



Agenda Item No. \_\_\_\_\_

File Code No. 640.08

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** November 16, 2010

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Approval Of Final Map And Execution Of Agreements For 1210, 1212, And 1216 State Street

### RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Final Map Number 20,784 (Map) and standard agreements relating to the approved subdivision at 1210, 1212, and 1216 State Street.

### DISCUSSION:

A Tentative Map for the subdivision located at 1210, 1212, and 1216 State Street (Attachment 1), was conditionally approved on July 19, 2006, by adoption of the Staff Hearing Officer (SHO) Conditions of Approval (Attachment 2). The project involves the subdivision of the Granada Tower into two, two-bedroom residential condominium units located on the 7<sup>th</sup>, 8<sup>th</sup>, part of the 9<sup>th</sup> floors, and a roof deck for the 9<sup>th</sup> floor outdoor living space. The approval also included 34,875 square feet of commercial condominium space, not to exceed 52 commercial grid units, 6 communications units and 21 commercial condominium units for a total not to exceed 79 commercial units.

On July 16, 2008, the SHO approved a four-year extension for the Tentative Subdivision Map, by adoption of SHO Resolution. The project also received a Substantial Conformance Determination (SCD) letter from the Community Development Department dated July 6, 2010, approving the elimination of the office area from the 7<sup>th</sup> and 8<sup>th</sup> floors, adding that same square footage to increase the size of the 7<sup>th</sup> floor residential unit, and to provide outdoor living space on a deck outside the 7<sup>th</sup> floor. The end result is that the SCD essentially decreased the total amount of the approved commercial condominium space to 33,969 square feet.

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 SHO approval, the Owner(s) (Attachment 3) have signed and submitted the Map and the required Agreement 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 (Municipal Code, Chapter 27.09.060, City Council Action).

Staff recommends that Council authorize the City Administrator to execute the required *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*. The *Agreement Assigning Water Extraction Rights* was previously recorded in February, 2003, as Instrument Number 2003-0016625.

**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 Final Map Number 20,784 by the Staff Hearing Officer Conditions of Approval Resolution Number 043-06
  3. List of Owners/Trustees

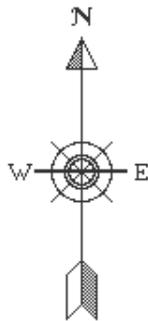
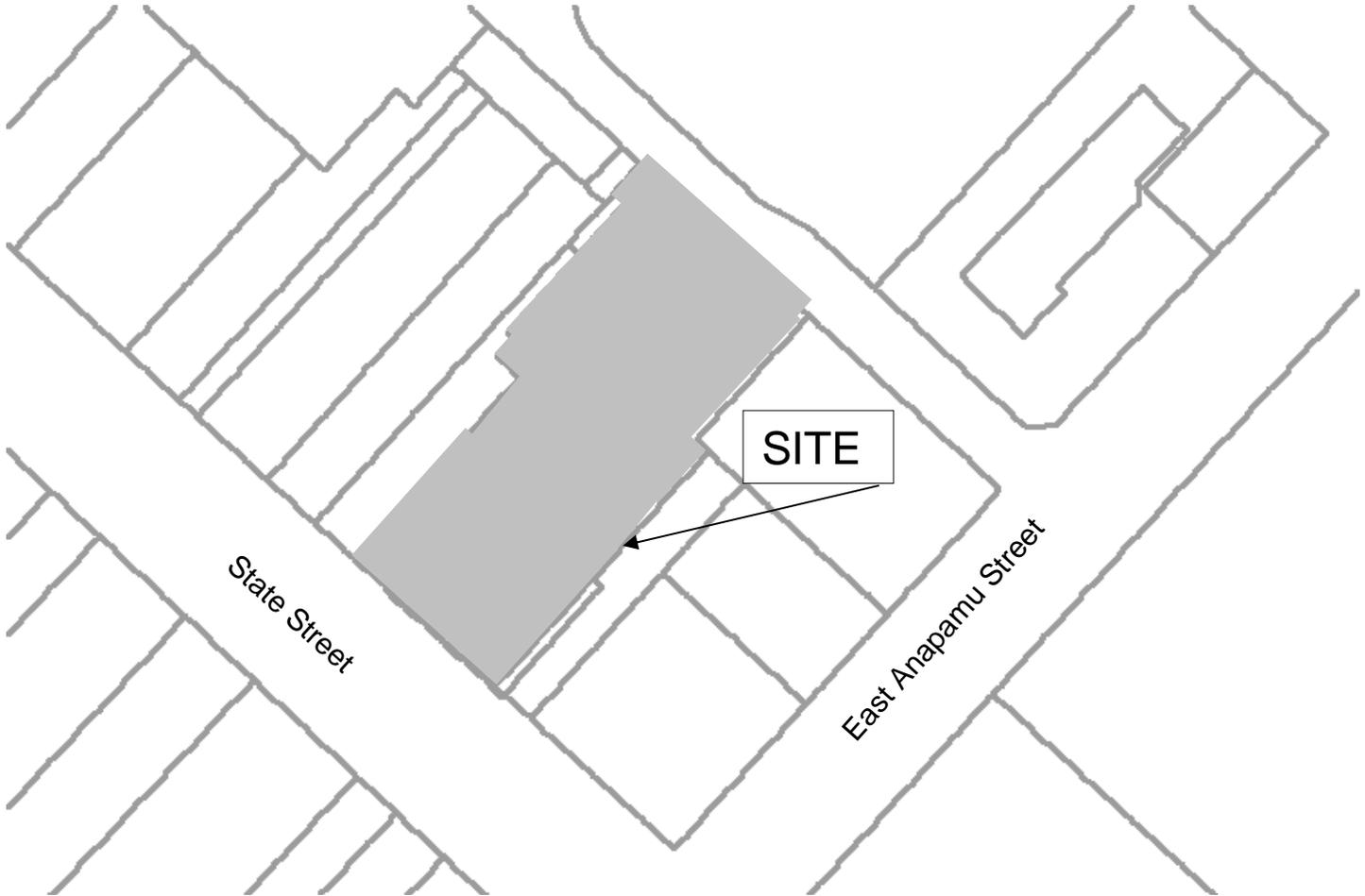
**PREPARED BY:** Mark Wilde, Supervising Civil Engineer/VJ/kts

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

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

**ATTACHMENT 1**

Vicinity Map  
1210, 1212, 1216 State Street



Not to Scale

## ATTACHMENT 2

### CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH PARCEL MAP NUMBER 20,784 BY STAFF HEARING OFFICER CONDITIONS OF APPROVAL, RESOLUTION NO. 043-06

#### 1210, 1212 and 1216 State Street

Said approval is subject to the following conditions:

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 water courses, conduits and any access road, as appropriate. 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.
2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property.
3. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on July 19, 2006 is limited to two residential condominium units, 34,875 square feet of commercial condominium space that may be divided into as many as 82 commercial condominium units, and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Staff Hearing Officer on said date and on file at the City of Santa Barbara, except as noted in Recital B above as outlined in the approved Substantial Conformance Determination dated July 6, 2010.
4. **Building Height Restriction.** The height of the building shall not be increased above the existing height as verified by survey. No mechanical equipment, parapets or other features shall extend above the existing building.
5. **Rooftop Deck Restriction.** The rooftop deck provided as private outdoor living space shall not contain any furniture or objects that exceed the height of the surrounding parapet. Any objects that have the potential to be lifted by normal wind gusts shall be fastened/tied down to avoid injury.
6. **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 parcels.
  - b. **Trash and Recycling.** Adequate and equal space shall be provided and maintained for trash and recycling purposes, and a minimum of 50% of the waste generated by the new residential units shall be recycled.

- c. **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.
- 7. **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.
- 8. **Street Tree Protection.** The street trees within the City's right-of-way shall be preserved and protected.
- 9. **Off-Site Parking.** Off-site parking, leased or purchased, shall not be required parking for another land use or building.

# **ATTACHMENT 3**

## **LIST OF OWNERS**

**1216 State Street, LLC, a California Limited Liability Company**

1210, 1212, 1216 State Street

J. Tompkins, Trustee