

Santa Barbara City Council
735 Anacapa Street
Santa Barbara, CA 93103

March 27, 2008

RECEIVED

VIA: Hand-delivered to City Clerk's Office

MAR 28 2008

RE: Appeal of Approval- 1298 COAST VILLAGE ROAD

CITY CLERK'S OFFICE
SANTA BARBARA, CA

Dear Mayor and City Council members,

We, the next door neighbors, John and Sandy Wallace, are appealing the conditions, modifications and all aspects of the approval of the above named project by the Planning Commission, including the Mitigated Negative Declaration Environmental document prepared for this project.

Reasons for this appeal include, but are not limited to:

The projects' height, scale, mass and interior open space force it's perimeter walls up and out to the limits, eliminating public views making it out of proportion to its small corner lot and neighboring properties, forcing requests for unnecessary modifications and making it incompatible, out of character and significant in it's adverse impact to the predominately one story adjacent neighborhoods, and

The project will deny us sunshine and will fully shade our right to solar panels in violation of city and state solar ordinances, and

The Mitigated Negative Declaration and Draft Initial Study are severely flawed with discredited, inaccurate and insufficient water resource analysis resolvable only through an Environmental Impact Report, and

There is no justification for the northerly modification encroaching into the rear yard setback by 7.5 feet creating a significant adverse impact (privacy, sunlight and reasonable uses, etc.) on our property, and will lower our property value by negating the benefit of building a new home better suited on the rear of our parcel, and

The developers survey shows our 50+ year old garage to be about 12" on to his property, and we haven't consented to the rezoning of our garage, the 125 foot long block wall is likely the agreed upon boundary and may be two feet closer to the project than the purported boundary, therefore necessitating the re-configuring of setbacks, and the settling of this adverse possession issue before granting approval, and

There is no justification to rezone the R-2 to C, since there is no mistaking this initial zoning was correct because there was a residence on site before any general plan updates, and the change will create an inappropriate transition without adequate buffer or reduction in scale to marry the adjacent single story neighbor (us) and the predominantly (+/- 80%) single story neighborhood both commercial and residential, and

The four remaining and voting commissioners were unduly influenced by the three commissioners who had conflicts of interest to the developer during the entire rezone,

ABR, conceptual design, site visit and review process with insufficient public notice (we received no notice at any time for any of the above) and should therefore invalidate the Planning Commission vote, and

The shorter story poles were up for three days with the tall ones only up overnight providing inadequate viewing for the public. If the public did not get an adequate viewing, neither did the City Council. There is no legitimate way for the City Council to vote to approve this project without each personally viewing the story poles. City Council should not rely on second hand information from the questionable, partial and influenced few remaining members of the Planning Commission. Therefore, the City Council must require the story poles be re-erected for adequate viewing, and

The traffic impacts were inadequately addressed, especially the effects of creating a roadway next to our living room with the associated noise, lights and odors getting through the insufficient wooden fence offered by the developer, and it therefore needs a focused EIR per our own independent traffic analysis submitted for your review, and

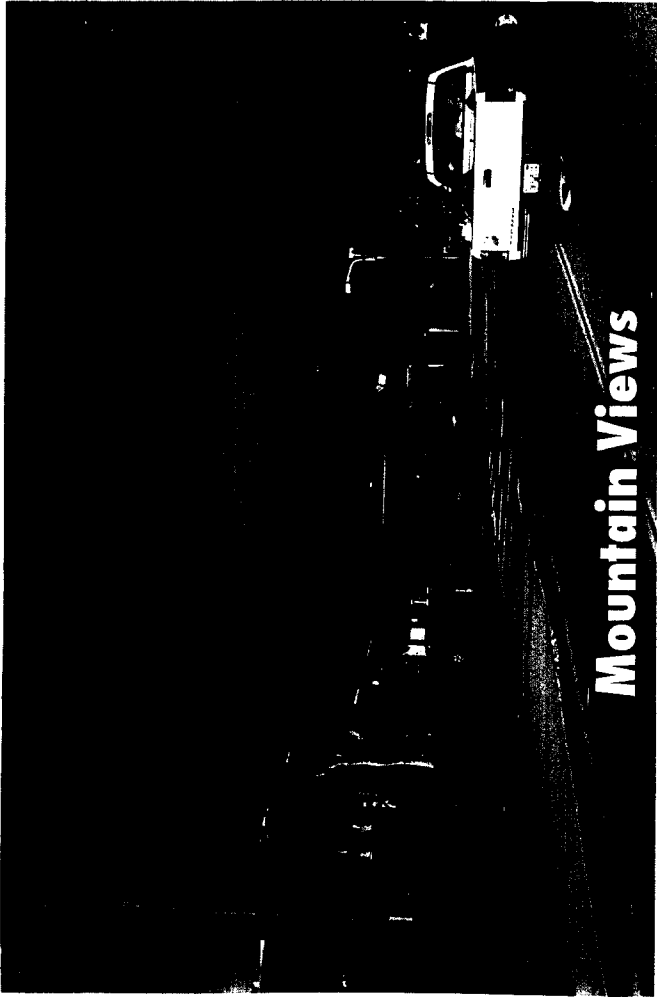
The inadvisable positioning of open space inside the building on the second story forces the perimeter walls up and out too far, eliminating public mountain views and setting a bad precedent. The future of Coast Village Road would be better served by non-hollow buildings, which instead have living space in the middle and open spaces to the perimeter, thus preserving views. All the surrounding neighborhoods, be they residential or commercial are overwhelmingly (+/-80%) single story and have drastic setbacks (60-200 feet) for buildings over two stories. Only one building is three storied above Coast Village Road and that is the ancient Montecito Inn. After performing a walking survey and documenting each building's number of stories above street level on Coast Village Road, we found 26 one story buildings, 6 two story buildings, 1 three story building, 1 four story building fronting Coast Village Road with a 60 foot setback. The numbers speak for themselves. There is no possible compatibility for this project to be found on Coast Village Road or Olive Mill Road (Olive Mill Road neighborhood is 90% one story homes).

In summary, this is 2lbs in a one pound bag. A terrible precedent with many adverse effects to our property, which is next door, and all of the surrounding area. Coast Village Road truly deserves a time out in order to allow guidelines to protect it from over-development in the form of excessively massive structures as this one. There are inadequate resources and height restrictions (Ventura passed a height ordinance of 30 feet between residential and commercially zoned areas and it is currently being amended to 25 feet), and Coast Village Road deserves at least similar protection, if not a moratorium. This proposed building should not be allowed to be too tall, too close and dwarf our 11 foot tall home a mere ten feet away. This project should respect and marry the adjacent neighborhood, in all directions, with a maximum two story building and no northern modification allowed. As the most severely impacted next door neighbor, we fully intend to protect our property by pursuing whatever means are necessary.

Thank you

John Wallace
(805) 234-1368

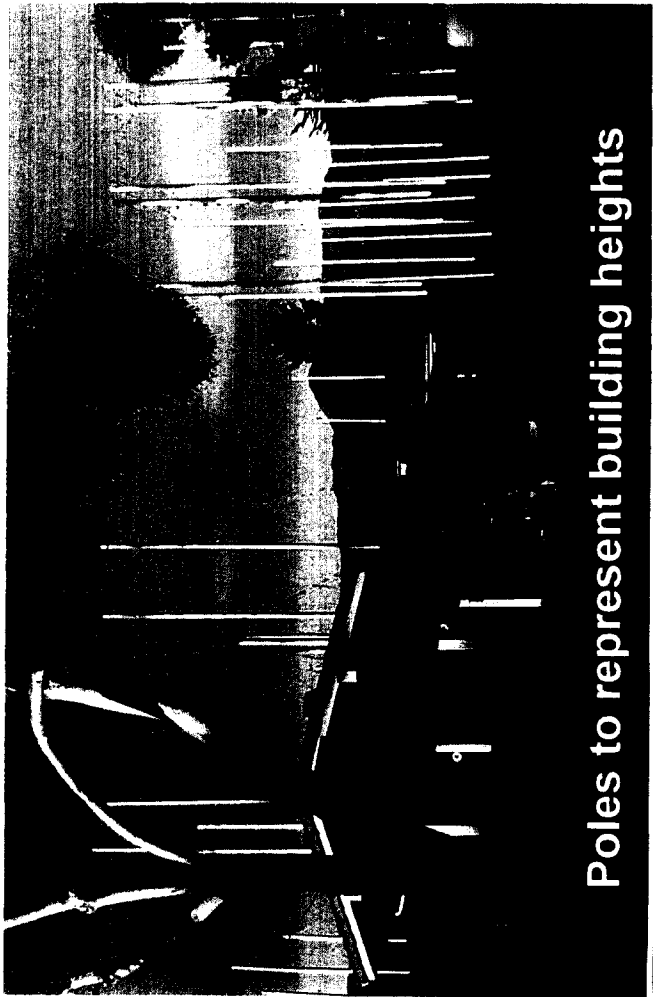
[Signature]
(805) 234-1368



Mountain Views



No Views



Poles to represent building heights



**LA JOLLA
COAST VILLAGE
ROAD**

**Artist Rendering
from developer.**