providing for lunch onsite.
 - l. **Bio-diesel.** To the extent feasible, diesel-powered construction equipment and vehicles used on site shall be fueled using bio-diesel fuels. (AQ-6)

16. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
17. **Minimization of Storm Water Pollutants of Concern.** The applicant shall implement approved plans incorporating long-term storm water best management practices (BMPs) to minimize identified storm water pollutants of concern including automobile oil, grease and metals. (W-2)
18. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) and Project Environmental Coordinator's (PEC's) name, contractor(s) and PEC's telephone number, work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval.
19. **On-Site Tree Protection.** A temporary construction fence shall be provided around the ficus tree that is to be retained on the project site. To the extent possible, the construction fence shall be installed outside the dripline of the tree. (B-2)
20. **Off-Site Tree Protection.** The following tree protection measures shall be implemented during the construction of the proposed project.
 - a. A qualified tree worker who practices proper pruning standards in accordance with the International Society of Arboriculture, Best Management Practices (ISA Certified Tree Worker or Certified Arborist) shall be used to raise the crown on the west side of the oak tree adjacent to the project site by removing the lowest 8-inch and 5-inch diameter limbs and several smaller branches.
 - b. Construction equipment and materials shall not be parked or stored beneath the dripline of the off-site oak tree located adjacent to the eastern boundary of the project site. The canopy of the oak tree shall be protected from paint overspray, plaster and other construction-related materials. (B-3)
21. **Tree Protection.** Notes on the grading plan that specify the following:
 - a. No grading shall occur under the driplines of the existing, protected tree(s).
 - b. A qualified Arborist shall be present during any excavation adjacent to or beneath the dripline of the trees which are required to be protected.
 - c. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound.
 - d. No heavy equipment, storage of materials or parking shall take place under the dripline of the tree(s).
 - e. Any root pruning and trimming shall be done under the direction of a qualified Arborist..

22. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices. (N-5)
 23. **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.
- J. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, 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. **Backwater or Backflow Device.** Provide an approved backwater and/or 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.
 5. **Noise Measurements.** Submit a final report from a licensed acoustical engineer, verifying that interior and exterior living area noise levels are within acceptable levels as specified in the Noise Element. In the event the noise is not mitigated to acceptable levels, additional mitigation measures shall be recommended by the noise specialist and implemented subject to the review and approval of the Building and Safety Division and the Historic Landmarks Commission (HLC).
 6. **Existing Street Trees.** Submit a letter from a qualified arborist, verifying that the existing street tree(s) have been properly pruned and trimmed.
 7. **Ownership Affordability Provisions Approval.** For all dwelling units subject to affordability conditions obtain from the Community Development Director, or Director's designee in the City's Housing Programs Division, written approval of the following: (a) the Marketing Plan as required by the City's Affordable Housing Policies and Procedures; (b) the initial sales prices and terms of sale (including financing); (c) the eligibility of the initial residents; and (d) the recorded affordability control covenants signed by the initial purchasers which assure continued compliance with the affordability conditions.
 8. **Archaeological Monitoring Report.** A final report on the results of the archaeological monitoring shall be submitted to the Planning Division within 180

days of completion of the monitoring or prior to the issuance of the Certificate of Occupancy, whichever is earlier. (CR-2)

9. **New Construction Photographs.** Photographs of the new construction, taken from the same locations as those taken of the story poles prior to project approval, shall be taken, attached to 8 ½ x 11" board and submitted to the Planning Division.
 10. **Mitigation Monitoring Report.** Submit a final construction report for mitigation monitoring.
- K. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

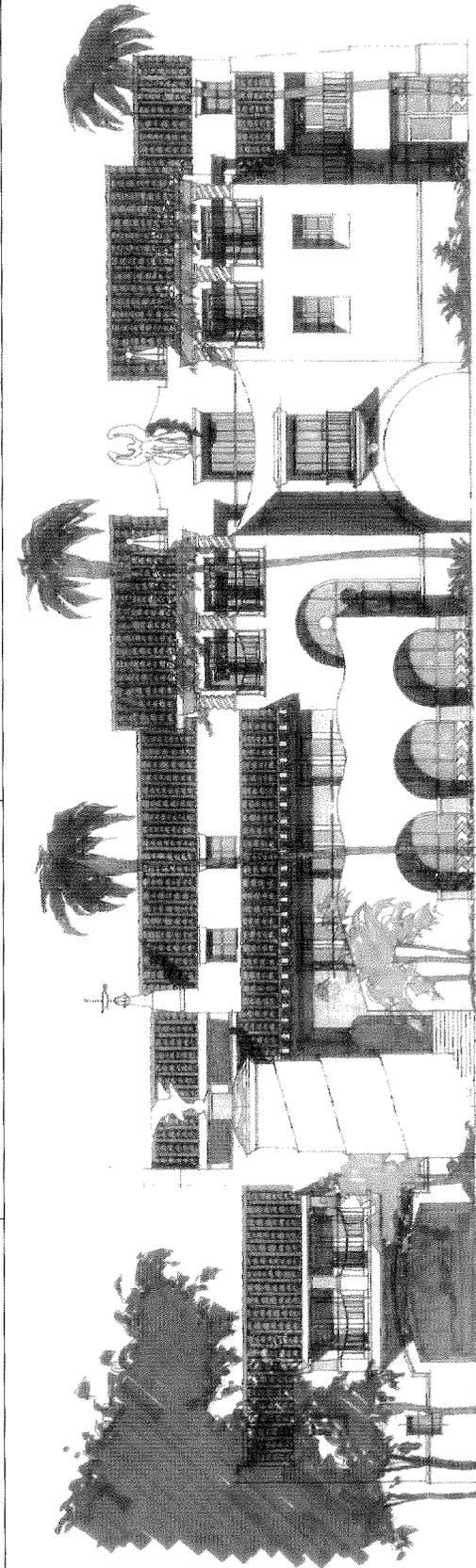
Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification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

NOTICE OF DEVELOPMENT PLAN APPROVAL TIME LIMITS:

The development plan approved, per Santa Barbara Municipal Code §28.87.350, shall expire four (4) years from the date of approval unless:

1. A building or grading permit for the work authorized by the development plan is issued prior to the expiration date of the approval.
2. A time extension is granted by the Planning Commission for one (1) year prior to the expiration date of the approval, only if it is found that there is due diligence to implement and complete the proposed project. No more than one (1) time extension may be granted.

Pursuant to Section 28.87.370 of the Santa Barbara Municipal Code, all other discretionary approvals shall remain valid and in effect as long as the development plan has not expired.



PROPOSED MIXED USE PROJECT 1722 STATE STREET

RESIDENTIAL DATA:

UNIT	TYPE	NET SQ. FOOTAGE	PRIVATE OUTDOOR LIVING SPACE
A	2 BR TOWNHOUSE	2,268	1,275
B	2 BR TOWNHOUSE	2,093	1,018
C	2 BR TOWNHOUSE	2,093	1,018
D	2 BR TOWNHOUSE	2,093	1,018
E	3 BR TOWNHOUSE	2,680	1,548
F	2 BR TOWNHOUSE	2,349	774
G	3 BR TWO LEVEL FLAT	1,968	472
H	2 BR FLAT	976	91
I	3 BR FLAT	1,179	100
J	FLAT	1,771	397
K	2 BR FLAT	1,857	247
L	FLAT	2,259	521

COMMON OPEN SPACE 5,122 SQ. FT.
MIN 15% COMMON OPEN SPACE - ALSO PROVIDED AS PER SANTA BARBARA CODE SECTION 20.21.08.1b

* NOTE: GROSS SQUARE FOOTAGE INCLUDES:
COVERED WALKS, GARAGE
RAMP, NON-HABITABLE
MECHANICAL SPACE, COVERED DECKS, ETC.

STRUCTURE DATA		
	CONST. TYPE	NET SQ. FT. / GROSS SQ. FT.
SUB-TERRANEAN GARAGE	TYPE I, F, R	23,000 / 24,300
1ST STORY RESIDENTIAL	V - 1 HR	9,389
1ST STORY COMMERCIAL	V - 1 HR	4,384
1ST STORY TOTAL		12,783
2ND STORY RESIDENTIAL	V - 1 HR	9,421
2ND STORY COMMERCIAL	V - 1 HR	4,716
2ND STORY TOTAL		14,137
3RD STORY RESIDENTIAL	V - 1 HR	5,786
3RD STORY COMMERCIAL	V - 1 HR	5,786
3RD STORY TOTAL		11,572
RESIDENTIAL TOTAL		29,877
COMMERCIAL TOTAL		15,576
ABOVE GRADE SUB TOTAL		32,706
PROJECT TOTAL		65,215

VICINITY MAP:



SITE INFORMATION:

1722 STATE STREET
OWNER: 1722 STATE STREET INVESTORS LLC
APN: 027-102-021
LAND USE ZONE: CZ1R
PROPOSED ZONE: CZ1R3
PARCEL AREA: 28,875 SQ. FT. / 0.66 ACRE
EXISTING USE: COMMERCIAL APPROX. 7,500 SQ. FT. / TO BE DEMOLISHED
LAND USE DESIGNATION: "GENERAL COMMERCIAL AND OFFICES"
PROPOSED USE: MIXED USE COMMERCIAL / RESIDENTIAL
AVERAGE SLOPE OF PROPERTY / TOPOGRAPHY: 4.5 %
PROPOSED MIXED USE STRUCTURE - TWO AND THREE STORY 12 RESIDENTIAL UNITS + 2 THREE BEDROOM, 10 TWO BEDROOM COMMERCIAL - PROFESSIONAL OFFICE, MEDICAL OFFICE, RETAIL/SUB-TERRANEAN PARKING GARAGE - 65 VEHICLES.
CONSTRUCTION TYPE - TYPE I AND TYPE V - 1 HOUR
BUILDING COVERAGE - 18,570 SQ. FT. / 64% SITE AREA
OPEN SPACE, LANDSCAPE, COURTYARD, PAVING - 10,305 SQ. FT. / 36% SITE AREA
GRADING CUT - 854 CU. YARDS
GRADING FILL - 25 CU. YARDS

SHEET INDEX:

A-0	COVER SHEET	A-6	EXTERIOR ELEVATIONS
A-0.1	DEMOLITION PLAN	A-7	EXTERIOR ELEVATIONS
A-1	BASEMENT GARAGE	A-8	COURTYARD ELEVATIONS
A-2.1	SITE / FIRST FLOOR PLAN	A-9	SECTIONS A-B
A-2.2	SITE CONTEXT PLAN	A-10	SECTIONS B-C
A-3	SECOND FLOOR PLAN	L1	LANDSCAPE PLAN
A-4	THIRD FLOOR PLAN	CIVIL	TM1 - TM6
A-5	ROOF PLAN		

PARKING:

PARKING REQUIREMENTS (PER CITY ZONING ORDINANCE)	
RESIDENTIAL	27
SPECIALTY RETAIL 1021	6
GENERAL OFFICE 4716	19
MEDICAL OFFICE 2763	11
TOTAL	63
PROJECT PEAK DEMAND	50
(ITE PARKING GENERATION AND UTILIZATION MANUAL)	
PARKING PROVIDED	55

SHARED

FIRE:
FIRE SPRINKLERS AND MIXED USE FIRE ALARM WILL BE PROVIDED UNDER A SEPARATE PERMIT.

DATE	REVISION

PROJECT NO. 8545
SHEET NO. 1
COVER SHEET

PROJECT NO. 8545
SHEET NO. 1
COVER SHEET

A-0
OF ALL SHEETS
BY LAST REVISION

CONCEPTUAL PLANT PALETTE

ACCENT PALM / TREE each are:

- Chlorophytum
- Dracaena
- Yucca
- Philodendron
- Dieffenbachia
- Polka Dot Plant
- Peace Lily
- Spider Plant
- Wax Plant
- ZZ Plant
- Philodendron
- Dieffenbachia
- Polka Dot Plant
- Peace Lily
- Spider Plant
- Wax Plant
- ZZ Plant

PALL / TREE / CANOPY TREE each are:

- Platanus
- London Plane
- Fig
- Walnut
- Oak
- Maple
- Cherry
- Peach
- Apple
- Plum
- Almond
- Pistachio
- Walnut
- Oak
- Maple
- Cherry
- Peach
- Apple
- Plum
- Almond
- Pistachio

ACCENT SHRUBS / PERENNIALS each are:

- Yucca
- Dracaena
- Philodendron
- Dieffenbachia
- Polka Dot Plant
- Peace Lily
- Spider Plant
- Wax Plant
- ZZ Plant
- Philodendron
- Dieffenbachia
- Polka Dot Plant
- Peace Lily
- Spider Plant
- Wax Plant
- ZZ Plant

SHRUBS each are:

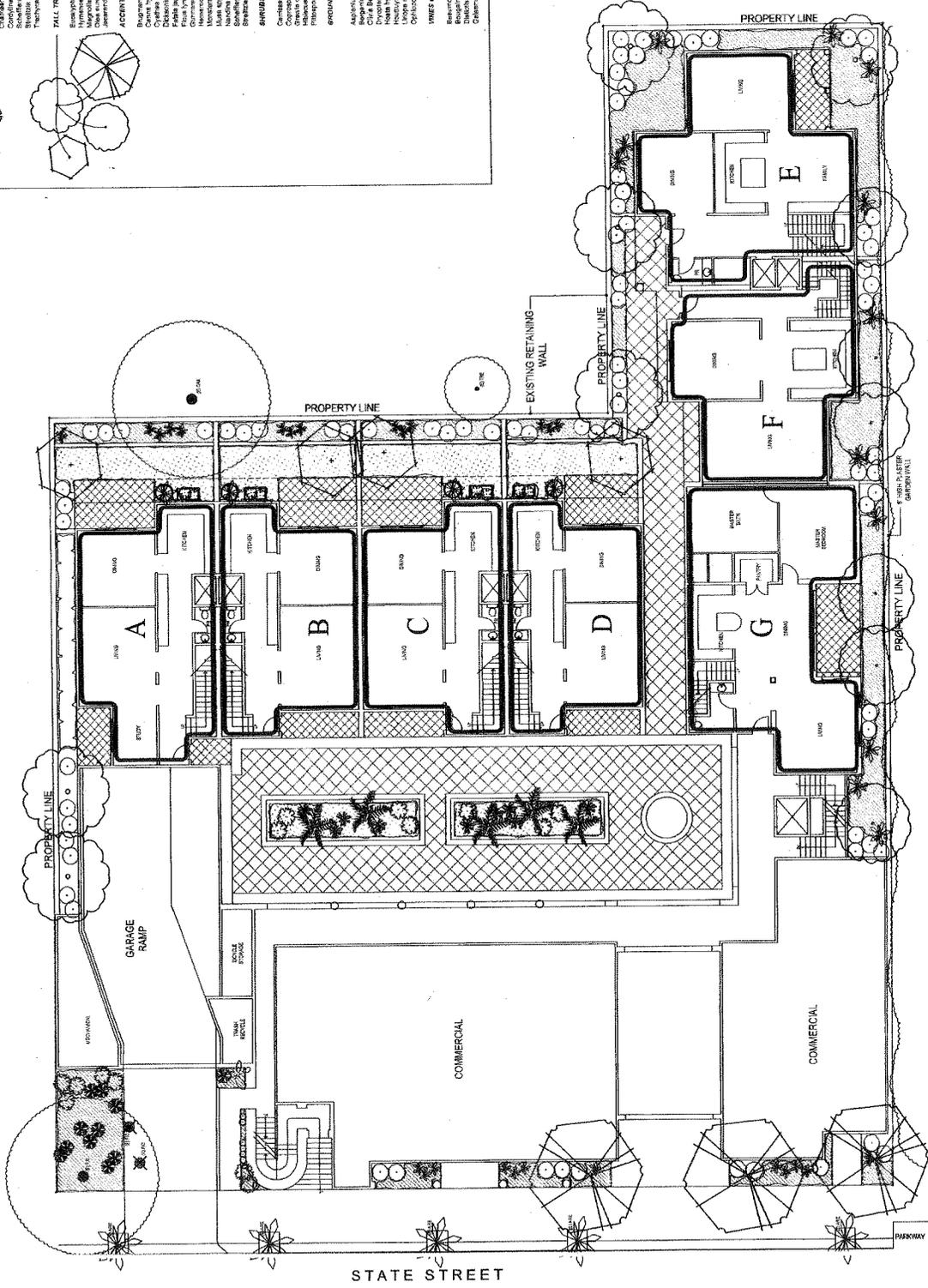
- Yucca
- Dracaena
- Philodendron
- Dieffenbachia
- Polka Dot Plant
- Peace Lily
- Spider Plant
- Wax Plant
- ZZ Plant
- Philodendron
- Dieffenbachia
- Polka Dot Plant
- Peace Lily
- Spider Plant
- Wax Plant
- ZZ Plant

GROUND COVER each are:

- Yucca
- Dracaena
- Philodendron
- Dieffenbachia
- Polka Dot Plant
- Peace Lily
- Spider Plant
- Wax Plant
- ZZ Plant
- Philodendron
- Dieffenbachia
- Polka Dot Plant
- Peace Lily
- Spider Plant
- Wax Plant
- ZZ Plant

VINES each are:

- Yucca
- Dracaena
- Philodendron
- Dieffenbachia
- Polka Dot Plant
- Peace Lily
- Spider Plant
- Wax Plant
- ZZ Plant
- Philodendron
- Dieffenbachia
- Polka Dot Plant
- Peace Lily
- Spider Plant
- Wax Plant
- ZZ Plant



CONCEPTUAL LANDSCAPE PLAN

VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES

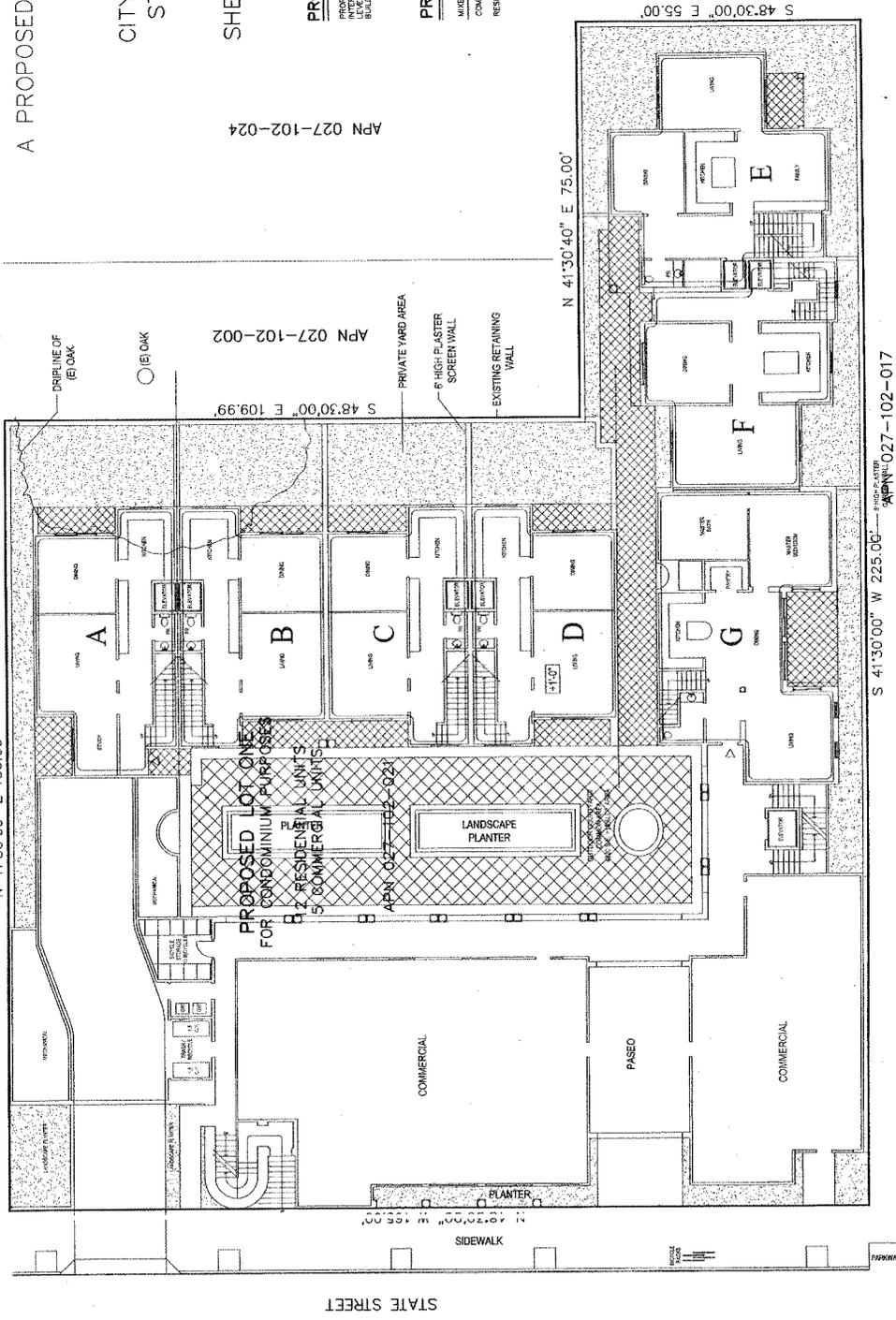
A PROPOSED MERGER AND RE-SUBDIVISION
OF

APN 027-102-021

CITY OF SANTA BARBARA
STATE OF CALIFORNIA
AUGUST 2006

SHEET TM2 OF 6 SHEETS

APN 027-102-001
N 41°30'00" E 150.00'



APN 027-102-024

PROPOSED BUILDING NOTES

PROPOSED BUILDINGS WILL HAVE A 10% OVERLAP WITH THE EXISTING BUILDING. THE EXISTING BUILDING WILL BE ARCHITECTURAL PLANS FOR FULL DETAILS OF THE PROPOSED BUILDINGS.

PROPOSED BUILDING CALCULATIONS

MIXED-USE DESCRIPTION	NO. UNITS	NET S.F.	GROSS S.F.
COMMERCIAL	5	8,016 S.F.	15,798 S.F.
RESIDENTIAL	12	23,549 S.F.	27,795 S.F.

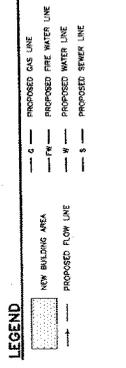
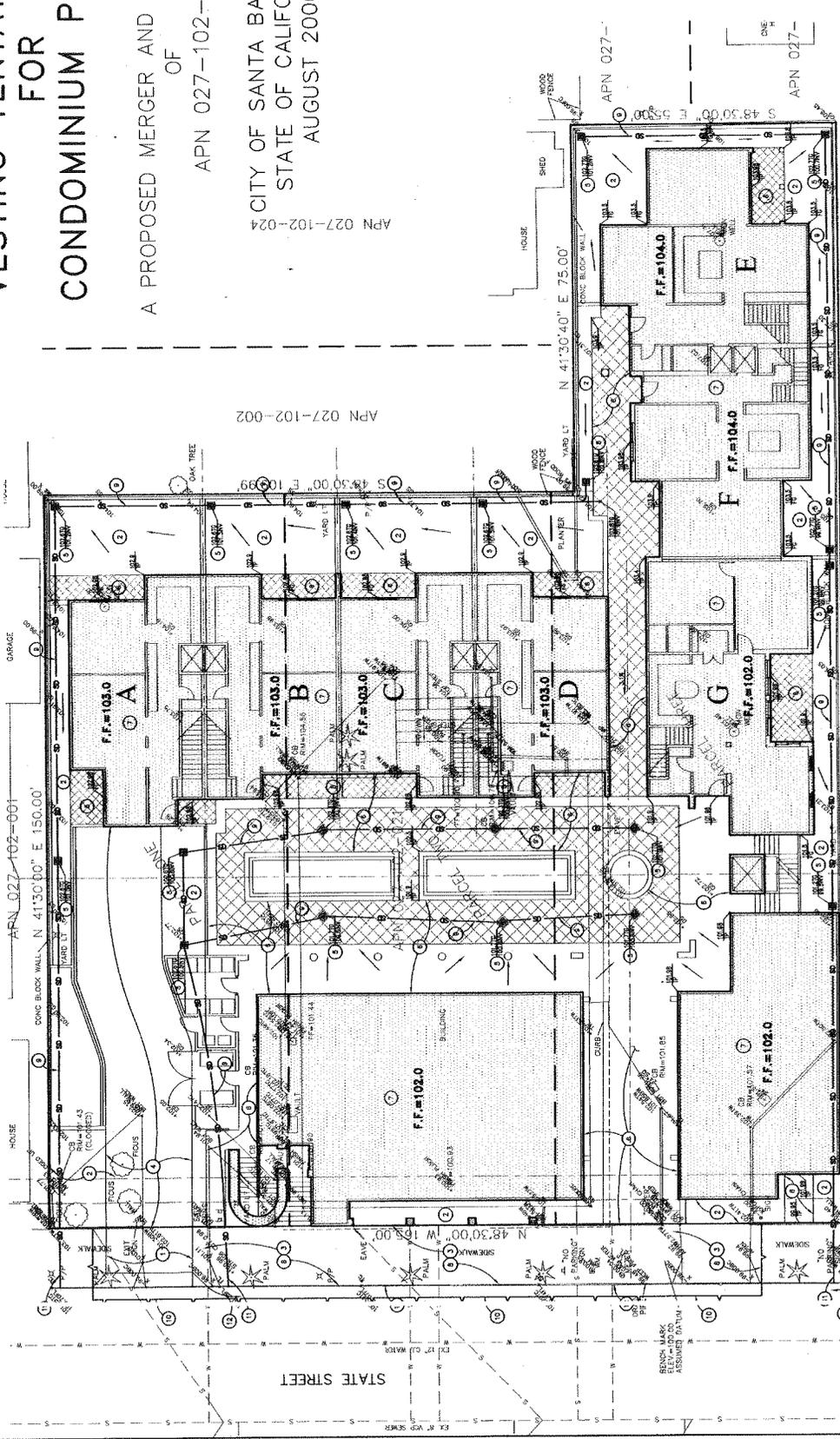
PROPOSED LOTS, EASEMENTS, AND SITE PLAN

Penfield & Smith
ENGINEERS & SURVEYORS - PLANNERS
CARMEL, SANTA BARBARA, SANTA MONICA, LANCASTER
MARIETTA, WASHINGTON, D.C., SAN JOSE, LOS ANGELES, SAN DIEGO
PH: (805) 764-1121 FAX: (805) 764-1122
WWW.PENFIELDANDSMITH.COM
REG. NO. 14718-02 MAY 18, 2006 15737penfield.sps

VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES

A PROPOSED MERGER AND RE-SUBDIVISION
OF
APN 027-102-021

CITY OF SANTA BARBARA
STATE OF CALIFORNIA
AUGUST 2006



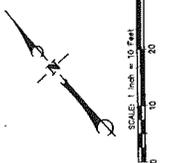
- GRADING AND DRAINAGE NOTES**
- CONSTRUCT 18" WIDE COMMERCIAL DRIVEWAY PER CITY DETAIL 1-003.2
 - LANDSCAPE/PLANTING AREA
 - CONSTRUCT SIDEWALK PER CITY STD. DETAILS 1-006.0 AND 1-006.1.
 - CONSTRUCT 8" THICK CONCRETE FINISH PER CITY STD. DETAILS 1-006.0 AND 1-006.1.
 - CONSTRUCT 12"X12" CONCRETE CATCH BASIN
 - CONSTRUCT 4" THICK 5.0 CONCRETE SIDEWALK PER ARCHITECTURAL PLANS.
 - CONSTRUCT BUILDING PER ARCHITECTURAL PLANS.
 - CONSTRUCT 18" WIDE CONCRETE CURB AND 18" WIDE CONCRETE GUTTER PER CITY STD. DETAILS 1-007.0 AND 1-007.1.
 - CONSTRUCT CURB GUTTER PER CITY STD. DETAILS 1-007.0 AND 1-007.1.
 - CONSTRUCT EXISTING PAVEMENT AND DISPOSE OF LEGALLY OFF-SITE.
 - CONSTRUCT STORM DRAIN PER CITY STD. DETAILS 1-001.0 AND 1-001.1.
 - REMOVE EXISTING 4" PAVEMENT AND CONCRETE AND REPLACE ENTIRE BLOCK. SMOOT.

GRADING AND DRAINAGE PLAN

Penfield's mith
ENGINEERS - SURVEYORS - LANDERS

1000 WEST MAIN STREET, SUITE 200
SANTA BARBARA, CA 93101
PHONE: (805) 965-2222 FAX: (805) 965-2222
WWW.PENFIELD'SMITH.COM

NO. 19773.03 - MAY 4, 2006 - 0611 - 02/06

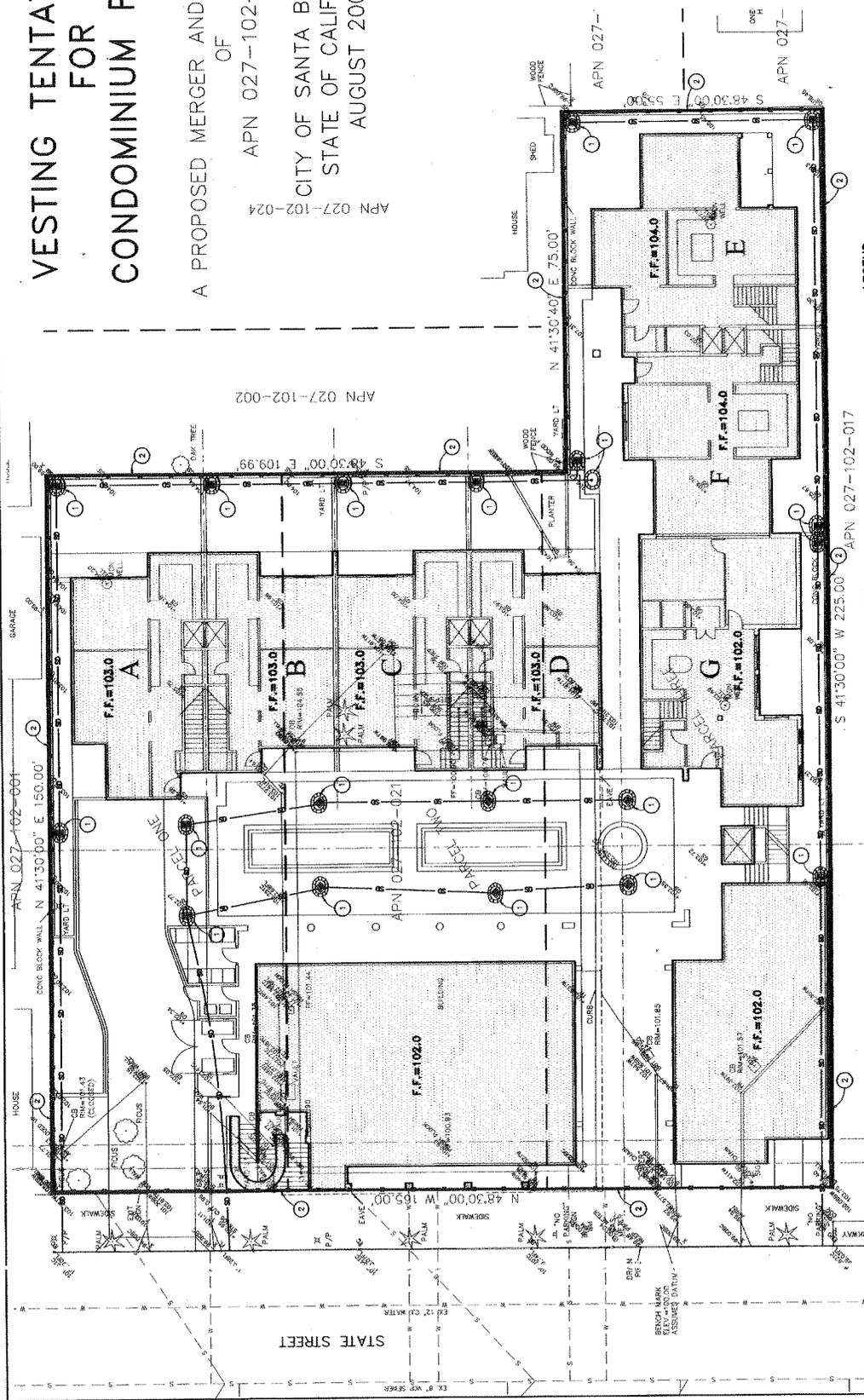


VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES

A PROPOSED MERGER AND RE-SUBDIVISION
OF
APN 027-102-021
CITY OF SANTA BARBARA
STATE OF CALIFORNIA
AUGUST 2006

APN 027-102-024

APN 027-102-002



EROSION CONTROL PLAN

EROSION CONTROL NOTES

1. CONSTRUCT EROSION CONTROL MEASURES PER SHEET C1 HERE NOT SHOWN ON THIS DRAWING.
2. THIS PLAN SHOWS THE MINIMUM REQUIREMENTS FOR EROSION CONTROL. CONTRACTOR SHALL CONSTRUCT ADEQUATE EROSION CONTROL MEASURES TO PREVENT SILT AND DEBRIS FROM ENTERING THE CONSTRUCTION SITE AND/OR ENTERING THE NEARBY CONTROL DEVICES.
3. CONTRACTOR SHALL CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE, MIN. 1'-3" STONES, 6" DEEP PLACED AT MIN. 50' LENGTH BY MIN. 30' WIDTH AT LOCATION TO BE DETERMINED BY CONTRACTOR AND APPROVED BY OWNER.
4. CONTRACTOR SHALL CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE, MIN. 1'-3" STONES, 6" DEEP PLACED AT MIN. 50' LENGTH BY MIN. 30' WIDTH AT LOCATION TO BE DETERMINED BY CONTRACTOR AND APPROVED BY OWNER.
5. CONTRACTOR SHALL CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE, MIN. 1'-3" STONES, 6" DEEP PLACED AT MIN. 50' LENGTH BY MIN. 30' WIDTH AT LOCATION TO BE DETERMINED BY CONTRACTOR AND APPROVED BY OWNER.
6. CONSTRUCT ON-SITE TEMPORARY MACHINE/VEHICLE WASH-OUT AREA, AND LEGALLY DISPOSE OF SEDIMENT/SILT OFF-SITE.

GENERAL NOTES

1. DRAWING.
2. THIS PLAN SHOWS THE MINIMUM REQUIREMENTS FOR EROSION CONTROL. CONTRACTOR SHALL CONSTRUCT ADEQUATE EROSION CONTROL MEASURES TO PREVENT SILT AND DEBRIS FROM ENTERING THE CONSTRUCTION SITE AND/OR ENTERING THE NEARBY CONTROL DEVICES.
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6. CONSTRUCT ON-SITE TEMPORARY MACHINE/VEHICLE WASH-OUT AREA, AND LEGALLY DISPOSE OF SEDIMENT/SILT OFF-SITE.

LEGEND

- 1. EROSION CONTROL CONSTRUCTION NOTE ANNOTATION
- 2. ROCK BARRIER BAG
- 3. SALT FENCE



Penfield's with
SPECIALTY SERVICES
1000 W. SANTA ANITA ST. SUITE 100
SANTA ANITA, CA 93003
Tel: (805) 885-1111
Fax: (805) 885-1112
Penfield's is a registered contractor
Contractor License No. 95172
Penfield's is a registered contractor
Contractor License No. 95172

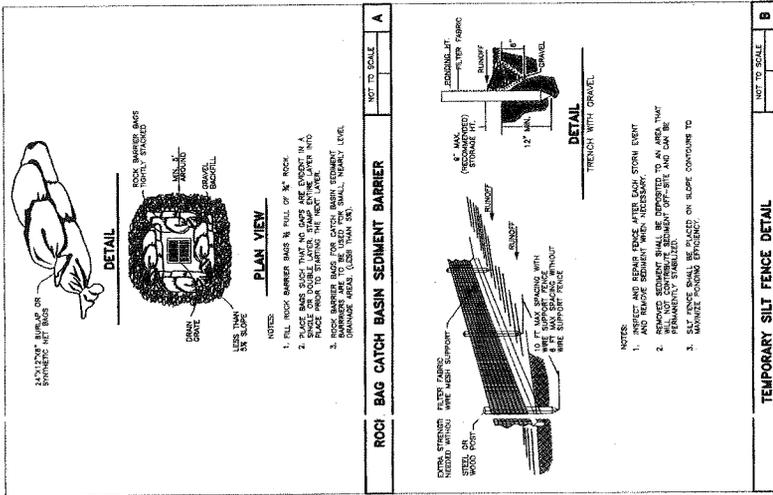
APN 027-102-017

TMS

VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES

A PROPOSED MERGER AND RE-SUBDIVISION
OF
APN 027-102-021
CITY OF SANTA BARBARA
STATE OF CALIFORNIA
AUGUST 2006

TM6



DETAILS

Penfield & Smith
ENGINEERS - SURVEYORS - LANDSCAPERS
1000 W. SANTA ANITA AVENUE, SUITE 100
SANTA ANITA, CALIFORNIA 93101
PHONE: (805) 881-1832
FAX: (805) 881-1832

NO. 002-03 DATE: 1.006 1/21/06



ARCHITECTURE
AND PLANNING

122 E. ARRELLAGA
SANTA BARBARA
CALIFORNIA 93101
805 962 2746

September 1, 2006 [revised 10. 16. 2006]

Santa Barbara Planning Commission.
City of Santa Barbara
630 Garden Street
Santa Barbara, Ca. 93101

Re: **DART RE-SUBMITTAL**
1722 State Street / MST #2005-00455 / APN #027-102-021

Honorable Commissioners:

Please find enclosed our DART re--submittal for a mixed-use project located at 1722 State Street. The current zoning is a mix of C-2 and R-1 zones.

Requested Entitlements

- **Re-zone:** We are requesting the R-1 zone portion of the property (located at the northeast portion of the property) be re-zoned to R-3 in order to support the proposed mixed-use design. (SBMC §28.92.015) Per comments from the PRT review, we believe this is a legitimate request in that the adjacent zoning (to the immediate northeast) is R-3. This will allow Staff to more adequately support a mixed-use project on this site.
- **A Tentative Tract Subdivision Map:** to allow a one-lot subdivision for the purposes of 12 residential condominium units and 9,100 sf of commercial condominium space (SBMC Chapter 27.07)
- **A Development Plan:** To allow 9,100sf of non-residential uses (SBMC §28.87.300) Per PRT Staff recommendations, the proposed 9,100 sf of non residential uses would be allocated square footage, per Measure E, in the following way:
 1. 7,500 sf of demolished nonresidential area.
 2. 1,000 sf from the Minor Addition category allocated to the property.
 3. 600 sf from the Small Addition category.

RECEIVED

OCT 18 2006

CITY OF SANTA BARBARA/
PLANNING DIVISION

EXHIBIT C

- **A Conditional Use Permit:** to allow parking area for non-residential uses in a residential zone.
- **A Parking Modification:** to allow 55 parking spaces per the Project Shared parking Demand Calculations of the ordinance required 63 spaces [SBMC Chapter 28.90].
- **A Lot Area Modification:** to allow 9 two- bedroom units and 3 three- bedroom units on a 28,875 square foot lot instead of the required 29,280 square foot lot area [SBMC Chapter 28.21].

Previous City Review

The project has been previously reviewed by the following entities:

Pre-Application Review Team	August 23, 2005
Planning Commission (Concept review)	November 3, 2005
Historic Landmarks Commission (Concept review)	December 14, 2005
Development Application Review Team	March 28, 2006 June 20, 2006 August 31, 2006

Both conceptual presentations received unanimously positive responses regarding the proposed use, massing and articulation, design, sensitivity to adjacent uses, and proposed mix of market-rate and affordable units. Please find enclosed meeting minutes from those sessions, as well as a copy of our PRT Application Review – Team Comments. Specific responses to PRT comments are included within this Letter of Intent.

Project identification

1722 State Street, Santa Barbara, CA. 93101	
Assessors Parcel Number	027-102-021
Parcel Area	28,875 sf / 0.66 acres

Uses	Existing	Proposed New Const.
Zoning	C-2 / R-1	C-2 / R-3
Commercial	7,500 sf (to be demolished)	9,100 sf

Residential	0	23,606 sf
Subterranean Parking	0	23,795 sf
Total SF Above Grade	7,500 sf	32,706 sf

Existing Building / Project Use

The existing 7,500 sf, two-story building is currently being used as a videography lab by Brooks Institute of Photography. There are also two ATM machines owned by Bank of America located on site at the western boundary facing State Street. There are no residential uses currently on site.

Proposed Development Statistics

Mixed-Use Descrip.	# Units	Net SF	Gross SF
Commercial	-	9,100 sf	15,576 sf*
Residential	12	23,606 sf	29,837 sf
Private Open Space			8,498 sf
Common Open Space (not include private yards)			5,122 sf
Total proposed footprint			18,436 sf
Total proposed building coverage			64%
Total proposed FAR (calculated using net sf)			1.13

* Includes vehicular access ramp/trash area/mechanical and circulation, and all covered walkways per UBC definition of gross square feet.

Maximum Number of Units using Lot Area Requirements (SBMC § 28.21.080)

# Units	Unit Description	Lot area per unit	Total area req.
9	2-Bedroom Unit	2,320 sf	23,200 sf
3	3-Bedroom Unit	2,800 sf	5,600 sf
Total lot area required to support density			29,280 sf
Total existing lot area			28,875 sf

Parking Provided On-Site (Statistics have been revised to reflect Staff request that all commercial be analyzed as a medical office use. In reality, only 2,763 sf of the total commercial building will be used as medical office (the remainder will be used a professional office space.) This revised, more impactful analysis was developed to quality impacts and support the Applicant and Traffic Engineer's position that parking provided on site was sufficient for all uses - now and in the future.) A detailed analysis is provided as part of revised Traffic Impact Analysis included in this re-submittal.)

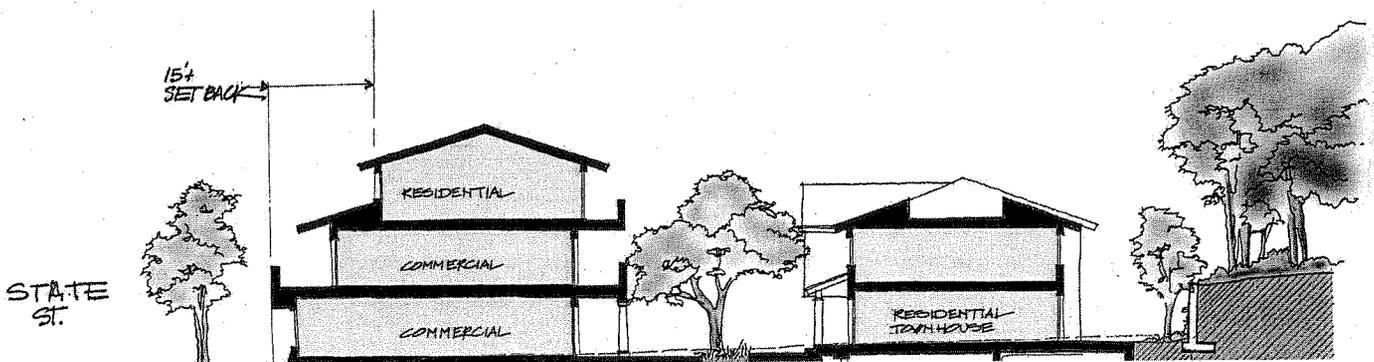
Proposed Uses	Parking Req.
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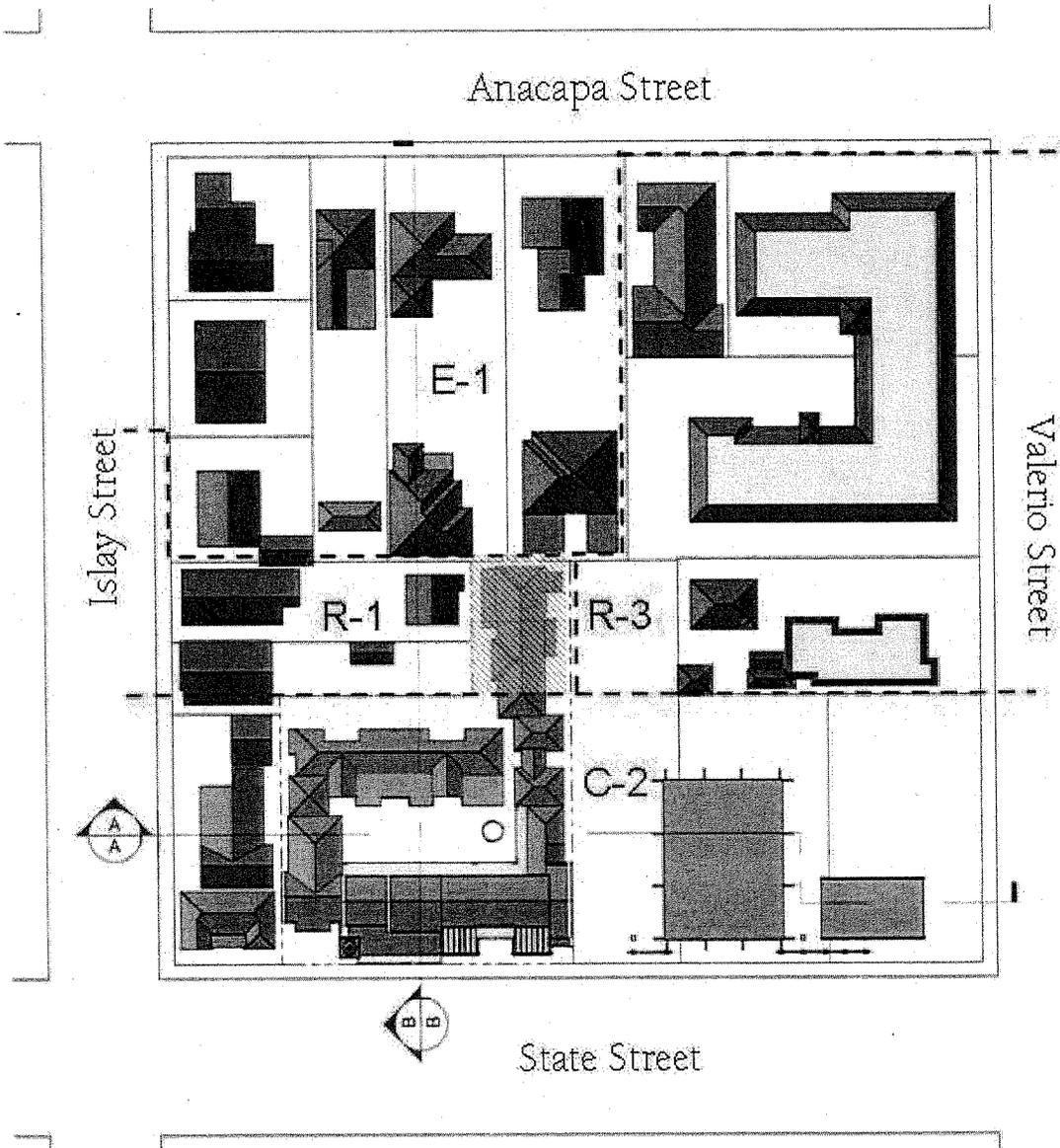
Commercial (Specialty)	See medical below
Commercial (General Office)	See medical below
Commercial (Medical Office)	33
Residential (12 two & three bedroom units + guest parking)	22
Total parking required by code	63
Project Peak Demand (ITE parking generation for 12 residential condominiums and 9,100 sf of medical office space.)	55
Shared Parking Demand Calculation (ITE parking generation for 12 residential condominiums and 9,100 sf of medical office space.)	55
Total Parking provided (all subterranean)	55

Project Description - Use

The proposed project includes a mix of 9,100 sf of commercial space facing west onto State Street and twelve residential condominium units in a mix of flats, split-level flats, and town homes directly behind and at the eastern end of the site. The commercial condominium spaces will be subdivided based on needs of final tenants/buyers. The residential condominium component will include 12 two-bedroom and 2 three-bedroom units (ranging in size from 976 sf to 2,680 sf). Two of the residential units would be affordable units as required by the City's Inclusionary ordinance - one two-bedroom unit (976 sf), and one three-bedroom unit (1,179 sf). Please see Inclusionary Housing Plan included as part of this re-submittal.

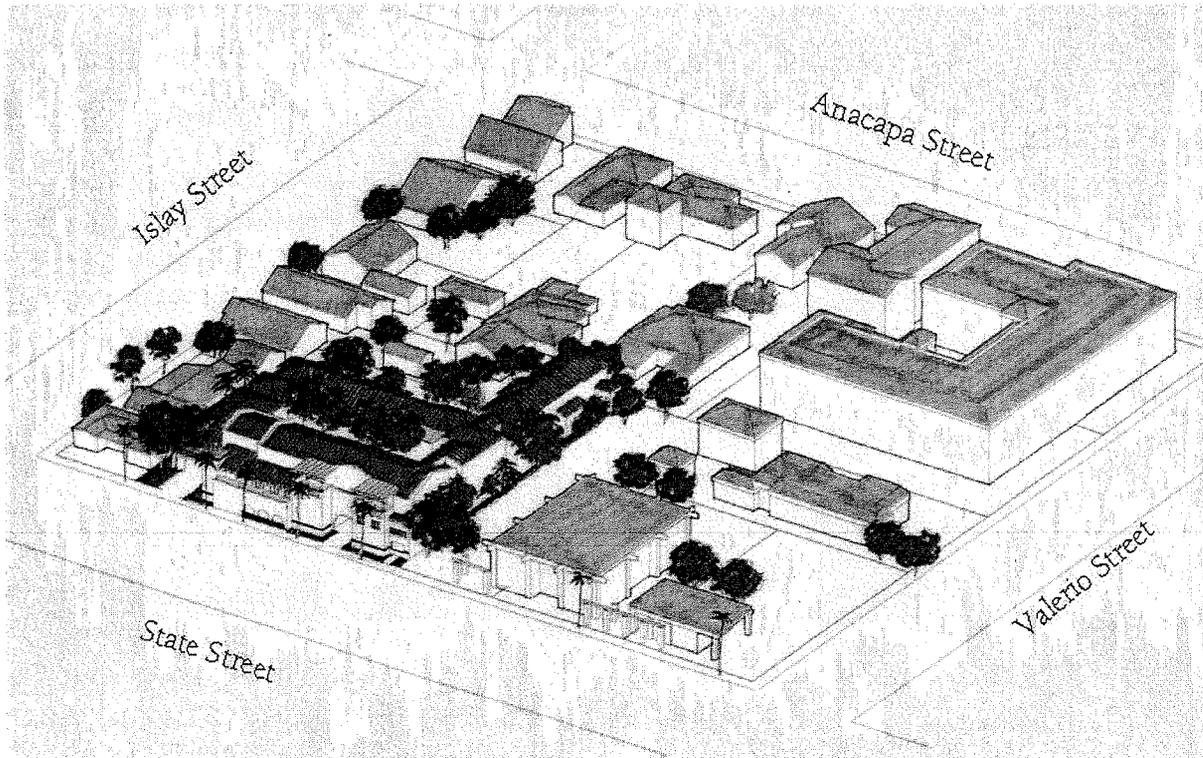
All required vehicular parking would be located below grade in a subterranean parking garage. The organization of the subterranean garage will allow for significant in the ground planting opportunities along State Street, at the projects perimeter [adjacent to residential properties to the east] and in a planned interior courtyard/paseo. The design concept is a pedestrian oriented one with minimal use of the site's surface for the automobile (see exhibit provided below).





Surrounding Zoning / Uses

Surrounding uses are reflected in the exhibit above. To the north of the project are one-story commercial offices. Single family residences are located to the east and northeast. Multi-family residential is located to the southwest, and two-story commercial buildings (currently an artificial kidney center and a video rental store) are located directly to the south of the project site.



Project shown in context to surrounding uses

Project Context

The exhibit above demonstrates an axonometric view of the proposed project design as it relates to surrounding uses. Note that there is an eight foot grade change at the north property boundary, between the

subject site and the adjacent single family residential uses to the east (also visible at cross section on page three.) As a result of this existing grade change the two story elements at the east of the project appear closer to one story from the adjacent eastern parcel. The backyard set-back for proposed condos at the eastern boundary of the project further softens the transition between the proposed project and existing residential uses.

The project's three story elements are set back from State Street a minimum of fifteen feet and bleed to two story elements on the north, south, and east, as they relate to the existing single-family, multi-family and commercial neighborhood on all sides. In that all of the parking has been designed at a subterranean level, there is an opportunity to take advantage of all on-grade areas so that they are structured for a predominantly pedestrian use, with large outdoor courtyards, trees and plantings. As one walks through the project paseo, commencing at the commercial use at front, and extending to the two story condominiums at the eastern boundary of the site, the flavor of the project evolves to accommodate the largely residential uses at the east and northeast with one and two story elements, private entrances, and intimate courtyards.

Building Height – Comparative Analysis



Location of project site

An analysis of building heights in the surrounding area demonstrates that the proposed project as designed would be contextually consistent to the general area. A number of two and three story buildings front both sides of State in the 1600, 1700 and 1800 block. A three-story multi family project is located on Valerio, directly southeast of the project. As noted in earlier portions of this letter, the proposed project would have two story elements on the north and south and east portions of the project, with a three story element that steps back 15' from the western boundary facing State Street. Massing of the façade facing State Street has been articulated to create an approachable, multi-layered building entry with ingress/egress scaled for pedestrian traffic. A vehicular entrance at the north end of the project allows access to a subterranean garage below. Please see plan set for more specific detail.

Architectural Design

The architecture fronting State Street is a variegated mass [breaking down and articulating the size bulk and scale] with a maximum height of three stories. The first two stories of the State Street fronting element of the concept are proposed to have commercial uses permitted by the C-2 zone, the third story [terraced back from the street] would incorporate residential flats. The residential volumes at the interior / east side of the site would for the most part be two stories in height. In general, the concept allocates the massing in a manner that is responsive the surrounding uses and context.

Adhering to Historic Landmarks requirements for this area, the project retains an Andulasian Mediterranean flavor with white stucco walls, heavy timber trellises and accents, red tile roofs, colorful tile accents and color choices consistent with those permitted by Historic Landmarks. Paseos and walking paths thread throughout the project, emphasizing the pedestrian hierarchy of the project. Extensive landscaping will occur throughout the project using a Mediterranean/xeriscape palette.



Hand-rendering of south elevation facing State Street

Outdoor Living Space

Per PRT Staff comments, an analysis of common open space has been requested.

Common Open Space

The requirement for outdoor living space, per SBMC §28.21.081 can be met by a shared provision of private outdoor living space and common outdoor living space (per SBMC §28.21.080.6), **or** by providing 15% of the site as common outdoor living space, per SBMC §28.21.081b.

SBMC §28.21.081b requires there shall be an open space of not less than fifteen percent (15%) of the total lot area (outside of areas designated as set-backs.) Minimum compliance with the code would require that at least 4,331sf of common outdoor space be provided. A total of 5,122 sf is provided within the common yard and courtyard, exceeding the required 15% of site area.

Private Open Space

Per DART Staff comments, an additional analysis of private outdoor living space has been requested. Per SBMC §28.21.081a(1)-(5) private outdoor living space shall be provided as follows:

1722 State Street – Residential Private Outdoor Living Space Provided by Unit			
UNIT	TYPE	NET. SQ. FOOTAGE	PRIVATE OUTDOOR LIVING SPACE
A	2 BR TOWNHOUSE	2,268	1,275
B	2 BR TOWNHOUSE	2,093	1,018
C	2 BR TOWNHOUSE	2,093	1,018

D	2 BR TOWNHOUSE	2,093	1,018
E	3 BR TOWNHOUSE	2,680	1,548
F	2 BR TOWNHOUSE	2,349	774
G	3 BR TWO LEVEL FLAT	1,988	472
H	2 BR FLAT	976	91
I	3 BR FLAT	1,179	100
J	2 BR TWO LEVEL FLAT	1,771	327
K	FLAT	1,857	247
L	FLAT	2,259	521
	TOTAL OUTDOOR SPACE		8409 SF

Acoustical Analysis

Although common outdoor space on the project meets minimum requirements for residential outdoor space standards, upon review of the acoustical report completed by Dudek and Associates, Staff has determined these provided areas would be used by the occupants and subject to noise impacts, (and therefore are subject to the 60 db CNEL requirement.) A revised report has been included as part of this re-submittal calling out mitigation measures at those units facing State Street that will experience a noise level in excess of 60 db.

Private Laundry Facilities

In response to PRT Staff comments, "*pursuant to SBMC §27.13.060 either each condominium unit shall have its own laundry facilities, or a common laundry areas shall be provided. Please clearly indicate on the plans where laundry facilities would be provided...*" In this project, each residential condominium shall be self-contained with private laundry, kitchen, and outdoor living spaces. Laundry and other private facilities are called on individual unit plans.

Private Storage Space

PRT Staff notes that."*Each unit shall have at least 300 cubic feet of enclosed, weather-proofed and lockable private storage space provided in one location. This requirement is waived for units with enclosed garages.*" All residential condominium units in this project will have private, secured storage space provided on site. Storage space is shown in garage plan A.1, for units A-G and J-L. 300 cubic feet will be allocated to units H and I.

Planting Strips

Per PRT comments, "SMBC §28.90.007.7 requires a three-foot wide planting strip along a driveway that abuts any main buildings on the same lot. The HLC may reduce or waive this requirement where alternative landscaping and designs are presented that result in landscaping and designs that are equally effective." A three foot planting strip has been provided. Please see A.2 for further detail.

Mailing Labels

Three sets of mailing labels for property owners and tenants within 450 ft have been provided as part of the prior re-submittal.

ENVIRONMENTAL CONCERNS

Lighting. The proposed project will include additional exterior lighting, largely for residential uses and for security measures at the northern boundary of the project. In that parking is provided on a subterranean level. Lighting for parking area will not be visible from State Street or surrounding uses. The project would not require the creation of smoke or odors.

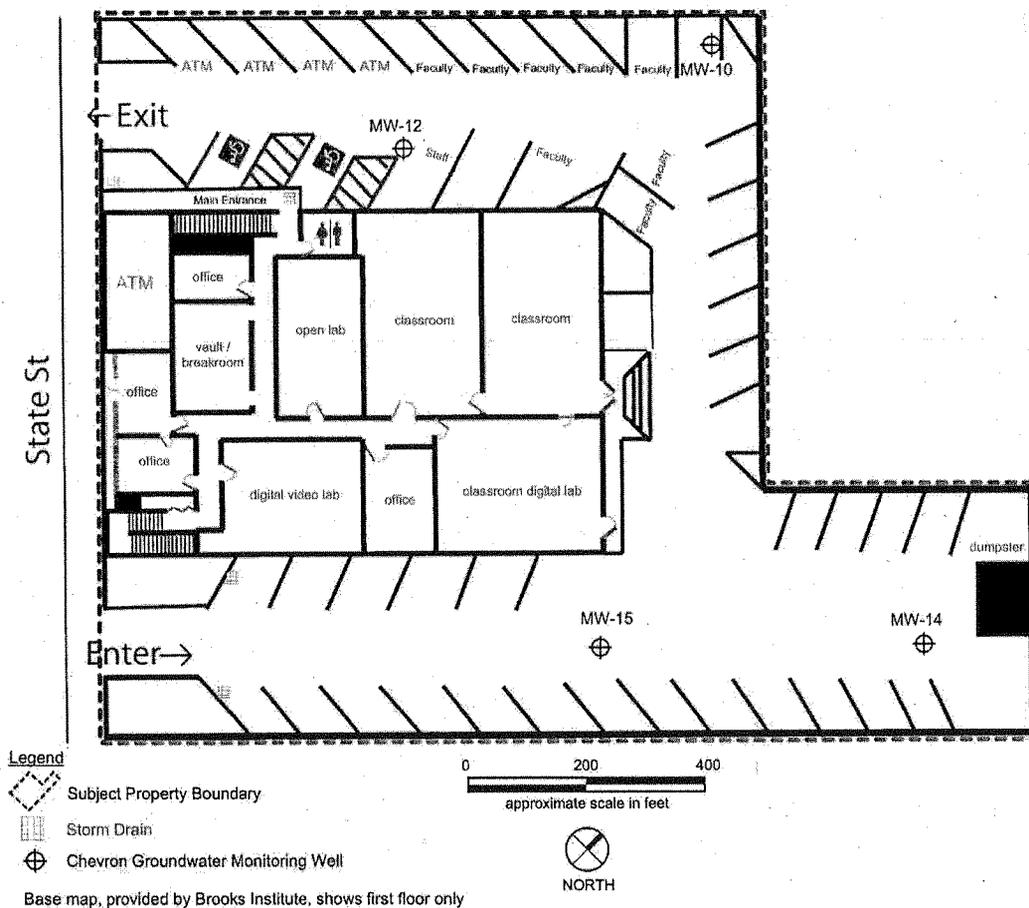
Geotechnical Study. A geotechnical study has been developed for the site, specific to the proposed project parameters. Please see enclosed report from Pacific Materials Laboratory.

Archaeological Phase I. Per PRT Staff comments, the project site is located in several archaeological resource sensitivity zones: Prehistoric Sites and Watercourses, American Period (1870-1900), and Early Twentieth Century (1900-1920). A second addendum has been provided by the archaeological consultant, including a specific evaluation of the soils bore samples removed from the site. This further evaluation, in the consultant's opinion, has lowered the potential of any yet undiscovered archaeological resources to low (McFarlane, April 30, 2006.) Staff has supported these finding and has determined that Applicant shall submit thirteen copies of the archaeological report and addendum to the Historic Landmarks Commission for final review. Thirteen copies are included as part of this application.

Recreational Trails and Creek Impacts. There are no existing or proposed designated recreational trails or easements traversing the site. The property is not adjacent or near a creek or other water course.

Tree Survey. A tree survey has been performed by Speiwak Consulting Arborists. Please see enclosed report. There is an existing oak tree located on the property to the direct north of the site. The arborist's report determined that a number of the limbs extending onto the 1722 State property will need to be trimmed in order to facilitate the proposed project installation. The report also notes that this tree will suffer no ill effects as a result of this trimming and should continue to grow vigorously on the adjacent property it is located on.

Phase I Environmental Analysis. A Phase I Analysis has been performed as part of this project application. Rincon Consultants has determined that there are no existing contaminants, fuel storage facilities, or other dangerous substances located on site. Further information on existing monitoring wells has been provided as follows below.



Base map, provided by Brooks Institute, shows first floor only

Monitoring Wells on site.

Four monitoring wells (located on site to evaluate VOC contaminants in the groundwater emitted from the Chevron gas station located at State Street and Islay) will be relocated as part of the staging for demolition and rough grading. Holguin Fahan, environmental engineers for Chevron, have submitted a conceptual application to the County of Santa Barbara LUFTS program under separate cover to request a permit to move the monitoring well locations to facilitate the proposed project. It is anticipated that the newly installed monitoring wells will continue to be sampled for 3-5 years until such time as VOC and contaminants in the groundwater are within EPA standards for drinking water. At that time the wells will be abandoned and pressure grouted with a permanent seal, per County LUFTS and EPA standards. It has been determined that there is no environmental safety risks associated with the monitoring wells and that they will pose no long term hazards to residents and workers on site. The County of Santa Barbara will perform a standard risk assessment analysis as part of their review and approval of the well relocation.

Anticipated Generation of Hazardous Materials

The proposed project will not use or dispose of unusual hazardous materials. A portion of the commercial use is planned as a medical office in which certain bio-hazardous materials and sharps will be generated. These biohazards will be collected by a vendor/contractor licensed to dispose of this particular type of waste, per State Health Code Standards. The remainder of the commercial component is anticipated for use as a professional office space. It is not anticipated that hazardous materials will be generated here, or as part of regular garbage generated by residents of the project.

Tentative Subdivision Map / CC & R

A Tentative Subdivision Map (per Subdivision Map Act and SBMC Title 27) has been executed by Penfield and Smith and is included as part of this package. All engineering comments included in the PRT and DART response letters have been included on the preliminary plat / civil design documents. As part of the subdivision map review and development of the final subdivision agreement, private CC & R's will be developed for all commonly shared features, including but not limited to shared sewer

laterals, driveway maintenance, and a long term plan for handling of solid waste and recycling.

ENGINEERING DIVISION COMMENTS/RESPONSES

New concrete curb. Per Engineering Division comments, the existing six foot wide concrete curb has substantial cracks. We have included a call-out of these areas on site plan and will include construction notes calling out new curb and gutter in the completed construction documents.

Trash and recycling. The trash and recycling enclosure has been shown on the drawing set. A meeting was held with David Borgatello from Marborg to go over the waste receptacle location and sizing. Per his analysis of our housing and commercial mix and sizing, Marborg will be satisfied to see waste storage of sufficient size to service one 1.5 cy dumpster for trash, one 1.2 cy dumpster for recycling, and two 95 gallon carts for green waste. The location of the proposed waste storage (at the subterranean garage ramp landing), meets with Marborg's satisfaction regarding ease of access and regular servicing. Dimensions of 1.5 cy dumpsters are 81"W x 34"D x 41"H. Dimensions of each of the 95 gallon green waste containers are 29"W x 24"D x 46"H

Oil/Sediment Treatment for drainage from subterranean garage. The subterranean garage will be connected to the City's storm drainage system. A system to treat water for oil and grease, sediments and metals from the parking garage will be included as part of the project design, to comply with City and EPA standards. Final design will be shown on civil drawings.

Erosion Control Plan: An erosion control plan has been included as part of the drawing set re-submittal.

FIRE DEPARTMENT COMMENTS / RESPONSES

Fire Hydrant. The closest existing fire hydrant is located at the corner of Islay and State Street, however those flows were determined to be substandard to serve this project, using latest flow data.

A new commercial fire hydrant will be provided as part of this project. Please see site plan for detail on location. It will be located within 300 feet of all exterior walls by way of access. Per Fire Department standards,

the hydrant will have one four inch (4") and two 2 ½" outlets and maintain a fire flow of 1,250 gallons per minute.

Automatic Fire Sprinklers. Per Fire Department standards, an automatic fire sprinkler system is required to be installed in all new buildings having floor areas in excess of 5,000 sf. In this particular project, fire sprinklers will be included in all buildings, including garage and attic spaces, and will be design for the specific occupancy they are servicing. Fire sprinklers will be provided under separate permit as a deferred submittal.

Mixed-Use Fire Alarm System. A Mixed-Use Fire Alarm System is required for this project. The alarm system must notify all occupants in the case of a fire. The final system as designed will include automatic smoke detection throughout the entire complex and be provided with a notification system that indicates the presence of residential dwelling units. A note has been included on the plans stating that a mixed-use fire alarm fire system will be provided under a separate permit.

BUILDING AND SAFETY COMMENTS/RESPONSES

ADA Accessibility. All floor plans have been called out on the drawing set for Staff determination of accessibility requirements. This project will also comply with all "accessibility" requirements of the 2001 C.B.C. 101.17.9 and Chapter 11A, which applies to condominium buildings with four or more dwelling units:

- Site accessible routes of travel from the public way and/or parking to entrances and "common-use" areas will comply with 1107A and 1117A.
- Site accessible parking facilities shall be provided per C.B.C.1118A. The first stall will be 9 foot wide, plus an 8-foot striped access aisle, per 1118A.4.2.
- All town home units will comply with SB 1025 which requires that at least 10% of the residential units shall be designed with an accessible path of travel to the primary entrance level and the public and common areas of each unit. Access shall also be provided to at least one bathroom on the primary entrance level.
- The commercial component of the project shall comply with all "accessibility" requirements of the 2001 C.B.C. 101.17.9, 101.17,11 and Chapter 11B.

Code Analysis. A detailed preliminary code analysis has been provided as part of this re-submittal.

Soils Report. As noted earlier in the response to Planning, a soils report has been included as part of the earlier submittal package.

Drainage Analysis. A drainage analysis that addresses existing and proposed drainage patterns has been developed and revised (per Staff comment), by Penfield and Smith Civil Engineers. Please see enclosed for more detail.

TRANSPORTATION COMMENTS/RESPONSES

Vehicular/Bicycle Parking. Vehicular parking requirements for the project have been addressed earlier in this letter and are also shown the plans. As noted by the Transportation Division, a minimum of six bicycle parking spaces are also required. Detail of secure bicycle racks and parking area are shown on drawings.

Parking Lay-out and Design / Site Plan Requirements. Shown on plan-set.

Traffic Impact Analysis Revisions: Per comments made by the Transportation Planning Staff in the June 20, 2006 response letter, and subsequent requests made by Staff, the TIA has been revised to reflect a medical office traffic use for all of the 9,100sf of commercial use on site. Although it is anticipated that only 2,763 sf of space will actually be used as a medical office, the TIA has been revised to reflect a more impactful use in establishing potential traffic impacts, maximum parking standards and corroboration of Applicant's position that 55 off-street covered parking spaces will be sufficient to service the project's needs. Please see revised report submitted by ATE Engineering.

DEMOLITION AND CONSTRUCTION TIMING

Demolition

An existing commercial structure of approximately 7500 square feet will be razed as part of this proposal. All surrounding asphalt will also be

removed. Please refer to construction plan for greater detail on timing, manpower to be provided and equipment to be staged on site.

Grading / Cut and Fill Calculations

Grading is estimated to take three weeks. Preliminary calculations based on proposed design indicate that the total cut from site will be approximately 8,594 cy, and the fill will be 225 cy.

Construction Plan.

A right-of-way, time line, traffic management and construction plan has been submitted under separate cover in this re-submittal. Per direct coordination and review by City Public Works, Penfield and Smith has developed a traffic control plan that provided for safe pedestrian travel, and alternate routes for vehicular and bicycle circulation during the course of construction. Detailed information as it relates to a project timeline, staff loads, times of operation and construction equipment to be used has been developed by GRD Construction.

CONCLUSION

We believe this proposal is ideally suited for this site. As an infill mixed use project, the property presents significant opportunities to address many of the City's goals and policies for provision of housing in the downtown core. Some of the more valuable benefits of the proposed project include the following:

- The mixed-use nature of the site will optimize the potential of the property without over burdening the existing traffic patterns in the area. Per the report submitted by ATE, peak hour traffic for the proposed project will be less than is being experienced by the existing videography and ATM uses.
- All parking will be underground, allowing for significant landscaping, paseos and outdoor courtyards at grade. Adjacent residents will not be impacted by security lights typical for on-grade parking, or the noise generated by on-grade parking. Residential uses at north, east and west of project will be consistent with adjacent existing residential uses.
- Proposed residents of the project will have ready pedestrian access to service and retail cores in the immediate area, as well as transit lines with more far-reaching citywide access.
- 2 affordable for-sale units are being proposed as part of the twelve unit residential component. They will be a mix of two and

three bedrooms, providing vital downtown housing opportunities for young families and first time home-buyers.

We very much look forward to a discussion with City staff and a conceptual review with the Planning Commission to explore the merits of this proposal.

Sincerely,

Jan R. Hochhauser A.I.A.

Cc Dr. Howard Gross
Edward Steinfeldt