



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: September 28, 2010

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Final Map And Execution Of Agreements For 115 Residential Condominium Units At 601 E. Micheltorena Street

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Final Map Number 20,793 and standard agreements relating to the approved subdivision of Lot 5 of the previously approved Map Number 20,779, and authorize the City Engineer to subsequently record a removal document for the Land Development Agreement when the public improvements are complete.

DISCUSSION:

A Tentative Map for the subdivision located at 601 E. Micheltorena (Attachment 1), was conditionally approved on September 21, 2006, by the Planning Commission's (PC) Conditions of Approval, Resolution Number 039-06, and subsequently by the Council's Conditions of Approval, Resolution Number 06-103, on December 20, 2006 (Attachment 2), and by adoption of City Council Resolution Number 08-038. The project involves the creation of 115 new residential condominiums intended as housing for Cottage Hospital employees. Staff has reviewed the 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 and Council approvals, the Owner(s) (Attachment 3) have signed and submitted the Map and the required agreements to the City, tracked under Public Works Permit Number PBW2010-00918. 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 *Agreement Relating to Subdivision Map Conditions Imposed on Real Property* and the related *Agreements for Land Development Improvements*.

An *Agreement Assigning Water Extraction Rights* was recorded concurrently with the Map for the 5-lot subdivision that was presented to Council on September 14, 2010. In addition, a *Minor Encroachment Permit* for an existing retaining wall footing, along Salsipuedes Street and for non-public utilities in a portion of the Arrellaga Street cul-de-sac, is being processed by Public Works staff and will be recorded concurrently with this map.

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

- ATTACHMENTS:**
1. Vicinity Map
 2. Conditions required to be recorded concurrent with Final Map Number 20,793 by City Council Conditions of Approval Resolution Number 06-103
 3. List of Owners/Trustees

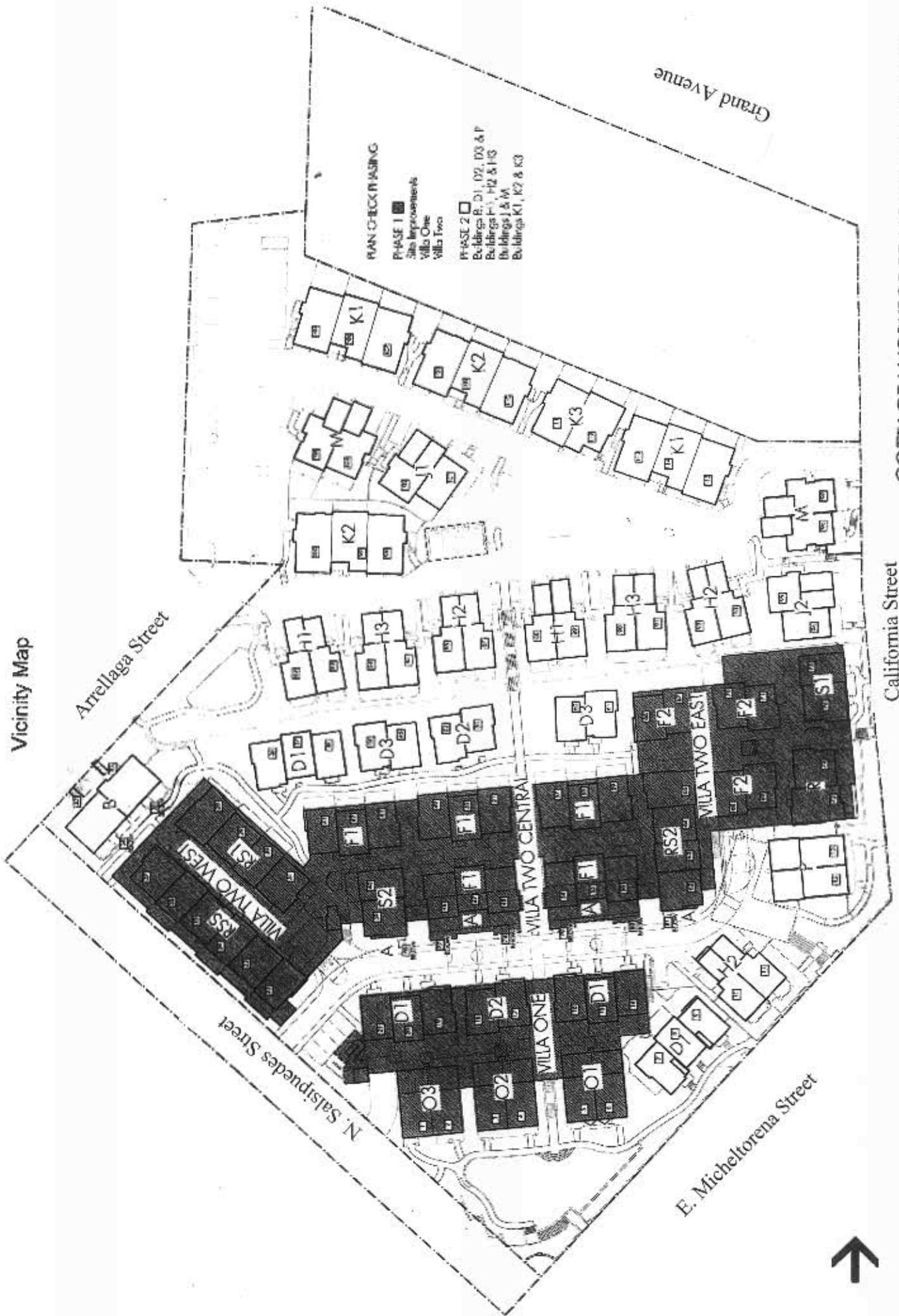
PREPARED BY: Mark Wilde, Supervising Civil Engineer/VJ/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

Vicinity Map



COTTAGE WORKFORCE HOUSING KEY MAP



CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH FINAL MAP NUMBER 20,793 BY CITY COUNCIL CONDITIONS OF APPROVAL, RESOLUTION NO. 06-103

601 E. MICHELTORENA STREET

Said approval is subject to the following conditions:

- 1. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
- 2. **Ownership Unit Affordability Restrictions.**
 - a. Nineteen (19) dwelling units, to be designated by the Owner, are density bonus units that are within the first 25% of the density bonus approved on the Real Property and shall be designated as Affordable Middle Income Units and sold only to and occupied only by households who qualify as Middle Income Households as defined in the City’s adopted Affordable Housing Policies and Procedures. However, Owner may choose to restrict some or all of these units as Moderate Income Units or as Middle Income units as defined in the City’s Affordable Housing Policies and Procedures. Owner shall restrict ownership of these units to Owner’s employees according to policies and procedures to be developed by Owner and approved by the Community Development Director. The maximum sale prices upon initial sale shall not exceed the following:
 - 1-bedroom = \$237,800
 - 2-bedroom units = \$294,400
 - 3-bedroom duplex or luxury units = \$351,200
 - b. Twenty-three (23) dwelling units, to be designated by the Owner, are density bonus units that are above the first 25% of the density bonus approved on the Real Property and shall be designated as Affordable Upper-Middle Income Units and sold only to and occupied only by households who qualify as Upper-Middle Income Households as defined in the City’s adopted Affordable Housing Policies and Procedures. However, Owner may choose to restrict some or all of these units as Moderate Income Units or as Middle Income units as defined in the City’s Affordable Housing Policies and Procedures. Owner shall restrict ownership of these units to Owner’s employees according to policies and procedures to be developed by Owner and approved by the Community Development Director. The maximum sale prices upon initial sale shall not exceed the following:
 - 1-bedroom units = \$325,000
 - 2-bedroom units = \$399,000
 - 3-bedroom = \$473,200
 - c. Thirty-nine (39) dwelling units, to be designated by the Owner, are not density bonus units but are units that the Owner wishes to restrict as affordable units under the City’s policies. These units shall be designated as Affordable Upper-Middle Income Units and sold only to and occupied only by households who qualify as Upper-Middle Income Households as defined in the City’s adopted

Affordable Housing Policies and Procedures. However, Owner may choose to restrict some or all of these units as Moderate Income Units or as Middle Income units as defined in the City's Affordable Housing Policies and Procedures. Owner shall restrict ownership of these units to Owner's employees according to policies and procedures to be developed by Owner and approved by the Community Development Director. The maximum sale prices upon initial sale shall not exceed the following:

1-bedroom units = \$325,000

2-bedroom units) = \$399,000

3-bedroom units = \$473,200

The Affordable Units shall be sold and occupied in conformance with the City's adopted Affordable Housing Policies and Procedures. The resale prices of the Affordable Units shall be controlled by means of a recorded affordability covenant executed by Owner and the City to assure continued affordability for the entire useful life of the project. No affordable unit may be rented prior to its initial sale, subject to approval of a waiver by the Community Development Director.

3. **Approved Development.** The development of the Real Property approved by the Planning Commission resolution 039-06 on September 21, 2006, upheld by the City Council on December 19, 2006, in resolution number 06-103, is limited to 115 dwelling units, 254 parking spaces, and the improvements shown on the Tentative Subdivision Map, site plans, and landscape plan signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara, as said plans where modified by the Architectural Board of Review and approved by the City Council on appeal in resolution number 08-038.
4. **Required Private Covenants.** Owner 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 parcels.
 - b. **Garages Available for Parking.** A covenant that includes a requirement that all garages and uncovered parking spaces be kept open and available for the parking of vehicles owned by the residents of and guests to the property in the manner for which the parking spaces 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.** Adequate space shall be provided and maintained for trash and recycling purposes.
 - e. **Storm Water Pollution Control Systems Maintenance.** The Owner(s) shall maintain all common area BMPs to ensure their continued effectiveness.

- f. **Site Drainage Facilities Maintenance.** The Owner(s) shall maintain all common area drainage facilities to ensure their continued effectiveness.
 - g. **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. **Transportation Demand Management.** The following alternative mode incentives shall be incorporated into the project to reduce traffic impacts caused by the project. Owner shall be responsible for insuring that all residents comply with the provisions of the approved Transportation Management Plan.
- a. **Resident Shuttle Program.** The project applicant shall implement and operate a shuttle program designed to serve project residents and to reduce the project's peak hour trip generation. The objective of the program shall be to reduce the proposed project's significant cumulative contribution of traffic to the intersections of:
 - Anapamu Street/Laguna Street
 - Arrellaga Street/Garden Street
 - Mission Street/Bath Street

Prior to the issuance of a building permit for the Cottage Hospital Foundation Housing project, the project applicant shall submit a proposed Project Resident Shuttle Program Plan to the City's Public Works Department for review and approval. At minimum, the following elements shall be specified by the Plan.

- (1) Operation Hours. At minimum, the shuttle program shall provide service during the A.M. and P.M. peak traffic hours, and during shift changes at Cottage Hospital. The plan shall indicate the specific hours that the shuttle service is to be provided.
- (2) Shuttle Routes. Routes to be used by the shuttle to transport project residents to Cottage Hospital and other Cottage Health Systems facilities shall be described. To the extent possible, proposed shuttle routes shall avoid intersections that operate at unacceptable levels of service during peak hour periods. A procedure for obtaining City approval to modify proposed shuttle routes to accommodate the needs of project residents that wish to participate in the program shall also be included in the Plan.
- (3) Shuttle Ridership Monitoring. The Project Resident Shuttle Program Plan shall include a monitoring program to quantify ridership characteristics. Shuttle ridership and peak hour trip reduction data shall be provided to the Public Works Department within six months of the start of the shuttle program and once annually thereafter.

The Project Resident Shuttle Program Plan shall also contain a range of measures that may be implemented to increase participation in the shuttle program. Such additional measures may include, but are not limited to: expanding the shuttle service times and/or routes to make it more convenient for program participants, or offering other incentives to program participants.

- (4) Shuttle Bus. The type and size of vehicle(s) to be used to implement the shuttle bus program shall be specified. Using alternative fuels for the shuttle bus, if feasible, is strongly encouraged.
- (5) Program Implementation. A shuttle program shall be initiated in accordance

with the provisions in the approved Project Resident Shuttle Program Plan before more than 75% of the affordable residential units are occupied. (TRF-1a)

- b. **Bicycle Parking.** Thirty-three bicycle parking spaces shall be provided. The required bicycle parking facilities shall be distributed throughout the project site. (TRF-3a)
- c. **Park Space.** The park space along Micheltoarena and Salsipuedes Streets shall remain open and available to the public for as long as the Real Property is developed and operated with the residential condominium development approved pursuant to City Council Resolution No. 06-103.

ATTACHMENT 3

LIST OF OWNERS 601 E. Micheltorena Street

**Villa Riviera Real Estate Company, Inc.,
A California Corporation**

Ron Biscaro, Chief Executive Officer

Karen Jones, Chief Financial Officer