

ATTACHMENT I

To: Santa Barbara City Council

Subject: 3455 Marina Drive

FEB 26 2009
1:12 PM BA
CITY CLERK'S OFFICE
SANTA BARBARA, CA

We are appealing the final approval of 3455 Marina Dr. by the Single Family Design Board dated February 17, 2009 to the Santa Barbara City Council.

Reasons for appeal:

The approved landscape design for the 30 foot view corridor at the eastern property line is not in compliance with Planning Commission Resolution 017-08 dated May 8, 2008. Planning Commission Resolution 017-08 states "The project shall provide and maintain a view corridor at least 30 feet in width measured perpendicularly from the interior lot lines." However, the approval of the Single Family Design Board dated February 17, 2009, permits undefined minor encroachments into the view corridor. Since minor encroachment is not defined, this could result in reduction of the width of the view corridor in direct violation of Planning Commission Resolution 017-08.

Planning Commission Resolution 017-08 states that the landscaping plan for the project "shall afford and maintain a clear view of the ocean to pedestrians along Marina Drive by maintaining appropriate limits on the height of all approved landscaping." Single Family Design Board Minutes dated September 2, 2008, state that landscaping in the 30 foot view corridor at the eastern property line shall be between 3 and 4 feet finished height for the north half of the corridor, and 5 to 6 feet finished height for the remaining portion. Analysis of the landscape plan by Kenneth Knight, Certified Municipal Specialist Arborist identifies multiple plants in the view corridor which would exceed the specified height limits. Reference is the Sunset Western Garden Book, eighth edition, unless otherwise noted. See attachments.

We therefore request that the City Council bring this development into compliance with Planning Commission Resolution 017-08 and the height limitations imposed by the Single Family Design Board by eliminating any encroachment into the View Corridor and eliminating all specified plants in the view corridor which exceed the height limitations when fully grown.

The 3400 block of Marina Drive is an active pedestrian and equestrian path with a scenic ocean view, officially recognized by City Council Resolution 90-035. We are respectfully requesting that the City Council preserve and protect this valued neighborhood amenity. In order to maintain the view corridor as stated in Planning Commission Resolution 017-08, it is critical that the restrictions on the view corridor be entered in the deed to the property so that the view corridor must be maintained by future owners of the property.

Don Santee	Ronald Green	Michael Moore	Kitch Wilson
421 Calle Las Caleras	3424 Marina Dr.	414 Sea Ranch Rd.	415 Calle Las Caleras
S.B. CA 93109	S.B. CA 93110	S.B. CA 93109	S.B. CA 93109
805-682-2720	805-687-7150	805-569-2140	805-682-7247

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.

2. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Single Family Design Board (SFDB).
3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided, and maintained in accordance with said landscape plan.
4. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance and most currently adopted Energy Code. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.
- * 5. **Approved Development.** The development of the Real Property approved by the Planning Commission on May 8, 2008, is limited to approximately 5,390 square feet of building and the improvements shown on the plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara. The project shall provide and maintain a view corridor at least 30 feet in width measured perpendicularly from the interior lot lines. The landscaping plan for the project shall afford and maintain a clear view of the ocean to pedestrians along Marina Drive in a manner acceptable to the Single Family Design Board by maintaining appropriate limits on the height of all approved landscaping. Structures, walls, and plants shall be installed and maintained consistent with the approved landscape plan within the view corridor. Trees are prohibited in the view corridor.
6. **Cliff Drive Sewer Connection Requirement.** As a condition of approval of this project, Owner agrees to connect to the City sewer system when a sewer main is constructed in Cliff Drive at a point adjacent to Owner's Real Property, per Santa Barbara Municipal Code Chapter 14.44. Owner shall, at Owner's sole expense, connect to the City sewer system within one year of being advised in writing that the City sewer main is operable and available for such a connection. If connected to City sewer, a sewer discharge outlet shall be provided for drainage of the swimming pool. In the event Owner fails to comply with this condition of approval, City may enter the Real Property and make such a sewer connection with the cost of the connection becoming a lien on the real property to be paid in connection with property taxes and assessments imposed on Owner's Real Property.
7. **Swimming Pool Discharge.** In the event the pool is completely or partially drained, the owner shall truck out any water discharged from the swimming pool and properly dispose of the water to the sanitary sewer system. No water from

PRELIMINARY REVIEW

6. 3455 MARINA DR

A-1/SD-3 Zone

Assessor's Parcel Number: 047-022-004
Application Number: MST2007-00221
Owner: Silva Family Trust
Architect: Bryan Pollard
Landscape Architect: Sam Maphis

(Revised proposal to construct a 5,390 square foot one-story single-family residence including a 574 square foot three-car attached garage. The project includes a swimming pool, patio, a 27 square foot half-bath structure, septic system, site walls, fencing, synthetic putting green, solar panels, and landscaping. The project is located on a 1.2 acre lot in the Coastal Zone. The proposed total of 5,390 square feet is 102% of the maximum guideline FAR.)

(Project requires compliance with Planning Commission Resolution No. 017-08.)

Time: 6:45

Present: Bryan Pollard, Architect; Sam Maphis, Landscape Architect; Mike Silva, Owner.

Public comment opened at 7:09 p.m.

1. Don Santee for Kitch Wilson: would like to see the size reduced to the average FAR in neighborhood of 77%; prefers plantings and structures in view corridor restricted to less than 3 feet from ground; reduce ridge height to 17 feet.
2. Don Santee: project is noncompliant with Local Coastal Plan Policy (LCP) 5.3 and 9.1; prefers preserving view corridors; guidelines should be followed.
3. Ronald Green: project is under jurisdiction of LCP policies, and should be compatible with homes in the neighborhood and should protect ocean views.
4. Art Schwartz: concerned about night glow from exterior lighting and requested installation of shielded, low sodium lights.
5. Susan Zalon: concerned that other projects are held to FARs below 100% and this project should too; prefers attractive, low-growing ground covers instead of the hedge along the east property line.

Public comment closed at 7:22 p.m.

Motion: Preliminary Approval and continued to the Full Board for an in-progress review of the architecture and for landscaping plan:

- 1) Landscaping in the 30 foot view corridor at the eastern property line shall be between 3 and 4 feet finished height for the north half of the corridor, and 5 to 6 feet finished height for remaining portion.
- 2) Provide a section/drawing from Marina Drive to Cliff Drive with a variety of landscaping with mature height shown, include a silhouette of the structure.
- 3) Landscaping in the view corridor should appear natural and minor encroachment of the of tree canopies is not a detriment. Minimize the encroachment of the dwarf citrus tree canopies into the view corridor.
- 4) Study opportunities to reduce excess unused space and some very large rooms; any effort in reduction would be appreciated.

3455 Marina Dr.

Landscaping in the 30 foot view corridor at the eastern property line exceeding 3' to 4' finished height on north half of the corridor

Genus	Species	Cultivar	Max. Height	Comments
Rosmarinus	officinalis	Tuscan Blue	6'-7'	Smaller species available
Aloe	unknown			Some aloes grow 10' or taller-identify species
Pittosporum	crassifolia	Nana'	3'+	Not readily available- similar to 'compactum'?
Solanum	jasminoides		30'	Vine becomes woody and taller over time, requires ongoing pruning
Nandina	varieties		6'-8'	Identify cultivar- Smaller cultivars available
Ceanothus		Joan Mirov	6'	Yerba Buena Nursery description
Ceanothus		Joyce Coulter	2'-5'	
Berry vines	unknown			Unknown height
Raised Planter Beds	unknown			Unknown height of plants in planting beds

Landscaping in the 30 foot view corridor at the eastern property line exceeding 5' to 6' finished height on south half of the corridor

Genus	Species	Cultivar	Max. Height	Comments
Coprosma	repens	marginata	2'-3' or 10'	Variable height at maturity, may require pruning
Passiflora	vitifolia		20'-30'	Vine becomes woody and taller over time, requires ongoing pruning
Rhus	integrifolia		3'-10', to 30'	Shrub becomes woody and taller over time, requires ongoing pruning
Ficus	repens		30'	Shrub/Tree becomes woody and taller over time, requires ongoing pruning

Kenneth A. Knight

Certified Municipal Specialist Arborist WE 6394MA

Certified Urban Forester 126

69 Calaveras Avenue Goleta, CA 93117

H (805) 968-8523 W (805) 252-1952 HYPERLINK "mailto:kennknight@aol.com" "kennknight@cox.net"

January 25, 2009