



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 19, 2015

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Parcel Map And Execution Of Agreements For 240 West Alamar Street

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,814 and standard agreements relating to the approved subdivision at 240 West Alamar Street.

DISCUSSION:

A Tentative Map for the subdivision located at 240 West Alamar Street (Attachment 1), was conditionally approved on July 17, 2014, by adoption of the Planning Commission (PC) Conditions of Approval, Resolution Number 018-14 (Attachment 2). The project involves the demolition of a single-family residence and detached garage, and construction of a two- and three-story 7,410 square foot condominium building containing four price restricted three-bedroom units. Staff has reviewed the Parcel Map and has found it to be in substantial compliance with the previously approved Tentative Map, the Conditions of Approval, the State Subdivision Map Act, and the City's Subdivision Ordinance.

In accordance with the Planning Commission approval, the Owner(s) (Attachment 3) have signed and submitted the Parcel Map and the required Agreements to the City, tracked under Public Works Permit Number PBW2014-01580. Council approval is required if Council agrees with the staff determination that the Parcel Map conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of the approval of the Tentative Map (Municipal Code, Chapter 27.09.060, City Council Action).

Staff recommends that Council authorize the City Administrator to execute the required *Agreement Relating to Subdivision Map Conditions Imposed on Real Property* and the *Agreement for Land Development Improvements*.

The *Agreement Assigning Water Extraction Rights* does not require Council approval, and will be signed by the Public Works Director in accordance with City Council Resolution Number 02-131.

THE PARCEL MAP IS AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.

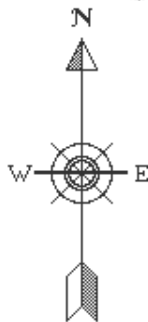
- ATTACHMENT(S):**
1. Vicinity Map
 2. Conditions required to be recorded concurrent with Parcel Map Number 20,814 by the Planning Commission Conditions of Approval Resolution Number 018-14
 3. List of Owners/Trustees

PREPARED BY: John Ewasiuk, Principal Civil Engineer/MW/DAS/ks

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

Vicinity Map
240 West Alamar



Not to Scale

CONDITIONS REQUIRED TO BE RECORDED CONCURRENT WITH FINAL MAP NUMBER 20,814 BY PLANNING COMMISSION CONDITIONS OF APPROVAL, RESOLUTION NO. 018-14

240 West Alamar

Said approval is subject to the following conditions:

1. **Approved Development.** The development of Real Property approved by the Planning Commission on May 15, 2014, is limited to the demolition of a single-family residence and attached garage, and construction of a two- and three-story 7, 410 square foot condominium building containing four price-restricted, three-bedroom units, affordable to moderate income households; and the improvements shown on the Tentative Subdivision Map signed by the chair of the Planning Commission on said date, and on file at the City of Santa Barbara.
2. **Ownership Unit Affordability Restrictions.** The four dwelling units on the Tentative Subdivision Map shall be designated as Affordable Moderate-Income Units and sold only to households who, at the time of their purchase, qualify as Moderate-Income Households as defined in the City's adopted Affordable Housing Policies and Procedures. This maximum sale price upon initial sale shall not exceed \$334,600.
The Affordable Units shall be sold and occupied in conformance with the City's adopted Affordable Housing Policies and Procedures. The resale prices of the Affordable Units shall be controlled by means of a recorded affordability covenant executed by, Developer, Owner, and the City to assure continued affordability for at least ninety (90) years from the initial sale of the affordable unit. No affordable unit may be rented prior to its initial sale.
3. **Uninterrupted Water Flow.** The owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property, including, but not limited to, swales, natural watercourses, conduits and any access roads, as appropriate.
4. **Pesticide or Fertilizer Useage near Creeks.** The use of pesticides or fertilizer shall be prohibited within the creek setback area, which drains directly into Mission Creek.
5. **Storm Water Pollution Control and Drainage System Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in a functioning state and in accordance with the Storm Water BMP Guidance Manual. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, 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 Owner 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.

6. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property.
7. **Required Private Covenants, Conditions, and Restrictions (CC&Rs).** The Owners shall record in the official records of Santa Barbara County either private covenants, conditions and restrictions, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for 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. **Parking Space Assignment.** Parking spaces within the project shall be allocated.
 - d. **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. Such plan shall not be modified unless prior written approval is obtained from the appropriate design review board. If said landscaping is removed for any reason without approval by the appropriate design review board, the owner is responsible for its immediate replacement.
 - e. **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 state that the green waste will be hauled off site.
 - f. **Public Improvement Districts.** A covenant that includes a waiver to protest formation of public improvement districts.
 - g. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.

ATTACHMENT 3

240 West Alamar

CITY VENTURES HOMEBUILDING

LIST OF OWNERS

Bill McReynolds, Vice President of Development