



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 20, 2008

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Map And Execution Of Agreements For 427 Alameda Padre Serra

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map No. 20,767 for a subdivision at 427 Alameda Padre Serra, finding the Parcel Map in conformance with the state Subdivision Map Act, the City's Subdivision Ordinance, the tentative subdivision map, and other standard agreements relating to the approved subdivision.

DISCUSSION

A Tentative Map for a subdivision located at 427 Alameda Padre Serra (Attachment 1) was conditionally approved on August 1, 2007, by adoption of the Staff Hearing Officer's (SHO) Conditions of Approval, Resolution Number 062-07 (Attachment 2). The project involves the conversion of an existing 2,090 square foot duplex to two 1,045 square foot residential condominiums.

In accordance with the SHO's approval, the Owners have signed and submitted the Parcel Map and the subject Agreements to the City, tracked under Public Works Permit No. PBW2007-01715. It is necessary that Council approve the Parcel Map since it 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).

Staff recommends that Council authorize the City Administrator to execute the subject *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*.

The *Agreement Assigning Water Extraction Rights* is being processed concurrently with this Council Agenda Report, but will be signed by the Public Works Director in accordance with City Council Resolution No. 02-131.

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

- ATTACHMENTS:**
1. Vicinity Map
 2. Conditions that are required to be recorded concurrent with Parcel Map No. 20,767 by the Staff Hearing Officer's Conditions of Approval, Resolution No. 062-07.
 3. List of Owners

PREPARED BY: Homer F. Smith II, Principal Engineer/VJ/kts

SUBMITTED BY: Paul Casey, Acting Public Works Director

APPROVED BY: City Administrator's Office

**CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT
WITH PARCEL MAP NO. 20,767 BY STAFF HEARING OFFICER
CONDITIONS OF APPROVAL, RESOLUTION NO. 062-07
427 Alameda Padre Serra**

Said approval is subject to the following conditions:

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 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 Staff Hearing Officer on August 1, 2007 is limited to the conversion of duplex on one lot, to two condominiums, and the improvements shown on the Tentative Subdivision Map and architectural plans signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.

6. **Public Improvement Agreement.** “Agreement for Land Development Improvements”, and associated Securities.
7. **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. **Available for Parking for Tenants.** A covenant that includes a requirement that all uncovered parking spaces and garage spaces shall be kept open and available for the parking of vehicles owned by the residents of the property.
 - 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.

LIST OF OWNERS

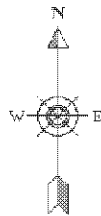
427 Alameda Padre Serra

J. Perry Perkins

Suzanne N. Perkins

ATTACHMENT 1

Vicinity Map 427 Alameda Padre Serra



Not to Scale