



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: May 21, 2007
AGENDA DATE: June 7, 2007
PROJECT ADDRESS: 1759 Grand Avenue (MST2006-00746)
 Grand Avenue Condominiums
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner
 Peter Lawson, Associate Planner

I. PROJECT DESCRIPTION

The project consists of construction of three new single family dwellings with attached garages and a tract map to create three condominiums. The project site is a vacant lot that was once developed with three single family dwellings, but were demolished in 2005 due to the substandard conditions of the units. As proposed the houses would range in size from 1900 square feet to 2,600 square feet and each would have an attached garage. Unit A would be 2,585 net square feet with a 636 net square foot garage. Unit B would be 1,994 square feet with a 563 square foot garage. Unit C would be 2,163 square feet with a 446 square foot garage. The height of the units would be approximately 30 feet. Access to Units A and B would be from Prospect Avenue and access to Unit C would be from Grand Avenue.

Two Modifications are being requested. Each Modification would be for development of walls along both side yard property boundaries, beginning at the intersection of the front lot line at Grand Avenue and ending approximately at the mid point of the lot. Each of the Modifications would allow a portion of the retaining walls to exceed the maximum three and one half foot height in the front yard setback, as well as the maximum eight foot height in the side yard setback. The area of the wall is on the eastern property line between Unit B and Unit C.

Background

The project was originally approved as three houses on one lot; however, prior to issuance of a building permit, an application for tentative subdivision map to create three condominium units was submitted. Thus this project is not considered a condominium conversion since no building permits were issued. As part of the original approval of the new houses, one Modification was granted on January 18, 2006 to allow the second floor of Unit C to be setback from Grand Avenue approximately 12 feet instead of the required 20 feet.

II. REQUIRED APPLICATIONS

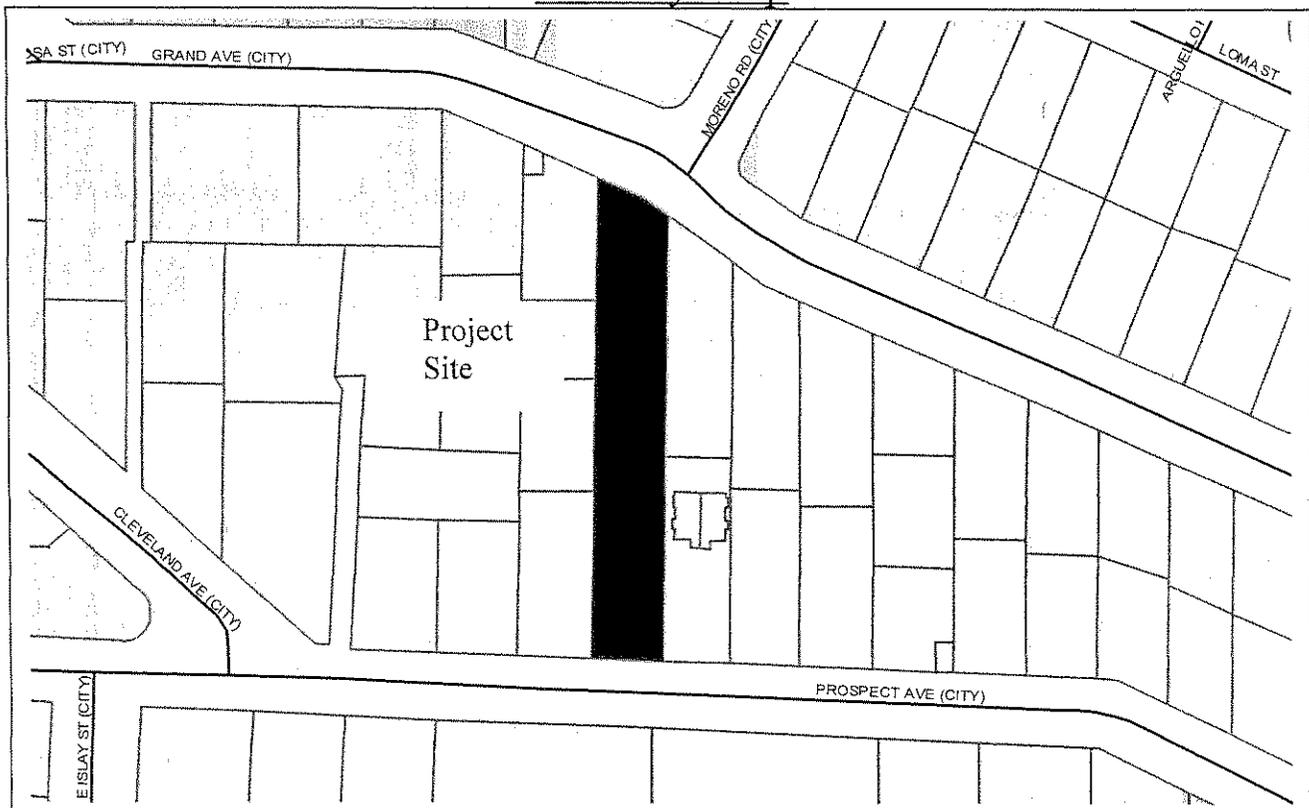
The discretionary applications required for this project are:

1. A Modification (western property line) to allow walls greater than 8 feet in the side yard setback and 3 ½ feet in the front yard setback (SBMC §28.92.026.A);
2. A Modification (eastern property line) to allow walls greater than 8 feet in the side yard setback and 3 ½ feet in the front yard setback (SBMC §28.92.026.A);
3. A Tentative Subdivision Map for a one-lot subdivision to create three (3) residential condominium units (SBMC 27.07 and 27.13);

III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan, with the exception of the three Modifications. In addition, the size and massing of the project are consistent with the surrounding neighborhood. 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.

Vicinity Map



APPLICATION DEEMED COMPLETE: April 23, 2007
DATE ACTION REQUIRED PER MAP ACT: July 12, 2007

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Kirk Gradin, Architect	Property Owner: Grand Avenue LLC
Parcel Number: 027-141-006	Lot Area: 16,566
General Plan: Residential – 12 units/ac	Zoning: R-2
Existing Use: Vacant	Topography: 18%
Adjacent Land Uses: North - Residential South - Residential East - Residential West - Residential	

B. PROJECT STATISTICS

	Existing	Proposed		
		Unit A	Unit B	Unit C
Living Area	None	2,781	2,173	2,316
Garage	None	498	456	446
Accessory Space	None	123	57	0

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks			
-Front	15'- 1 Story & 20' – 2 nd Story	n/a	20' –Prospect 18' – Grand (w/mod)
-Interior	6'	n/a	6'
-Rear	6'	n/a	n/a
Building Height	30'	Vacant lot	28' max.
Parking	2 spaces/unit	Vacant lot	2 spaces/unit
Lot Area Required for Each Unit (Variable Density)	3,500 s.f. X 1.5 (slope density – 10%-20%) 5,250 s.f.	Vacant lot 16,566 s.f.	5,522 s.f./lot
Open Yard	1,250 s.f.	Vacant lot	1,250 s.f./unit
Lot Coverage			
-Building	N/A	Vacant Lot	56%
-Paving/Driveway	N/A		20%
-Landscaping	N/A		22%

The proposed project would meet the requirements of the R-2 Zone, with the exception of the retaining walls located on the western property line and the eastern property line exceeding the required height, as well as the second floor of Unit C encroaching into the required front yard. Please refer to Section VI below for a further discussion on the Modifications.

VI. ISSUES

A. DESIGN REVIEW

This project was reviewed by the ABR on three separate occasions (meeting minutes are attached as Exhibit D). The project initially received preliminary approval under the proposal of three units on one lot. When the applicant proposed that the three units become condominiums, the project was resubmitted to the ABR for conceptual review. The additional modifications to each side yard that are being proposed were included in the recent ABR review. At the hearing of January 2, 2007, the ABR stated that the modifications are necessary and appropriate, and are not aesthetically detrimental to the project.

B. MODIFICATIONS

One Modification was approved for the project site by the Staff Hearing Officer and two Modifications are being requested due to the physical constraints of the site and adjacent properties. The topography drops off significantly from Grand Avenue due to an eight foot tall retaining wall left over from the previous development, which is located at the front property line. From the toe of the retaining wall, the project site slopes down to Prospect Avenue. An approximate two-foot tall sandstone wall remains on the Prospect Avenue side of the lot. An existing five-foot tall retaining wall is located along the eastern property line, which supports a driveway on an adjacent property and it terminates at grade half way down slope. The property located adjacent to the western property boundary is at a lower elevation, adjacent to Grand Avenue, due to a dry creek that is located under the existing residence. An un-reinforced, 40-foot long retaining wall is located on the western property line.

The Modification to the height of the wall along the eastern property line is necessary because the combined height, as measured from the lowest grade, of the retaining wall and the Building Code required safety railing will exceed three and one-half feet in the front yard setback, as well as the maximum eight foot height in the side yard setback. The adjacent driveway on the eastern property line is currently at a higher elevation than the project site and the retaining wall supporting this driveway is approximately five feet at its highest point. With minor excavation for Unit C, the overall height of the wall, including the safety railing, would be approximately ten feet at its highest point. Since most of the retaining wall is existing and the majority of the wall will only be seen on the subject lot, staff can support this modification.

The Modification to the height of the wall at the western side of the lot is for a portion of retaining walls in the front yard setback along the side boundary line. Due to the dry creek located on the adjacent site, the topography drops off steeply onto the adjoining lot. The retaining walls proposed to be constructed on the project site will support the access driveway onto the site. Two retaining walls at a maximum of eight feet in height each are proposed. The retaining wall located closest to the western property line will be set back approximately three feet. A second wall will be located approximately five feet further to the east. The space between the two walls will provide an area for utility meters and a stair way from Grand Avenue will provide access to the meters. The adjacent development was approved in 1980 and is located over the dry creek. Both the upper and lower floors of this building are

approximately the same finished floor elevation as the proposed project. Staff supports this modification since the retaining walls will not impact the neighboring property. There will be no loss of natural light to habitable living space since there is none on the adjacent lot in the vicinity of the proposed retaining walls due to the dry creek. As stated above, the first retaining wall would be setback three feet from the western property line and the second wall would be even further back, which would be an overall improvement over the previous development.

The Modification to the Grand Avenue setback, which was approved by the Staff Hearing Officer on January 18, 2007, (Attachment F) allows for the second floor of Unit C to encroach up to eight feet into the required 20 foot second story setback. The Modification was granted based upon the following:

- Since there is an existing retaining wall on the property line at Grand Avenue, the elevation of the project site is eight feet or more lower than the sidewalk. The upper floor is defined as a second floor, since the majority of the lower level is exposed and not considered a basement. Because the structure is considered a two story, it is subject to a 20 foot second floor setback. However, the structure, when viewed from Grand Avenue, appears to be a single story and would be consistent with the required first floor setback of ten feet.
- The original garage on the project site was located at the property line on Grand Avenue and two feet from the western property line. The current proposal would place the garage at a minimum of twelve feet from the Grand Avenue property line and at least six feet from the western property line.
- Only a portion of the second floor is in the setback due to the diagonal front yard lot line. At least half of the structure respects the twenty foot setback.
- The proposed second floor garage is set further back than the garage on the adjacent parcel to the west. Additionally, a number of garages in the neighborhood can be found within the setback to accommodate the steep drop off from the street. On the south side of Prospect Avenue, several garages are also found within the front yard setback or at the property line. Therefore, the project would not be out of character with the neighborhood.

C. COMPLIANCE WITH THE GENERAL PLAN

The proposed project is identified as the Lower Riveria and is within the Hillside District. The proposed development would occupy a lot that was developed for many years with three dwellings. The previous units were demolished due to the substandard condition. Since the site was previously disturbed, there would minimal grading necessary to develop the site. The proposed development would be consistent with the residential density of the General Plan, as well as the neighborhood. The surrounding lots are developed with single family and multifamily development. In some cases there are several residential units on one legal parcel. Parking for the project would be provided on site with two covered spaces per unit, consistent with the Land Use Element direction of bringing new development into compliance with the parking requirements. Therefore, the project can be found consistent with the General Plan.

D. ENVIRONMENTAL REVIEW

The project was found exempt from further environmental review under CEQA Section 15303, New Construction or Conversion of Small Structures. The proposed project is located in a developed neighborhood of single family and multi-family dwellings. Impacts would be minimal, as the project site was developed with three single family dwellings and the same number of dwellings is proposed. The distribution of traffic trips, to Grand Avenue and to Prospect Avenue, would continue to be the same.

VII. FINDINGS

The Planning Commission finds the following:

A. THE TENTATIVE MAP (SBMC §27.07.100)

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

B. THE NEW CONDOMINIUM DEVELOPMENT (SBMC §27.13.080)

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

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Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Demolition Plan
- D. Applicant's letter, dated January 16, 2007
- E. ABR Minutes dated January 2, 2007
- F. Staff Hearing Officer Letter dated January 24, 2006

PLANNING COMMISSION CONDITIONS OF APPROVAL

1759 GRAND AVENUE
TENTATIVE SUBDIVISION MAP
MODIFICATIONS
JUNE 7, 2007

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") (a written instrument), which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
 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. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement.
 4. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat, 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. 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.

5. **Approved Development.** The development of the Real Property approved by the Planning Commission on June 7, 2007 is limited to 3 dwelling units and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
6. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium units.
 - 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 holding areas shall include recycling containers with at least equal capacity as the trash containers, 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 off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.
 - e. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
7. **Oak Tree Protection.** The existing 2 tree(s) shown on the Tentative Subdivision Map shall be preserved, protected, and maintained. During construction, protection measures shall be provided, including but not limited to fencing of the area surrounding the trees. The following provisions shall apply to any oak trees to remain on the property:
 - 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.

- B. Public Works Submittal Prior to Parcel Map Approval.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to processing the approval of the Parcel Map and prior to the issuance of any permits for the project:
- 1. Final/Parcel Map.** The Owner shall submit to the Public Works Department for approval, a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance.
 - 2. 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. If the private covenants required pursuant to Section A.6 above have not yet been approved by the Department of Real Estate, a draft of such covenants shall be submitted.
 - 3. Drainage Calculations.** The Owner shall submit drainage calculations prepared by a registered civil engineer or licensed architect demonstrating that the new development will not increase runoff amounts above existing conditions for a 25-year storm event. Any increase in runoff shall be retained on-site.
 - 4. Drainage and Water Quality.** Project drainage shall be designed, installed, and maintained such that stormwater runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City's NPDES Storm Water Management Permit. Runoff should be directed into a passive water treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, stormwater treatment methods, and project development, shall be subject to review and approval by City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants (such as ...), or groundwater pollutants would result from the project. The Owner shall maintain the drainage system and storm water pollution control methods in a functioning state.
 - 5. Prospect Avenue and Grand Avenue Public Improvement Plans.** The Owner shall submit C-1 public improvement or building plans for construction of improvements along the property frontage on both Prospect and Grand Avenue. The 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, access ramp(s), asphalt concrete, concrete pavement on aggregate base, crack seal to the centerline of the street along entire subject property frontage and a minimum of 20 feet beyond the limit of all trenching, underground service utilities, connection to City 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 off-site storm water BMP plan), etc.), supply and install (residential) (commercial) standard street light(s), style to be determined by the Public Works Department and the appropriate design review board, coordinate with City staff to retire light standard on existing utility pole, preserve and/or reset survey monuments and contractor stamps, supply and install directional/regulatory traffic control signs, storm drain stenciling, off-site biofilter/swale sized per drainage calculations, new street trees and tree grates per approval of the City Arborist and provide adequate positive drainage from site. 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 the Engineering Division, 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. **Encroachment Permits.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements (including any required appurtenances) within their rights of way (easement).
 8. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.
 9. **Maintenance Agreement Required.** The Owner shall submit an Executed Agreement for Maintenance of the proposed driveway, subject to the review and approval of the Public Works Director and City Attorney.
- C. **Design Review.** The following items are subject to the review and approval of the Architectural Board of Review (ABR). ABR shall not grant preliminary approval of the project until the following conditions have been satisfied.
1. **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) shall be compatible with the preservation of the tree(s).
 - b. **Oak Tree Protection Measures.** The following provisions shall apply to existing oak trees on site:
 - (1) Landscaping provided under the oak tree(s) shall be compatible with preservation of the trees as determined by the Architectural Board of Review (ABR). No irrigation system shall be installed under the dripline of any oak tree.
 - (2) Oak trees greater than four inches (4") in diameter at four feet (4') above grade removed as a result of the project shall be replaced at a five to one

5:1 ratio, at a minimum five (5) gallon size, from South Coastal Santa Barbara County Stock.

2. **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 Parcel Map Agreements.** After City Council approval, the Owner shall provide evidence of recordation to the Public Works Department.
2. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.

E. 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. **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.
2. **Traffic Control Plan.** A traffic control plan shall be submitted, as specified in the City of Santa Barbara Traffic Control Guidelines. Traffic Control Plans are subject to approval by the Transportation Manager.
3. **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 Architect, the Contractor and each subcontractor.

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 Architectural Board of Review, outlined in Section C above.
2. **Pre-Construction Conference.** Not less than 10 days or more than 20 days 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, Architect, Contractor and each Subcontractor.

3. **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.

5. **Post-Construction Erosion Control and Water Quality Plan.** Provide an engineered drainage plan that addresses the existing drainage patterns and leads towards improvement of the quality and rate of water run-off conditions from the site by capturing, infiltrating, and/or treating drainage and preventing erosion. The Owner shall passive water quality methods, such as bioswales, catch basins, or storm drain on the Real Property, or other measures specified in the Erosion Control Plan, to intercept all sediment and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) from the parking lot areas and other improved, hard-surfaced areas prior to discharge into the public storm drain system, including any creeks. All proposed methods shall be reviewed and approved by the Public Works Department and the Building and Safety Division. Maintenance of these facilities shall be provided by the Owner, as outlined in Condition B-4, above, which shall include the regular sweeping and/or vacuuming of parking areas and drainage and storm water methods maintenance program.
6. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers (an area that allows for a minimum of 50 percent of the total capacity for

recycling containers) shall be provided on the Real Property and screened from view from surrounding properties and the street.

7. **Vehicle Access.** Vehicles exiting from the project site onto Prospect Street shall be restricted to right turns only, and a no left turn sign shall be posted and maintained on-site advising motorists of this restriction.
8. **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.
9. **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 by the Owner and/or Contractor for the duration of the project construction.

1. **Construction Materials Recycling.** Recycling and/or reuse of 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 a container of sufficient size to handle the materials, subject to review and approval by the City Solid Waste Specialist, for collection of construction materials. A minimum of 90% of demolition and construction materials shall be recycled or reused. Evidence shall be submitted at each inspection to show that recycling and/or reuse goals are being met.
2. **Sandstone Curb Recycling.** Any existing sandstone curb in the public right-of-way that is removed and not reused shall be salvaged and sent to the City Corporation Annex Yard.

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.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.
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. **Traffic Control Plan.** All elements of the approved Traffic Control Plan shall be carried out by the Contractor.
6. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

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

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

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

7. **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.
8. **Water Sprinkling During Grading.** During site grading and transportation of fill materials, regular water sprinkling shall occur on-site, 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 on-site 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 on-site 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.
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) telephone number(s), work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height.
14. **Tree Protection.** All trees not indicated for removal on the site plan shall be preserved, protected, and maintained, in accordance with the Tree Protection Plan, if required, and any related Conditions of Approval.
16. **Tree Protection.** Notes on the grading plan that specify the following:
 - a. No grading shall occur within three feet of the driplines of the existing tree(s).

- b. All excavation within the dripline of the tree(s) shall be done with hand tools.
- 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. All trees within 25 feet of proposed construction activity shall be fenced three feet outside the dripline for protection.
- f. **Oak Tree Protection Measures.** The following provisions shall apply to existing oak trees on site:
 - (1) During construction, fencing or protective barriers shall be placed around and three feet outside of the dripline of all oak trees located within 25 feet of development.
 - (2) No grading shall occur under any oak tree dripline, except as indicated on the drainage and grading plan for construction of the foundation. Grading within the dripline during construction of this area shall be minimized and shall be done with light (one ton or less) rubber-tired equipment or by hand. If use of larger equipment is necessary within the dripline of any oak, it shall only be operated under the supervision and direction of a qualified Arborist.
 - (3) 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.
 - (4) No storage of heavy equipment or materials, or parking shall take place within five (5) feet of the dripline of any oak tree.
 - (5) Oak seedlings and saplings less than four inches (4") at four feet (4') above the ground that are removed during construction shall be transplanted where feasible. If transplantation is not feasible, replacement trees shall be planted at a minimum one to one (1:1) ratio. Replacement trees shall be a minimum of one (1) gallon size derived from South Coastal Santa Barbara County stock.
- 15. **Existing Tree Preservation.** The existing tree(s) shown on the approved Site Plan to be saved shall be preserved and protected and fenced three feet outside the dripline during construction.
- 16. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.

17. **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.
18. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

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

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

- 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 (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090. 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 service undergrounding and installation of street trees.
 3. **Fire Hydrant Replacement.** Replace existing nonconforming type fire hydrant(s) with commercial-type hydrant(s) described in Standard Detail 6-003.1 Paragraph 2 of the Public Works Department Standard Details.

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 Architectural Board of Review (ABR).
 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. **Evidence of Private CC&Rs Recordation.** Evidence shall be provided that the private CC&Rs required in Section A have been recorded.
- 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 APPROVAL TIME LIMITS:

The Planning Commission's action approving the Modifications, shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or
2. A Building permit for the use authorized by the approval is issued within and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.

3. The approval has not been discontinued, abandoned or unused for a period of six months following the earlier of (a) an Issuance of a Certificate of Occupancy for the use, or (b) two (2) years from granting the approval.

If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the discretionary applications, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the application, unless otherwise specified by state or federal law.

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.

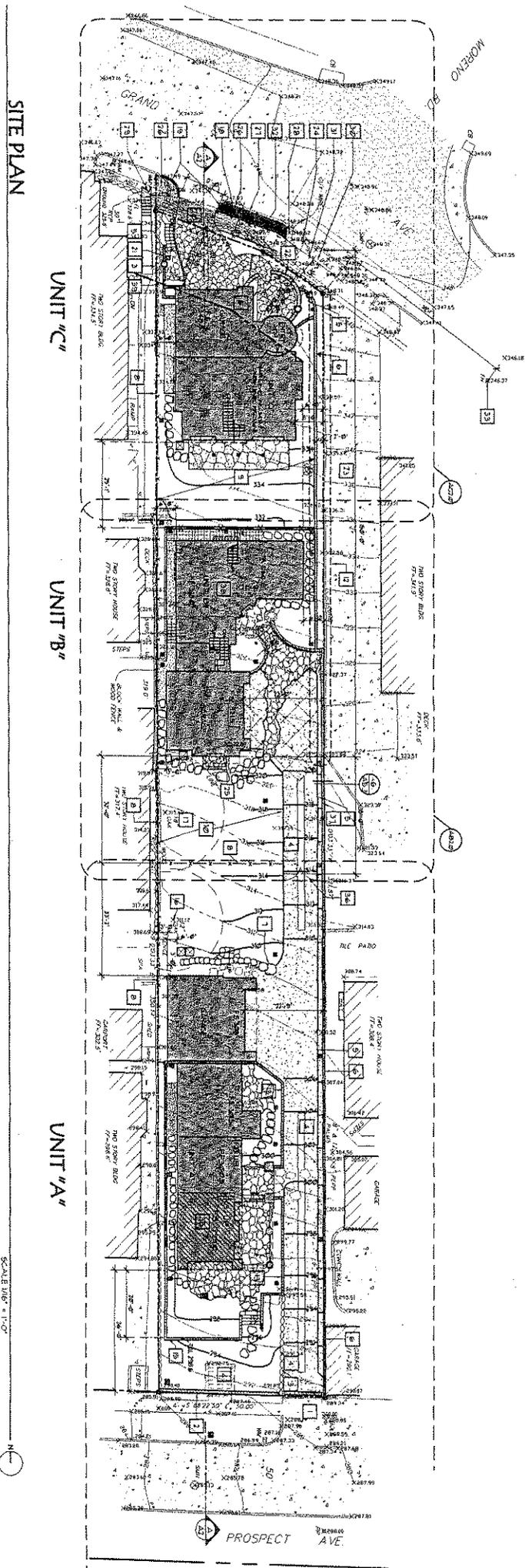
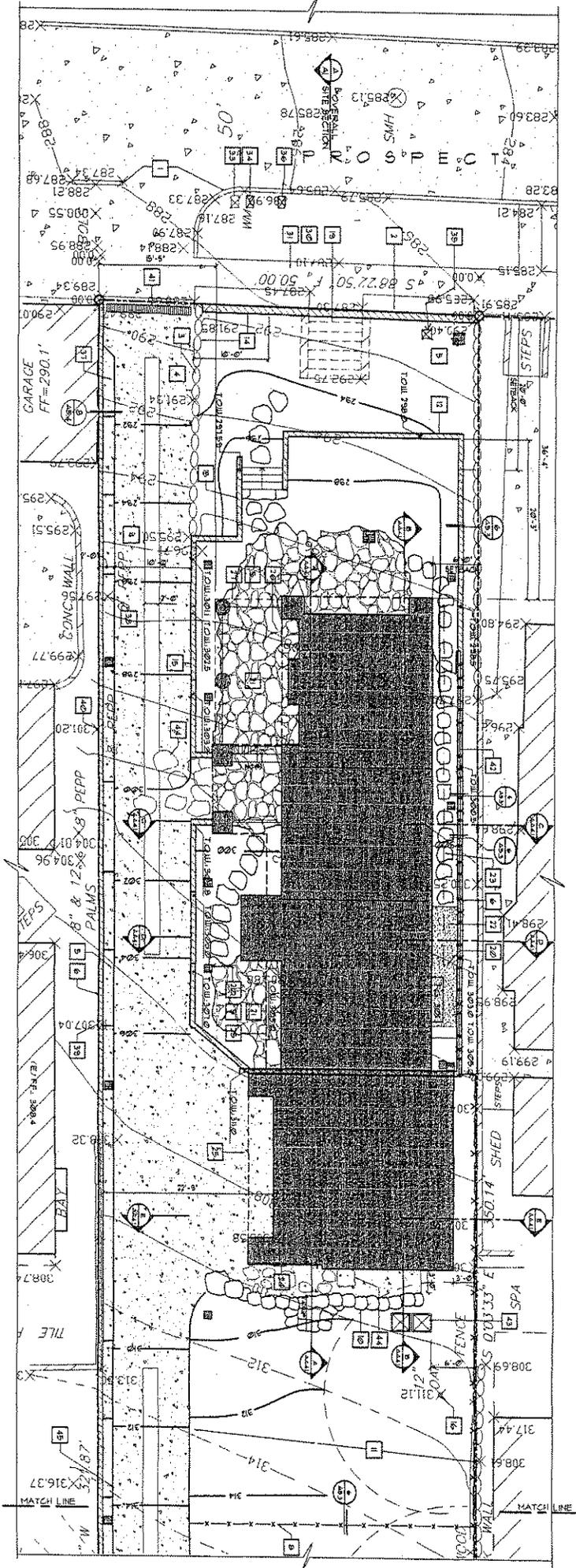


EXHIBIT B

SITE PLAN

UNIT "A"

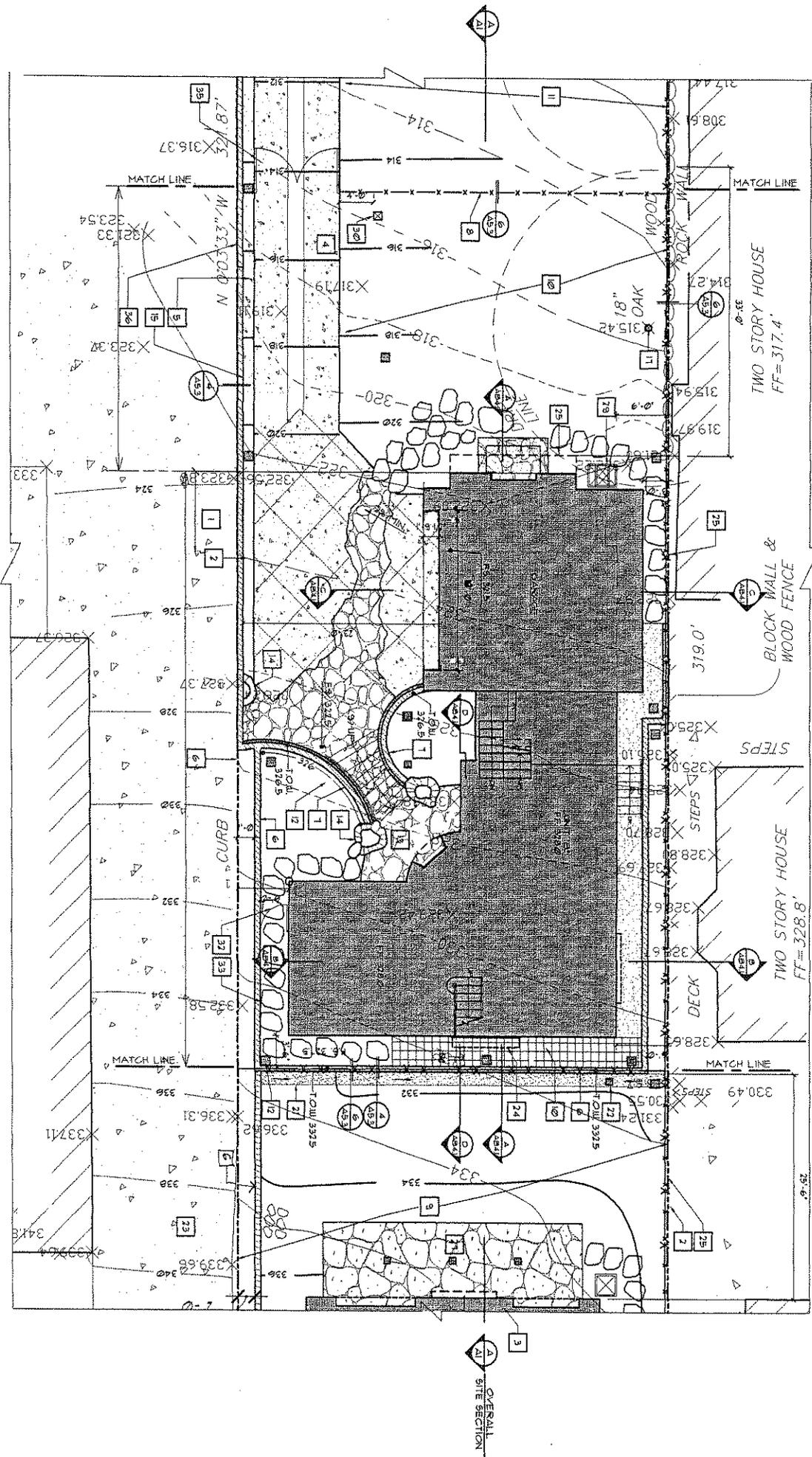
SCALE 1/8" = 1'-0"

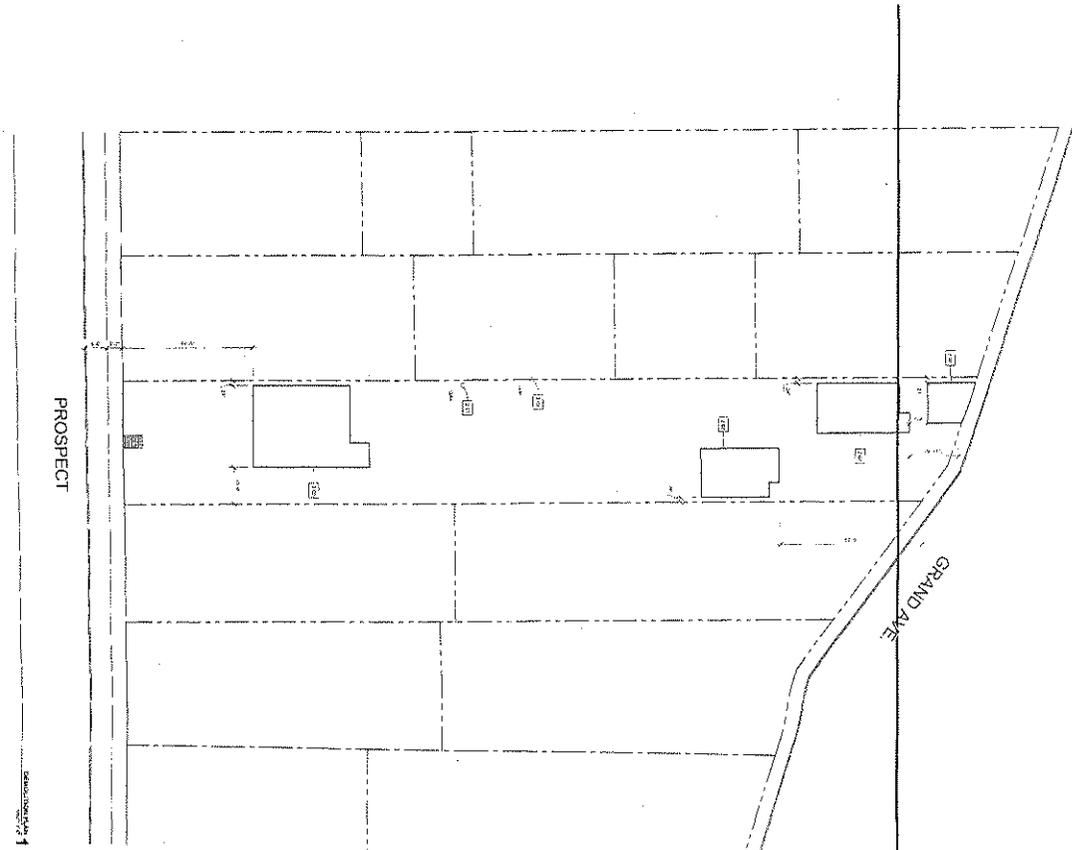


SITE PLAN

UNIT "B"

SCALE 1/8" = 1'-0"





DEMOLITION NOTES

1. DEMOLITION OF EXISTING STRUCTURES TO BE COMPLETED BY 12/31/2014.
2. ALL EXISTING UTILITIES TO BE REMOVED AND REINSTALLED AT THE NEW LOCATION.
3. ALL EXISTING UTILITIES TO BE REMOVED AND REINSTALLED AT THE NEW LOCATION.
4. ALL EXISTING UTILITIES TO BE REMOVED AND REINSTALLED AT THE NEW LOCATION.
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9. ALL EXISTING UTILITIES TO BE REMOVED AND REINSTALLED AT THE NEW LOCATION.
10. ALL EXISTING UTILITIES TO BE REMOVED AND REINSTALLED AT THE NEW LOCATION.

KEY NOTES

1. DEMOLITION OF EXISTING STRUCTURES TO BE COMPLETED BY 12/31/2014.

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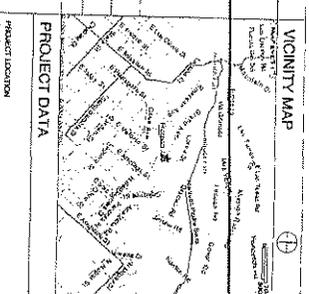
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10. ALL EXISTING UTILITIES TO BE REMOVED AND REINSTALLED AT THE NEW LOCATION.



PROJECT DATA

PROJECT LOCATION: 1759 GRAND AVE, WASHINGTON, DC 20004

PROJECT OWNER: [Name]

PROJECT ARCHITECT: [Name]

PROJECT ENGINEER: [Name]

PROJECT INFORMATION

GOVERNING AGENCY: [Name]

APPLICANT: [Name]

PROJECT NO.: [Number]

DATE: [Date]

ZONING COMPLIANCE

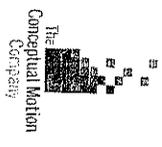
Code	Use	Height	Area	Total
RM-1	Residential Medium Density	35'	10,000	10,000
RM-2	Residential Medium Density	35'	10,000	10,000
RM-3	Residential Medium Density	35'	10,000	10,000
RM-4	Residential Medium Density	35'	10,000	10,000
RM-5	Residential Medium Density	35'	10,000	10,000
RM-6	Residential Medium Density	35'	10,000	10,000
RM-7	Residential Medium Density	35'	10,000	10,000
RM-8	Residential Medium Density	35'	10,000	10,000
RM-9	Residential Medium Density	35'	10,000	10,000
RM-10	Residential Medium Density	35'	10,000	10,000

PROJECT STATISTICS

Category	Count	Area	Total
Lot Area	10,000	10,000	10,000
Lot Coverage	10,000	10,000	10,000
Lot Area	10,000	10,000	10,000
Lot Coverage	10,000	10,000	10,000
Lot Area	10,000	10,000	10,000
Lot Coverage	10,000	10,000	10,000

1759 GRAND AVE
 WASHINGTON, DC 20004
 PROJECT NO. 1759-01
 DATE: 12/31/2014

1759 GRAND AVE
 WASHINGTON, DC 20004
 PROJECT NO. 1759-01
 DATE: 12/31/2014



1759 GRAND AVE

CONCEPTUAL MOTION COMPANY

PROJECT NO. 1759-01

DATE: 12/31/2014

A101

CONCEPTUAL MOTION COMPANY

BLD2004-01381, BLD2004-01380, BLD2004-01382



300 c. ranon perdido st., ste d-1
santa barbara, ca 93101
ph: 805.564.4423 fx: 805.564.2678
email: kirk@banyan-architects.com
www.banyan-architects.com

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

1/16/2007

Re: Grand Avenue Condos
1759 Grand Avenue
Santa Barbara, CA 93103
A.P.N.: 027-141-006
Zone: R-2
Owner: Grand Avenue Apartments, LLC
559 San Ysidro Road
Santa Barbara, CA 93108

Dear Planning Commissioners--

We are seeking Planning Commission approval for three (3) new condominiums at 1759 Grand Avenue. Each of the proposed units (labeled "A", "B" and "C") is two-story with three bedrooms, two and ½ baths and a two-car garage. The units vary in size from 2,781 square feet (gross) to 2,173 square feet. The owners originally preferred to submit the units as "apartments" rather than condos and discussed this approach with Marisela Salinas. She gave us guidance and support to proceed. Applications were submitted to ABR, to the modification hearing officer and finally to the building department. Therefore, although three modifications are required for this project, one of them was already approved by the modification hearing officer on January 1, 2006. This modification allows Unit C to have a front-yard setback of 12'. The project also received final ABR approval on May 22, 2006 and was submitted to the building department shortly thereafter. Therefore, the construction documents are currently in the building department plan-check process. However, because a building permit has not yet been issued, the current application can be considered "new condominiums" as opposed to a condominium conversion.

Two additional modifications are being requested with the current application. One that allows the combined wall and fence height along the easterly property line of Units B and C to exceed 8' in height and the other which allows a short section of wall on the west side of the driveway of Unit C to exceed 8' in height.

Existing Site Conditions

The site is 16,900 square feet and is currently vacant. There were formerly 3 residences on the site that were condemned and demolished sometime in the last 3 years. The site has an average slope of 16% and has two street frontages, one on Grand Avenue and one on Prospect. Both frontages have existing curb-cuts. The existing curb-cut on Grand Avenue will be relocated while the curb-cut on Prospect will be re-utilized. There are also two existing oak trees on the site, one 12" and one 18" and both will remain. There is no other significant vegetation on the site.

There are a number of interesting challenges to the design for this site. For example, there is a seven to eight foot drop from the curb on Grand Ave down to existing grade. This drop is retained by an old and suspect sandstone retaining wall that appears to have been augmented to support the street and sidewalk edge. The existing grade on the site also begins sloping at a 16% pitch from the base of this retaining wall all the way down to Prospect, with hardly a flat spot to be found. It is important to note that this "drop and slope" condition occurs throughout this entire block and has yielded a consistent model of development in this hillside district that involves considerable encroachments into the front yard setback. Almost every house or apartment on the south side of Grand Avenue on this block was built with significant front-yard encroachments. This can be seen in the aerial view attached. Also, this block between Grand and Prospect is one dense with residential development. A comparable length of acreage immediately to the west, for example, contains 5 dwelling units: 3 houses (one with a secondary dwelling) along with a two-unit apartment.

Design Considerations

Our design for the units on this site conforms to the hillside design guidelines by stepping the roof planes and major massing elements down with the hillside. It also gives each unit a significant landscape buffer while also attempting to make best use of the view opportunities of being on the Riviera. Because the units were originally designed as apartments with private yard areas of 1,250 square feet, each of them easily meets the private outdoor living area requirement for condominiums. A preliminary landscape plan has been prepared by Arcadia Studios and has received a final approval by the Architectural Board of Review.

Modifications

As mentioned above, the apartments were approved with one modification pertaining to a front-yard encroachment for Unit C. This allows for Unit C to conform to the current pattern of development along Grand (mentioned above). It also minimizes the fill necessary for driveway access and allows the new condominium to sit tight to the sloping grade below. This modification was approved on Jan. 1, 2006. Modification #2 allows a short section of the site wall along the west side of Unit "C" to exceed 3'-6" in height within 10' of the driveway. This modification is a technicality. The walls in question extend below the driveway surface down to the grade below and do not in any way impair pedestrian or vehicle visibility at the driveway. Modification #3 concerns the proposed retaining wall along the easterly property line that abuts the neighbor's existing driveway. The combined height of this wall with a 3' high wrought-iron safety railing exceeds the maximum of 8'. Although the retaining wall by itself will not exceed 8' of exposed height, the combined height of the wall and railing will get as high as 11.5'. The location of this modification is shown on the Composite Site Plan on Sheet A1 (keynote # 7) and is also shown in elevation on Sheet A2 on the Composite East Elevation. The guardrail is a safety feature that ensures that pedestrians on the neighbor's driveway will not fall into the yard areas of 1759.

Drainage and Utilities

All of the hard-surface drainage for all of the units is carried via underground pipes and deposited in a retention basin on the southerly side of Unit "A." A fully developed grading and drainage plan with details and specifications is provided on sheets C-1 and C-2. A preliminary stormwater study is also part of this application.

A utility plan shows the location and undergrounding of all utilities for the project and is shown on sheet C-3. The sewer connection is shown on the tentative map. An erosion control plan can be found on sheet C-4.

Grading

Grading quantities and driveway configurations were a major consideration of the design process. By utilizing two curb cuts for the site we were able to maintain the largest possible area for open space and landscaping while keep grading quantities to a minimum, thus the vast majority of the cut and fill is beneath the footprints of the units. Cut within the footprints is 1,750 cubic yards, while fill within the footprints is 1,490 cubic yards. Outside the building footprint cut = 130 cubic yards and fill = 270 cubic yards. A soils report is included with the submitted drawings.

Coverages and other notes

The total building footprint for the site would cover 57% of the lot, the driveway and patio areas covers 21%, leaving 22% of the lot to landscaping. The open space requirement exceeds the minimum requirement (15.8%).

The project has been carefully reviewed by the fire department. Because Unit B is sprinklered, the driveways serving the project are allowed to be a minimum of 10' in width.

Exterior lighting has been reviewed and approved by the Architectural Board of Review. They are traditional in style and are carefully planned to impact the neighbors and the public as little as possible. Because the project is residential in nature, no smoke or odors will be created by the project other than those generated during the typical construction process. There are no existing or proposed designated recreational trails or easements traversing the site and the project is not located near a creek or other watercourse.

Construction Scheduling and Staging

An approximate construction schedule would follow a typical format. Initial site grading would require two or three weeks because no removal and compaction is necessary. The remainder of the construction should be completed in approximately one year. Staging areas for construction and parking for all of the construction workers will occur "on site" because of the existing curb cut on Prospect and the existing dirt driveway that leads up to the middle of the property. This large, unbuilt, middle portion of the property above Unit "A" requires only minimal finish grading (which will occur at the end of the project) and can therefore serve as a staging area and parking for workers. Fencing around the drip lines of the existing oaks in this area will prevent automobiles from injuring the roots.

Conclusion

In conclusion, we believe the current proposal meets and/or exceeds all the minimum requirements for condominium development. The modifications proposed offer no adverse visual impacts, conform to the neighborhood pattern of development or are technically or safety related. We also believe the proposed project be a considerable enhancement to the neighborhood and one that contributes to the finest traditions of Santa Barbara style hillside design. We appreciate your careful consideration of this proposal.

A handwritten signature in black ink, appearing to read "K. Gradin". The signature is fluid and cursive, with a prominent initial "K" and a long, sweeping underline.

Kirk B. Gradin, Architect
Banyan Architects

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING**1. 1759 GRAND AVE**

R-2 Zone

(3:15)

Assessor's Parcel Number: 027-141-006

Application Number: MST2006-00746

Owner: 1759 Grand Avenue Associates, LLC

(Revised proposal to construct three new residential condominium units rather than single-family residences on a vacant 16,900 square foot lot located in the Hillside Design District. Square footages have not changed. Unit A would be partially three-stories, 2,318 square feet, with an attached 503 square foot garage; Unit B would be two-stories, 1,840 square feet, with an attached 518 square foot garage; and Unit C would be two-stories, 2,245 square feet, with an attached 503 square foot garage. The project will result in a total of 7,927 square feet of structures on the lot, and includes 190 total cubic yards of cut and fill grading outside the building footprint. A modification is requested for an over-height wall along the driveway.)

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

(3:59)

Present: Kirk Gradin, Architect.

Public comment opened at 4:18 p.m.

Stephanie Christoff, resident, requested clarification of base elevations and finished floors.

V. Sato, resident, provided written comments, opposed.

Public comment closed at 4:22 p.m.

Motion: Continued indefinitely to the Staff Hearing Officer and return to Full Board with the following comments:

- 1) The modifications are necessary and appropriate, and are not aesthetically detrimental to the project. The modifications are not aesthetically detrimental.
- 2) The applicant is to study a better way to integrate the electrical box at Grand Avenue.
- 3) Grade and finished floor elevations are to be labeled at dimension height points to avoid confusion.
- 4) Provide more identifiable pedestrian access to the second unit from Prospect Avenue.
- 5) Study the best location for the on-grade condensing units in order to minimize noise to the neighboring parcels.
- 6) The design of the three structures is well handled and detailed and aesthetically pleasing to the Santa Barbara environment.

Action: Sherry/Manson-Hing, 6/0/0. Motion carried.



City of Santa Barbara
Community Development Department

www.ci.santa-barbara.ca.us

Directors Office January 24, 2006

Tel: 805.564.5502

Fax: 805.564.5506 Grand Avenue Association, LLC.
559 San Ysidro
Santa Barbara, CA 93108

Housing &

Redevelopment

Tel: 805.564.5461

Fax: 805.564.5477

SUBJECT: 1759 Grand Avenue; APN 027-141-006; R-2 Zone

Planning

Dear Grand Avenue Association, LLC.:

Tel: 805.564.5470

Fax: 805.897.1904

At a public hearing held on January 18, 2006, the Modification Hearing Officer approved your request for a modification to permit new construction within the required twenty-foot (20') front yard setback (SBMC 28.18.060).

Building & Safety

Tel: 805.564.5485

Fax: 805.564.5476

This action is subject to the condition that all plans submitted for building permits in conjunction with the approval of this modification shall show/include:

630 Garden St.

PO Box 1990

Santa Barbara, CA

93102-1990

1. A minimum twelve-foot (12') front yard setback off Grand Avenue.
2. Hours of construction being limited to Monday through Friday from the hours of 8:00 a.m. to 5:00 p.m.
3. A note on the plans that construction vehicles park on site whenever possible.

Rental Housing

Mediation Task Force

Tel: 805.730.1523

Fax: 805.730.1528

In taking this action, the Hearing Officer made the findings required by Municipal Code Section 28.92.026, that is, the modification is necessary to secure an appropriate improvement on the property and is consistent with the intent and purpose of the Zoning Ordinance.

423 W. Victoria St.

Santa Barbara, CA

93101

This decision may be appealed to the Planning Commission by filing an appeal with the Planning Division at 630 Garden Street no later than 4:30 p.m. on January 30, 2006. If not appealed within that time, the action is final.

Subsequent to the outcome of any appeal action your next administrative step should be to apply for Architectural Board of Review (ABR) approval and then a building permit. **PLEASE NOTE: A copy of this modification letter shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.



Modification Hearing
Page 2

If the use authorized by the modification is unused, abandoned or discontinued for a period of twelve months from the date of approval of the modification, or if the conditions of approval have not been complied with, this modification shall become null and void.

Sincerely,

Roxanne Milazzo
Modification Hearing Officer

Cc: Kirk Gradin
300 E. Canon Perdido Street Ste. D-1
Santa Barbara, CA 93101

