



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: March 8, 2007
AGENDA DATE: March 15, 2007
PROJECT ADDRESS: 817 N. Milpas Street (MST2005-00667)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner
 Kathleen Kennedy, Associate Planner

I. PROJECT DESCRIPTION

The project consists of a proposal for a two and three-story, mixed-use development consisting of five new residential condominium units for a total of 8,846 square feet (net), one new 778 square foot commercial condominium unit and 13 parking spaces on a 13,471 square foot lot. The residential units consist of two (2) two-bedroom units and three (3) three-bedroom units. Two of the three-bedroom units would be three stories. The existing street tree would be removed to accommodate the new driveway and a new street tree would be planted in the parkway. The existing 1,471 square foot one-story residence, 1,307 square foot shop and garage and 590 square foot shed are to be demolished. No modifications are requested.

II. REQUIRED APPLICATIONS

The discretionary application required for this project is a Tentative Subdivision Map for a one-lot subdivision to create five (5) residential condominium units and 778 square feet of commercial space (SBMC§27.07 & 27.13).

III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.

DATE APPLICATION ACCEPTED: December 21, 2006
DATE ACTION REQUIRED PER MAP ACT: March 11, 2007 (extension granted to March 15, 2007 by applicant)



Vicinity Map for 817 N. Milpas Street

IV. SITE INFORMATION AND PROJECT STATISTICS

SITE INFORMATION

Applicant: Jan Hockhauser, Architect	Property Owner: Casitas de Milpas, LLC
Parcel Numbers: 031-042-022	Lot Area: 13,471 square feet
General Plan: General Commerce	Zoning: C-2, Commercial
Existing Use: Residential, Commercial	Topography: average slope is < 4% ; 3/4 of site slopes toward street
Adjacent Land Uses:	
North – Taco Bell, Residential	East – Milpas St./ Commercial
South – Residential, Vacant	West – Public Alley/ Residential

PROJECT STATISTICS

	Bedrooms	Size (Net)	Parking	Private Outdoor Living Space
Unit A	2	1,625 sq. ft.	2-car garage	541 sq. ft.
Unit B	2	1,631 sq. ft.	2-car garage	550 sq. ft.
Unit C	3	1,896 sq. ft.	2-car garage	805 sq. ft.
Unit D	3	1,834 sq. ft.	2-car garage	658 sq. ft.
Unit E	3	1,859 sq. ft.	2-car garage	984 sq. ft.
Commercial Space	N/A	778 sq. ft.	3 covered spaces	N/A

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/Allowance	Existing	Proposed
Lot Area Required for Each Unit (Variable Density)	(2) 2-Bd. = 2 x 2,320 sq. ft. = 4,640 sq. ft. (3) 3-Bd. = 3 x 2,800 sq. ft. = 8,400 sq. ft. Total 13,040sq. ft.	N/A	Lot area is 13,471 square feet
Setbacks			
-Front	None	18'	4'
-Interior	None	0-10'	0 to 11'-4"
-Rear	None	19'	6'
Building Height	60 feet (4 stories)	one story	26.94' (2 story) 35.94' feet (3 story)
Parking	Residential: 2 per unit = 10 spaces Commercial: 1/250 sq. ft. = 3 spaces	N/A N/A	Residential: 10 Commercial: 3
Open Yard	10% of the lot (1,347sq. ft.)	N/A	16.5% (2,210.5 sq. ft.)
Private Outdoor Living Space	2-Bd Units = 140 sq. ft. 3-Bd Units = 160 sq. ft.	N/A	Each unit has more than 500 square feet
Lot Coverage:			
Building	N/A	N/A	6,819.0 sq. ft. (50.6%)
Paving/Driveway	N/A		3,787.8 sq. ft. (28.1%)
Landscaping	N/A		2,210.5 sq. ft. (16.5%)
Covered Patios & Porches	N/A		653.3 sq. ft. (4.8 %)
			13,471 sq. ft. (100%)

No modifications of the Zoning Ordinance are requested. City archives indicate that there are over 1,000 square feet of non-residential square footage currently on the project site. The proposed project requires 778 square feet of commercial space; therefore, no additional square footage allocations are necessary.

VI. ISSUES

A. DESIGN REVIEW

This project was reviewed by the Architectural Board of Review (ABR) on two occasions (See Exhibit D, ABR Minutes). The ABR comments were favorable in regard to the overall site design, the size, bulk and scale of the project, as well as the Art Deco motif. The Board also appreciated the enhanced paving and the use of solar equipment on the roof. Refinements to the some architectural details were suggested.

Staff had expressed a concern regarding the roof connections between the units. Although these connections do enable the project to be considered one mixed-use building and, therefore, not subject to residential setbacks, it appears that they may serve only that purpose. Staff suggested alternatives such as enclosing the areas between the units with one or more walls or eliminating the roof connections altogether. If they were eliminated, there would be more openness between the units; however, because this would result in separate buildings, modification of the setbacks and the required distance between buildings would be required.

B. COMPLIANCE WITH THE GENERAL PLAN

Before a condominium project and a tentative map can be approved, they must be found consistent with the City's General Plan. The project site is located in the northern portion of the Milpas neighborhood. Milpas Street has developed into a solid strip of commercial activity along both sides of the street, which is consistent with present zoning. Although some older residential uses continue to exist, Milpas Street has become a main commercial center for the eastern portion of the City.

1. Land Use Element

The subject site has a General Plan designation of General Commerce. The residential portion of the mixed-use development would be subject to the density requirements of the R-3/R-4 Multiple Family Residential Zones, which allow 12 dwelling units to the acre. The General Plan Land Use and Housing Elements recognize, however, that in zones where variable density standards apply, development may exceed the limit of twelve units per acre without causing an inappropriate increase in the intensity of activities. The proposed project would result in a density of approximately 16 units per acre, which, based on the above discussion, would be consistent with the Land Use and Housing Elements of the General Plan.

2. Housing Element

The City Housing Element encourages construction of a wide range of housing types to meet the needs of various household types. This proposal, with two and three bedroom units, would satisfy that goal.

Neighborhood Compatibility

In accordance with Housing Element Policy 3.3, which requires new development to be compatible with the prevailing character of the neighborhood, the proposed development received favorable comments from the Architectural Board of Review regarding the scale, size and design of the project and compatibility with the surrounding neighborhood. The surrounding neighborhood is comprised of a mix of residential and commercial uses. The proposed project consists of commercial space on the first floor facing Milpas Street with residential units situated above and behind the commercial space. The residential units would be adjacent to the existing apartment buildings to the west and adjacent to recently approved residential condominiums to the northwest. The design of the building has Art Deco elements that reference nearby Art Deco buildings located on Canon Perdido Street. Additionally, a project has been proposed to the south, on the property formerly occupied by a Chevron gas station. This project would be a mixed-use project, with two and three story elements.

3. Circulation Element

The Circulation Element contains Implementation Strategy 13.1.1 which encourages "the development of projects that combine and locate residential uses near areas of employment and services." The proposed project provides housing as well as additional commercial space in an area that has a variety of commercial enterprises, including markets and

restaurants and is, therefore, consistent with this goal. In addition, MTD bus service is provided along Milpas Street with the nearest bus stop located within the same block as the project site.

A public alley abuts the project site at the western property line and provides a connection to Nopal Street. The proposal includes a pedestrian access gate for the exclusive use of the residents of the condominium units. The applicant considered providing vehicular access from the public alley but determined that vehicular access from Milpas Street would be preferable. The public alley currently contains encroachments that prohibit access to the entire length of the alley. City staff will enforce the removal of all illegal structures currently located with the alley right-of-way.

C. ENVIRONMENTAL REVIEW

Noise: According to the City Master Environmental Assessment (MEA), the project site is located in a noise level area of 65-70 dBA with noise generated primarily from traffic on Milpas Street. A noise study prepared by Dohn & Associates, dated September, 28, 2006, concluded that the installation of five-foot high barriers of glass or other solid material on the decks of the two front residential units would reduce the noise level of the private outdoor living spaces to under 60 dBA. Although the recommendation has been incorporated into the design of the project, a condition of approval requiring the barriers has also been included.

Cultural Resources: According to the City Master Environmental Assessment (MEA), the site is located in the American Period (1870-1900) and the Early 20th Century (1900-1920) cultural sensitivity zones. A Phase 1 Archaeological Resources Report, dated May 24, 2006, was prepared by Macfarlane Archaeological Consultants and was accepted by the Historic Landmarks Commission on August 23, 2006. No evidence of any resources was found and the report concluded that there would be no significant impacts on archaeological resources. However, just in case something is found during excavation, site monitoring is a condition of approval.

Hazardous Substances: An underground storage tank was removed from the site in 2005. It was determined that the condition of the soil was not at a level that required remediation; therefore, the site was closed. However, if contaminated soil is found during development of the proposed project, pursuant to Santa Barbara County Fire Department requirements, it shall be reported within 24 hours of discovery.

In conclusion, Staff has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15303 (new construction of small structures).

VII. FINDINGS

The Planning Commission finds the following:

A. TENTATIVE MAP (SBMC §27.07.100)

The Tentative Subdivision Map is consistent with the General Plan and the Zoning

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

B. NEW RESIDENTIAL CONDOMINIUM DEVELOPMENT (SBMC§27.13.080)

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

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter dated March 5, 2007
- D. ABR Minutes

PLANNING COMMISSION CONDITIONS OF APPROVAL

817 N. MILPAS STREET
TENTATIVE SUBDIVISION MAP
MARCH 15, 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. **Recorded Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property" which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
 2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property.
 3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
 4. **Approved Development.** The development of the Real Property approved by the Planning Commission on March 15, 2007 is limited to a two-and three-story, mixed-use project consisting of five new condominium units for a total of 8,846 square feet (net), one new 778 square foot commercial space and 13 parking spaces and the improvements shown on the plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
 5. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate

cost-sharing of such regular maintenance among the various owners of the condominium parcels.

- b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
 - c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
 - d. **Trash and Recycling.** Trash and Recycling Containers shall contain equal volume, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled offsite by the landscaping maintenance company. If no containers are used for multi-unit residential developments, include an item in the CC&R stating that the green waste will be hauled offsite.
 - e. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
6. **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.
 7. **Storm Water Pollution Control Systems Maintenance.** The Owner(s) shall maintain the drainage system, storm drain water interceptor and other storm water pollution control devices in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official and/or the Public Works Director.
- B. **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. **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.
 3. **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.

4. **Drainage Calculations or a Hydrology Report.** The Owner shall submit drainage calculations or a hydrology report justifying that the existing on-site and proposed on-site drainage system adequately conveys a minimum of a 25-year storm event.
 5. **Street Improvement Plans.** The Owner shall submit C-1 public improvement or building plans for construction of improvements along the property frontage on Milpas Street. C-1 plans shall be submitted separately from plans submitted for a Building permit. 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/private water and sewer mains, public drainage improvements with supporting drainage calculations and/or hydrology report for installation of (drainage pipe, curb drain outlets, slot/trench drain, drop inlet, detention, erosion protection (provide on/off-site storm water BMP plan), etc.), preserve and/or reset survey monuments and contractor stamps, new street trees and tree grates per approval of the City Arborist and provide adequate positive drainage from site. Existing private sewer lateral(s) serving the property shall be repaired before new dwelling(s) is 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.
 6. **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.
 7. **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.
 8. **Maintenance Agreement Required.** The Owner shall submit an Executed Agreement for Maintenance of the proposed driveway, subject to the review and approval of the Public Works Director and City Attorney.
- C. **Design Review.** The following is subject to the review and approval of the Historic Landmarks Commission (HLC):
1. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.

2. **Sound Barriers.** As recommended in the Noise Study prepared by Dohn & Associates dated September, 28, 2006, five foot high sound barriers are required on the balconies of the two front residential condominium units.
 3. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.
- D. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Recordation of Final Map Agreements.** After City Council approval, the Owner shall provide evidence of recordation to the Public Works Department.
 2. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.
- E. **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. **Neighborhood Notification Prior to Construction.** At least twenty (20) 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 Contractor(s), 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. 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.
 2. **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.
 3. **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 Stone Archaeological Consulting, dated April 2006. The contract shall be subject to the review and approval of the Planning Division.

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.

4. **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.

F. **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.
2. **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.

3. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers shall be provided on the Real Property 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.
4. **Commercial Dumpsters.** Commercial dumpsters shall be provided, including an equal area for recycling containers. Dumpsters shall not be placed within five feet (5') of combustible walls, openings or combustible roof eaves lines unless sprinkler coverage is provided.
5. **Water-Conserving Fixtures.** All plumbing fixtures shall be water-conserving devices in new construction, subject to the approval of the Water Resources Management Staff.
6. **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.

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

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

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

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

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within

300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

6. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
 - b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits *without extensions* may be issued for the life of the project.
 - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
7. **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.
8. **Covered Truck Loads.** Trucks transporting fill material to and from the site shall be covered from the point of origin.
9. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used, as directed by the Building Inspector.
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.

11. **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.
 12. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
 13. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) telephone number, work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval.
 14. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
 15. **Graffiti Abatement Required.** Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed in a timely manner may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.
- H. **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 *caused by construction* (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
 2. **Complete Public Improvements.** Public improvements, as shown in the improvement/building plans, including utility undergrounding and installation of street trees.
 3. **Backflow or Backwater Device.** Provide an approved backflow or backwater device placed on the property side of consumer's service pursuant to Santa Barbara Municipal Code Section 14.20.120.
 4. **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.
- I. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further

agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

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

NOTICE OF TENTATIVE SUBDIVISION MAP TIME LIMITS:

The Planning Commission's action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110 or the provisions of the California Subdivision Map Act.



ARCHITECTURE
AND PLANNING

122 E. ARRELLAGA
SANTA BARBARA
CALIFORNIA 93101
805 962 2746

March 5, 2007

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

**Re: DART SUBMITTAL
817 North Milpas Street / MST 2005 -00667APN / #031-042-022**

Please find enclosed our DART submittal for a mixed-use project located at 817 N. Milpas Street. The current zoning is C-2.

Requested Entitlements

A Tentative Subdivision Map: to allow a one-lot subdivision for the purposes of 5 residential condominium units and 778 sf of commercial condominium space (SBMC Chapter 27.07 and 27.13)

Previous City Review

The project has been previously reviewed by the following entities:

Pre-Application Review Team	February 1 2006
Architectural Board of Review (Concept review)	October 17 2005
Architectural Board of Review (Concept review)	October 23 2006

The conceptual presentations received unanimously positive responses regarding the proposed use, massing and articulation, design, sensitivity to adjacent uses.

Project identification

817 N. Milpas Street, Santa Barbara, CA. 93101	
Assessors Parcel Number	031-042-022
Parcel Area	13,471 sf / 0.31 acres

Uses	Existing	Proposed New Const.
Zoning	C-2	C-2
Commercial	0	778 sf
Residential	1471*	8846 sf
Parking / shop [covered]	1307*	3530 sf
Shed structure	570*	
Total SF Above Grade	3348*	13154 sf

* to be demolished

Existing Building / Project Use

The existing structures [single family residence, garage/ shop, and shed] are currently being used as residential, but have been permitted in the past for Automobile sales and service [1976, 1977]. The proposed project is for a five unit residential condominium / single commercial condominium mixed use development.

Proposed Development Statistics

Mixed-Use Descrip.	# Units	Net SF	Gross SF
Commercial	1	786	997*
Residential	5	8846	12053
Covered parking	13	3530	3861
Project total	n/a	13162	16911
Total proposed footprint [includes all roofed areas, covered porches, etc.]			8254 [61%]
Open Space [garden courts, paved courts and drives,landscaping]			5998 [45%]
Open Space [same as above including on grade covered porches ,patios]			6651 [49%]
Total proposed FAR(calculated using net sf)			.97

* Includes /trash area/mechanical and covered circulation.

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

# Units	Unit Description	Lot area per unit	Total area req.
3	3-Bedroom Unit	2,800 sf	8400
2	3-Bedroom Unit	2,320 sf	4640
Total lot area required to support density			13040
Total existing lot area			13471 ok

Parking Provided On-Site (all parking within parking garages and carports)

Proposed Uses	Parking Req.
Commercial 1/ 250 sf	3
Residential 2/ unit [2 and 3 bedroom]	10
Total parking required by code	13
Total Parking provided	13

Project Description - Use

The proposed project includes a mix of 786 sf of commercial space facing east onto Milpas Street and five residential condominium units in a town home format arranged around a central mews which extends westerly into the site. The residential condominium component will include (2)- two-bedroom and (3)- three-bedroom units (ranging in size from 1622 sf to 1896 sf).

All required vehicular parking would be located on grade in enclosed parking garages and carports.

Surrounding Zoning / Uses / Project Context

To the north of the project is a one-story fast food restaurant [Taco Bell]. Multi family residences [R3] are located to the west as well as a service alley from Nopal Street. To the south is a vacant C2 zoned property. In general the property is part of the Milpas Street corridor, and properties across Milpas street are also zoned C2 and support and array of business uses.

Note that there is an approximately seven foot grade change sloping uphill as one moves westerly towards the rear of the property from Milpas

street. The project is organized around a central "mews" that acts as an intimate common circulation element that services the residential units.

The Milpas St. corridor presents a context of diverse architecture style. Building heights up and down the Milpas corridor range in height from one to three stories. The structure at the northwest corner of Milpas and Cannon Perdido is worth noting for its Art Deco styling. The Taco Bell structure and apartment surrounds on the site immediately to the north present deleterious impacts on the subject site and therefore generate design responses that attempt to mitigate interfaces and orientations to this neighbor. To the south, there is currently a vacant undeveloped parcel that is an ideal site for future infill development. Due to the favorable solar orientation and the nature of this property, the proposed project presents some limited orientation / interface in this direction. The residential properties to the west offer ideal interface opportunities to the rear/western end of our proposal as it is entirely residential on this end itself. The Milpas street frontage is considered to be of relatively high vehicular traffic and has those qualities that are germane to a commercial corridor.

Design concept

The proposed project is organized around a central "mews" that acts as an intimate common circulation element that services the residential units. This element's character and design texture is intended to be pedestrian oriented and contribute to the rich tradition of paseo-like spaces in Santa Barbara. This Paseo entry ascends as one moves to the west to be responsive to the gradient of the natural topography. The various residential units relate to this paseo ("mews") through a series of outdoor courts that are arrayed along its length. Access to individual residential garages is also achieved by this paseo. The small commercial component and its appurtenant parking is located on Milpas Street. The architectural volumes necessary to address residential uses is arrayed in simple two story architectural volumes either side of the paseo. A simple 2 story mass closes the end of the paseo and serves as its termination. A very limited portion of the residential uses are located in the third story volumes which are significantly setback from the Milpas Street frontage. 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 Milpas street. Massing of the facade facing Milpas street has been articulated to create an approachable, multi-layered building scaled to fit nicely into the evolving context of Milpas street.

Architectural Design

The architecture fronting Milpas Street is a simple symmetrical composition which emulates a restrained art deco styling. Art Deco buildings such as the one at the corner of Milpas and Cannon Perdido, the main Santa Barbara Post Office, and other recently approved projects on Cannon Perdido add a measure of architectural diversity to the general Santa Barbara context and the ABR has opined that this style would be very appropriate for this site. In general, the concept allocates the massing in a manner that is very responsive to the surrounding uses and specific context.

Adhering to ABR requirements for this area, the project retains Mediterranean deco flavor with white stucco walls, red tile roofs, colorful tile accents and color choices consistent with those [permitted] by ABR. Paseos, as stated earlier, bring an intimate residential quality and hierarchy to the project. Landscaping will occur throughout the project using a Mediterranean / xeriscape palette.

Outdoor Living Space

Outdoor living space requirements are met through application of private outdoor living spaces for each residential unit. Compliance with SBMC 28.21.081a is achieved.

Per SBMC §28.21.081a(1)-(5) private outdoor living space shall be provided as follows:

817 N. Milpas Street – Residential Private Outdoor Living Space Provided by Unit			
UNIT	TYPE	NET. SQ. FOOTAGE	PRIVATE OUTDOOR LIVING SPACE
A	2 BR TOWNHOUSE	1622	541 [341 on grade,200 balcony]
B	2 BR TOWNHOUSE	1629	550 [341 on grade,209 balcony]
C	3 BR TOWNHOUSE	1896	717 [484 on grade, 233 balcony]
D	3 BR TOWNHOUSE	1834	658 [335 on grade,323 balcony]
E	3 BR TOWNHOUSE	1859	984 [783 on grade,201 balcony]

Private Laundry Facilities

Pursuant to SBMC §27.13.060 either each condominium unit shall have its own laundry facilities, or a common laundry areas shall 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 as each unit has allocated private garage space.

Planting Strips

"SMBC §28.90.007.7 requires a three-foot wide planting strip along a driveway that abuts any main buildings on the same lot. Given the nature of the central paseo as a joint pedestrian and vehicular access to the residential units we are requesting that the ABR reduce or waive this requirement because alternative landscaping and designs are presented that result in a design composition that is equally effective. Please see the drawings for further detail.

Mailing Labels

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

ENVIRONMENTAL CONCERNS

Lighting. The proposed project will include exterior lighting, largely for residential uses, for security measures, and to address the small commercial frontage on Garden Street. The lighting fixtures and placement will be consistent with City standards and be reviewed by the ABR. The project would not require the creation of smoke or odors.

Geotechnical Study. A Foundation Exploration has been developed for the site, specific to the proposed project parameters. Please see enclosed report from Coast Valley Testing.

Archaeological Phase I. A Phase 1 study has been prepared by McFarlane and is submitted herewith.

Acoustical Analysis. An acoustical analysis has been requested by Staff in that the project site is located in an area exposed to a noise level of 60 to 65 dB(a). A report has been prepared by Dohn and Associates Inc., evaluating noise levels for the project. Exterior decks on the units closest to Milpas street will require mitigation to abate noise levels. Please see report included herein.

Trees. All existing vegetation and trees will be removed from the subject site to develop the project. There are no significant species /trees within the property boundary. In the project frontage [City R.O.W.] the existing Street tree that conflicts with the proposed driveway location is already slated for removal by the City [North Milpas renovation project – Randy Fitz]. The street trees to currently slated to replace the removed trees are to be *podocarpus gracillior*. Randy Fitz indicated that we may want to look into alternative species that would provide a better interface with the proposed project and work well with the Milpas street renovation.

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. Tom Reizek of the County of Santa Barbara [luft/ smu program] has confirmed that the site is considered "closed" with regard to any historical contamination.

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

New concrete curb, gutter and sidewalk. Per Engineering requirements, the majority of curb, gutter and sidewalk fronting the project site will be replaced , as well as the incorporation of the new proposed driveway. These proposed improvements are indicated on the civil drawings which are included with the application.

Trash and recycling. The trash and recycling enclosures have been shown on the drawing set. Two 95 gallon carts for proposed, one for green waste and one for trash.. The location of the proposed waste storage containers for each of the residential units is indicated as well.

FIRE DEPARTMENT

Fire Hydrant. The closest existing fire hydrant is located at the southeast corner of De la Guerra and Milpas Street which is approximately a 146 feet away from the project site. The hydrant has a static pressure of 145 and a flow of 1511 using latest flow data.

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

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 preliminary code analysis has been provided as part of this submittal. See Appendix A.

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

Drainage. A grading and drainage plan that addresses existing and proposed drainage patterns has been developed by Penfield and Smith Civil Engineers. Please see drawings 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 on the plans, a minimum of six bicycle parking spaces are provided. Detail of secure bicycle racks and parking area are shown on drawings.

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

DEMOLITION AND CONSTRUCTION TIMING

Demolition

Existing structures of approximately 3333 square feet will be razed as part of this proposal. All surrounding asphalt will also be removed. It is anticipated that demolition would take approximately 2 weeks to execute.

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 770 cubic yards, and the fill will be 20 cubic yards. At this time it is anticipated that one D-6 demolition tractor / dozer and one 10-yard dump truck will be required to complete the demolition. Up to 10 people may be on site at any one time.

Construction

Construction is estimated to take approximately 12 months. It is anticipated that up to fifteen skilled workers will be on site at any given time. A construction trailer will be placed on site as well construction fencing and appropriate erosion control procedures. Equipment staging would occur within the boundary of the property.

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:

- 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.
- There will be a mix of two and three bedroom units, which are relatively modest 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 John Blankenship

APPENDIX A – Preliminary Building Code Analysis

PRELIMINARY BUILDING CODE ANALYSIS			
817 North Milpas Street / APN# 031 -042 -022			
Occupancies	Residential (R-1)	Commercial B	Parking (U-1)
Occupancy Separations			
R-1 / B	1 hour		
R-1 / S-3	1 hour		
B / U-1	1 hour		
Construction Height and Allowable Area			
R-1	Type V / N	12000 sf /3-story	Allowed by code
B	Type V / N	16000 sf /3-story	Allowed by code
U-1	Type V / N	3000 sf / 1-story	Allowed by code
R-1 (12053/24000) + B (997 gross /16000) + U-1 (800 / 3000) ≤ 1 (falls within code) Multi story & fire sprinklering exceptions taken			
Table 5A			
R-1	Type V / N	1 hour ext. walls	Openings not allowed less than five feet from property line
B	Type V / N	1 hour ext. walls	Opening not allowed less than five feet from property line
U-1	Type V / N	1-hour exterior walls	Openings not allowed less than three feet from property line
		Less than 3 ft. from property line	



- Motion: ~~Continued indefinitely with the following comments: 1) The Board finds the addition to be compatible with the main house, however, reserves judgment pending whether a modification is or is not required. 2) The applicant is to provide improved documentation showing the complete site plan, including property lines, setbacks, easements, right-of-ways. 3) Study ways to reduce the understory of the proposed deck. 4) The Board is concerned with the proposed garden wall and the amount of proposed landscaping. The following comments are carried forward from the prior motion: 5) The applicant is to provide an accurate topography plan, including adjacent structures and the shared driveway. 6) Show documentation of all work proposed. 7) Provide photo documentation from the lower side of the parcel looking back towards the house, and from the view below. 8) Provide clear technical elevation drawings.~~
- Action: LeCron/Wienke, 7/0/0.

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

3. 817 N MILPAS ST

C-2 Zone

Assessor's Parcel Number: 031-042-022
Application Number: MST2005-00667
Owner: Manfred W. Schoepp
Architect: Jan Hochhauser
Owner: John Blankenship, Casitas De Milpas, LLC

(Proposal for a two-story, mixed-use project consisting of five new condominium units totaling 7,728 square feet, one new 843 square foot commercial space and fourteen parking spaces on a 13,677 square foot lot. The existing 1,364 square foot one-story residence, 1,370 square foot garage and 599 square foot shed to be demolished.)

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

(4:27)

Jan Hochhauser, Architect, and Charleton Stockwell; present.

- Motion: Continued indefinitely with the following comments: 1) The Board is pleased with the overall site plan design, utilizing the central courtyard paseo for pedestrians and automobiles; however the Board would like to see a stronger pedestrian element. 2) The Board is pleased with the introduction of commercial use along Milpas Street, and could support the commercial on the south side as proposed, or on both sides if that option becomes necessary in order to categorize both buildings as mixed use. 3) The Board would prefer not to see the open parking stalls from Milpas Street. 4) The size, bulk and scale is compatible with the neighborhood, as it is a central site on Milpas Street, and is set back deep from the street. 5) The Board likes the deco motif, however is concerned with some of the blank wall facades on the north and south property lines. 6) The Board would like to see open, sunlit areas for the residential spaces. 7) Regarding the landscape along Milpas Street, some Board members like the proposed setback to the commercial space with landscape; however, others prefer to see it remain more in keeping with the existing commercial use to reduce the setback and add landscape into the internal courtyard. 8) The Board would like to see a hierarchy created within the central paseo to keep the first courtyard as a public place for the commercial use, and then add a gate or arch to form an entry for the pedestrian related paseo. 9) The Board would like to see the elevations accurately depicted of the adjacent trees on the north side. 10) Coordinate with the adjacent condominium project on Canon Perdido Street to determine which trees are to remain. 11) There is concern with the layout of the rear garage, as it utilizes the footprint to encompass the turnaround for automobiles. Study an alternative to see how the extra space can be brought back into the courtyards or the residential units. 12) The residential garages will have doors but commercial parking will remain open. 13) As to the open space modification request, the Board also supports the use of the internalized courtyards, to allow light into the upper floor residential units. 14) The Board also supports the open space proposed on the upper units, but finds that the amount of roof covering will need to be reduced to meet the open space requirement. 15) The Board appreciates the use of flat roofs to provide solar equipment panels. 16) Study incorporating the trash and recycling into the front area.
- Action: LeCron/Wienke, 5/0/0. Pierron, Eichelberger, stepped down.

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

4. **418 PASEO DEL DESCANSO** E-3 Zone
 Assessor's Parcel Number: 053-205-002
 Application Number: MST2005-00665
 Owner: Timothy L. & Elaine M. Stevenson, Trustees
 Agent: Loren Solin
 (Proposal to demolish existing 1,077 square foot residence and 216 square foot detached garage on an 8,605 square foot lot. the proposal includes the under grounding of utilities, and the construction of a 2,587 square foot, two-story residence with an attached 465 square foot garage and three covered patios totaling 595 square feet.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND NEIGHBORHOOD PRESERVATION ORDINANCE FINDINGS.)

(5:17)

Loren Solin, Designer; and Bendy White; present.

given that there is no paseo, and given that this area of the building will be abutting the retention basin. **6)** The Board understands the central towers will be moved to the north to abut the northern building. **7)** Refine the trellis elements, possibly with additional trellis members to provide appropriate shade on the south and west ends. **8)** Provide high quality detailing, and color and material boards. **9)** The site work should match the revised landscape plan immediately adjacent to the buildings. **10)** Most of the Board finds that the depicted future signage locations are appropriate.

As to the easterly restaurant structures: **11)** The splitting of the restaurant building into two structures with a central paseo is successful, however: **a.** The paseo should be developed to be more active as a vital use area between the two structures. **b.** Encourage the pedestrian connection from the streets into the central paseo to enliven the space. **12)** The restaurant window recess and articulation is successful with the sporadic awnings. **13)** Some Board members are concerned that the roof element of the center tower is a disjointed from other tower elements. **14)** Study the use of a built out plaster wainscot in lieu of the painted wainscott.

Action: Wienke/LeCron, 8/0/0. Motion carried.

CONCEPT REVIEW - CONTINUED ITEM

7. 817 N MILPAS ST

C-2 Zone

Assessor's Parcel Number: 031-042-022
 Application Number: MST2005-00667
 Owner: Manfred Schoepp
 Architect: Jan Hochhauser
 Owner: John Blankenship, Casitas De Milpas, LLC
 Agent: Heather MacFarlane

(Proposal for a two-story, mixed-use project consisting of five new condominium units totaling 7,728 square feet, one new 843 square foot commercial space and fourteen parking spaces on a 13,677 square foot lot. The existing 1,364 square foot one-story residence, 1,370 square foot garage and 599 square foot shed to be demolished.)

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

(7:13)

Present: Jan Blakenship, Architect/Owner; Charlton Stockwell, Designer.

Motion: **Continued indefinitely to the Planning Commission with the following comments:**
1) The Board carried forward the following comments from the minutes of **October 17, 2005***: ***1** The Board is pleased with the overall site plan design, utilizing the central courtyard paseo for pedestrians and automobiles; ***2** The Board is pleased with the introduction of commercial use along Milpas Street; ***4** The size, bulk and scale is compatible with the neighborhood, as it is a central site on Milpas Street, and is set back deep from the street. ***5** The Board finds the deco motif is appropriate, **(and added)** especially in this neighborhood, and encourages the applicant to refine the detailing as the facades are simplistic in this style. **2)** The Board appreciates the hierarchy created in the

central paseo with the first courtyard oriented more for commercial use and subsequent courtyards transitioning to a condominium pedestrian paseo. 3) The Board is concerned with the amount of roof covering at the upper level decks and requests the applicant restudy and coordinate with the proposed project to south. 4) Some Board members are concerned with the detailing of the recessed arch on the parking side on the south portion of the building. Look for other ways to detail the recess, whether with grill work, glass, or other material. 5) The Board is comfortable with the figurines as entry elements to the central paseo. 6) The Board finds that the use of flat roofs for solar equipment is a good use of that area. 7) Provide landscape plans and color material boards. 8) Articulated and enhanced paving in the paseos is appreciated by the Board.

Action: Blakeley/Wienke, 7/0/0. Motion carried. (Mudge absent.)

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

8. 204 LA MARINA DR

E-3/SD-3 Zone

Assessor's Parcel Number: 045-221-009

Application Number: MST2006-00604

Owner: Douglas Moore

Architect: Thompson Naylor Architects

(Proposal to construct a new 2,022 square foot two-story single-family residence and attached 400 square foot two-car garage on a 5,700 net square foot lot. The proposal includes demolition of the existing 767 square foot one-story single-family residence and attached 220 square foot one-car garage. Modifications are requested for encroachments into two front setbacks and to provide less than the required open yard area. Planning Commission approval of a Coastal Development Permit is requested.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT, NEIGHBORHOOD PRESERVATION ORDINANCE FINDINGS AND PLANNING COMMISSION APPROVAL FOR A COASTAL DEVELOPMENT PERMIT AND MODIFICATIONS.)

(7:55)

Present: Suzette Naylor, Architect; Douglas Moore, Owner.

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

1) The proposed project is appropriate for the neighborhood. 2) The Board understands the severe constraints posed by the triangular site, given the two front-yard setbacks. Site constraints preclude the ability to meet the open yard requirements but that orientation of the house allows for appropriate use of the yard. 3) The proposed front-yard encroachment on Del Mar Avenue will be less of an encroachment than the existing condition, and the proposed relocation of the yard fencing will be less of an impact on Del Mar. 4) The front-yard encroachment on La Marina Drive is solely for the aesthetic enhancement of the porch, which adds a charming giving element to the street, and is an enhancement over the current condition. 5) The Board appreciates the intent to add solar panels on the roof, but prefers a location which is less visible. 6) There is concern with the solar access along the north property line to the adjacent neighbor, and requests the applicant to work with staff to verify compliance. 7) Some Board members are concerned with the articulation of the stairwell and sitting room windows as presented on