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Request to Appeal an ABR Decision:

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By this letter, as a representative of the neighborhood, I wish to appeal the following:

Name of Body: ABR

Meeting Date at which decision was made: May 26, 2015

Description of decision being appealed: Final approval of new construction of 7-unit apartment building at 1818 Castillo St.

Applicant Number: MST2015-00092

Grounds for the appeal request:

Below we list the grounds for the appeal. By its excessive size and height and poorly designed parking, the project negatively affects the nature and quality of an entire neighborhood and it sets precedents for future construction that we do not believe were part of the original intent of the AUD Ordinance.

I. Building height, size, bulk, and scale:

1. The building is the only 3-story building within several blocks. It dramatically exceeds neighborhood standards for height, scale and bulk.
2. There was no site visit by the ABR to help the board understand the excessive size and scale when compared to the surrounding properties.
3. There were no story poles to give a three dimensional understanding of the project scale.
4. There was inadequate discussion of the impact of individual garages within the envelope of each individual unit, which creates additional height and is the reason the third story exists (it is pushed up by inclusion of the garage in the unit mass.)

II. Parking: Garage vs. Carports

1. There is no automobile turn-around on-site which thus necessitates that every car that cannot nose into a garage will have to back out onto busy Castillo St. Back-outs are contrary to current City transportation department design guidelines. (Arguments by the designer that each tenant has a garage to turn around in does not address the common daily occurrence of entry by guests, emergency vehicles, delivery trucks, etc. that will come and go on a regular basis)

2. The AUD is an interim ordinance which can be said to be in "beta testing." In the lengthy City out-reach program from which this ordinance came, the issue of parking was not fully discussed nor its consequences fully realized. While the appellants recognize the AUD wisdom of reduced parking, it is still the City's stated goal that what little parking is provided is required to be for cars. It must at least act as parking and at least, by design, get used as parking. Such will not be the case in an affordable worker apartment unit with a built-in garage with interior access from the living space. It is almost prima facie that the tenant will use the garage for other than cars (storage, additional living space, potential room rental, etc.)

3. With the garages almost guaranteed to be used for other than car storage, the on-street parking density along Castillo will only get worse and it is very dense now.

III. The Spirit of the AUD

The ordinance was created in the recognition that the downtown area has a variety of services that reduces the need for auto use and thus the need for parking. As noted in the Planning Commission Staff Report on the AUD Zoning Ordinance Amendments (dated April 4, 2013, section III, page 2): "The AUD Program would regulate residential density based on the average unit size, and is designed to produce smaller units and small buildings located primarily in and around the Downtown."

We reiterate, the AUD Ordinance is designed to produce smaller buildings and smaller units in and around downtown. This project does none of that.

IV. ABR Final Approval Vote:

The ABR is a seven member body. At the time of the vote on this project, three members were absent. While the remaining four members technically constitute a quorum, their approval vote of three yeas would not/does not constitute a typical majority of the full board.

We quote the comments of the nay vote on the ABR, Mr. Wittausch:

A. "No story poles were provided" (but were needed on the first and only 3-story project within several blocks of the site.)

B. "No appeal to the PC" . . .(was made in face of several questions of neighborhood compatibility, building bulk/size, garage parking vs. carport parking, combined parking vs. individual garage adjacent to each unit, no on-site turn around.)

V. Appellant Information:

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Brian B. Barnwell

Date

June 2, 2015

