



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 26, 2016

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Approval Of Final Map And Execution Of Agreements For 203 Chapala Street

### RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Final Map Number 20,819 and standard agreements relating to the approved subdivision at 203 Chapala Street, and authorize the City Engineer to record, upon completion of any required public improvements, a recital document stating that the public improvements have been completed and that the previously recorded Land Development Agreement may be removed from the title document.

### DISCUSSION:

A Tentative Map for the subdivision located at 203 Chapala Street (Attachment 1), was conditionally approved on June 11, 2009 by adoption of the Planning Commission (PC) Conditions of Approval, Resolution Number 026-09 (Attachment 2). The project involves the construction of seven new, residential condominiums. Staff has reviewed the Final 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 PC approval, the Owner(s) (Attachment 3) have signed and submitted the Map and the required Agreements to the City. Council approval is required if Council agrees with the staff determination that the 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.

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 Final 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 20,819 by the Planning Commission Conditions of Approval Resolution Number 026-09
  3. List of Owners/Trustees

**PREPARED BY:** Adam Hendel, Acting Principal Civil Engineer/TS/kts

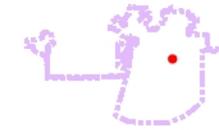
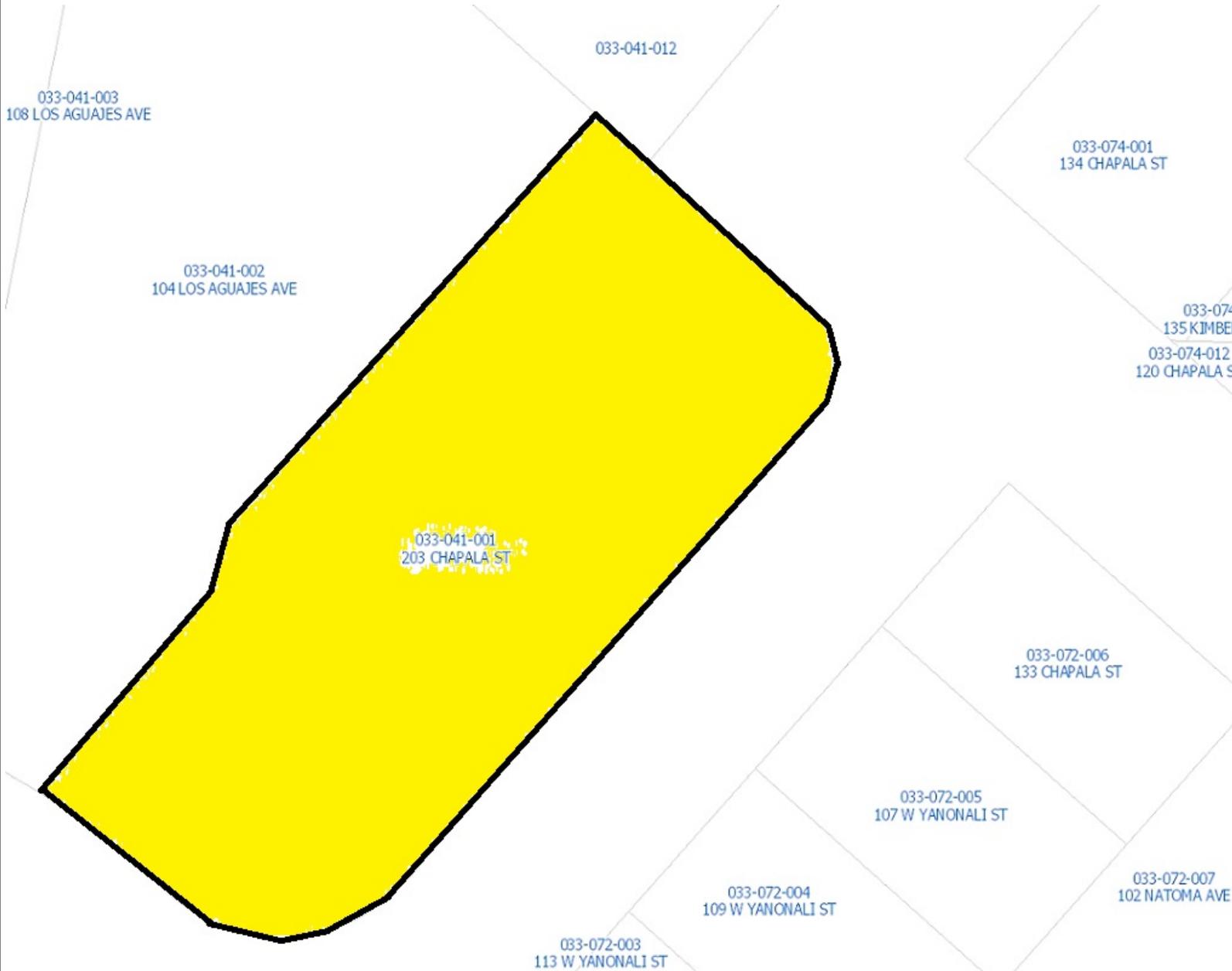
**SUBMITTED BY:** Rebecca J. Bjork, Public Works Director

**APPROVED BY:** City Administrator's Office



# 203 CHAPALA STREET

ATTACHMENT 1



0.018      0      0.009      0.018 Miles

MAP DISCLAIMER

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 © City of Santa Barbara      Reported on 04/01/2016 07:36 AM

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Notes

**CONDITIONS REQUIRED TO BE RECORDED CONCURRENT WITH FINAL MAP NUMBER 20,819 BY PLANNING COMMISSION CONDITIONS OF APPROVAL, RESOLUTION NO. 026-09**

**ADDRESS**

Said approval is subject to the following conditions:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on June 11, 2009 is limited to demolition of 9,909 sf of an existing 11,211 sf commercial building and construction of a 12,166 sf residential addition and 2,641 sf garage, change from commercial to residential use for seven new residential condominiums (four three-bedroom and three two-bedroom units) and the improvements shown on the Tentative Subdivision Map signed by the chairperson of the Planning Commission on said date and on file at the City of Santa Barbara.
2. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the HLC, the owner is responsible for its immediate replacement.
3. **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 prepared in accordance with the Storm Water Management Plan Best Management Practices 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 applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and Coastal Development 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.
4. **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.
5. **Pesticide or Fertilizer Usage near Creeks.** The use of pesticides or fertilizer shall be prohibited within the Mission Creek Development Limitation Area.
6. **Residential Permit Parking Program.** Residents shall not participate in the Residential Permit Parking Program.

# **ATTACHMENT 3**

**203 Chapala Street, LLC,  
a California limited liability company**

## **LIST OF OWNERS**

Scott Dinowitz, CEO

Alberto Valner, Manager