



Northpoint Village Appeal 06APL-00000-0039

County of Santa Barbara
Board of Supervisors
April 12, 2011





Project Vicinity





Project Site





Project Description

➤ Final Development Plan (98-DP-023)

◆ Development of 32 new townhomes:

- ◆ Twelve 2-bedroom units

- ◆ Twenty 3-bedroom units





Background

◆ Recommended condition:

- ◆ Annex into the existing HOA, or form their own HOA.

◆ Approved condition:

- ◆ Annex into existing HOA, or
- ◆ Enter into an agreement for cost sharing of common open space areas and amenities.



Appeal

- Financial condition of Northpoint HOA.
 - ◆ Poor maintenance of existing units.
 - ◆ Depletion of reserve funds.
- Applicant proposes that condition #13 be revised to allow him to form his own HOA.



Issue Summary

➤ Northpoint HOA

- ◆ Occupants should share in the maintenance costs.

➤ Applicant

- Future occupants will not use existing amenities.
- Unfair burden placed on future residents.



Planning Commission Recommendation

➤ Board of Supervisors deny the appeal:

- ◆ Unrealistic to believe that last phase is a stand alone project.
- ◆ Cost sharing of the open space areas and amenities must be prior to commencement of construction.



Staff Analysis

- County avoids involvement in private HOA matters.
- No guarantee that the HOA will impose reasonable conditions.
- No evidence that future occupants will use existing amenities.



Recommendation

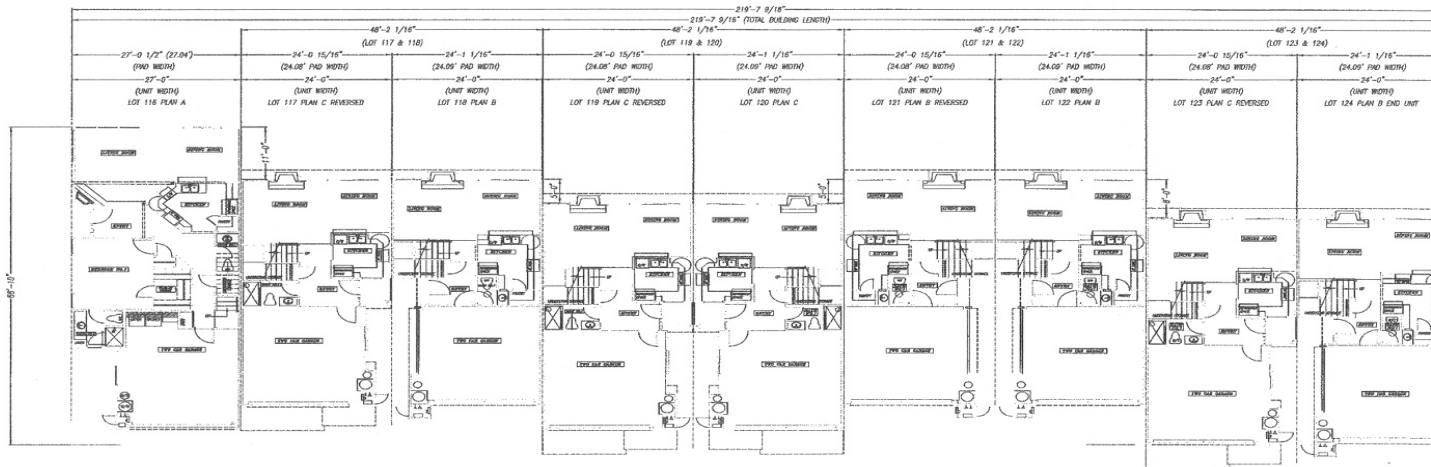
- ◆ Make the required findings for the project, including CEQA findings (Attachment 1);
- ◆ Adopt the Addendum for the previously certified Environmental Impact Report 78-EIR-9 and Supplemental Document 92-SD-2 (Attachment 2) and adopt the mitigation monitoring program contained in the conditions of approval;
- ◆ Uphold the appeal and approve the project with the recommended changes to condition #13; and,
- ◆ Grant de novo approval of Case No. 98-DP-023 subject to the conditions in Attachment 3.



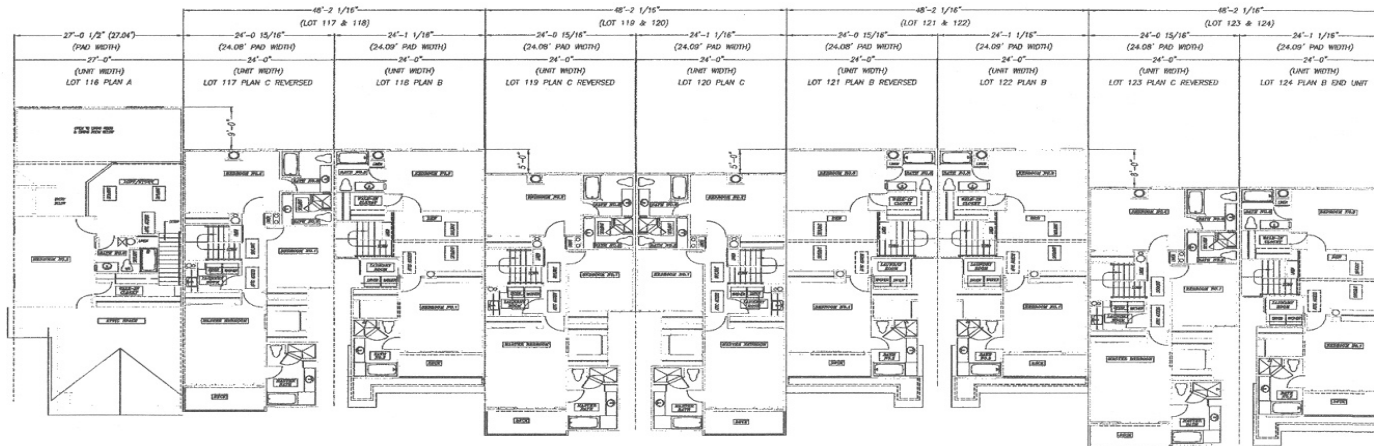
Back-up slides



Floor Plans



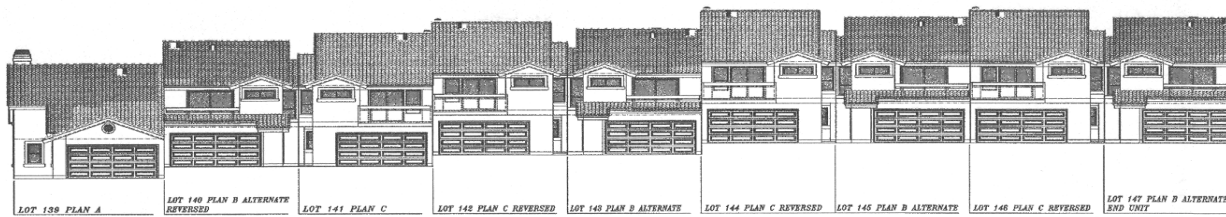
FIRST FLOOR PLAN OF BUILDING ONE ON WOODSIDE LANE
SCALE: 1/8" = 1'-0"



SECOND FLOOR PLAN OF BUILDING ONE ON WOODSIDE LANE
SCALE: 1/8" = 1'-0"



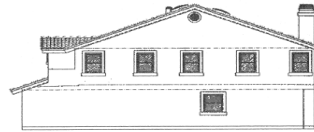
Elevations



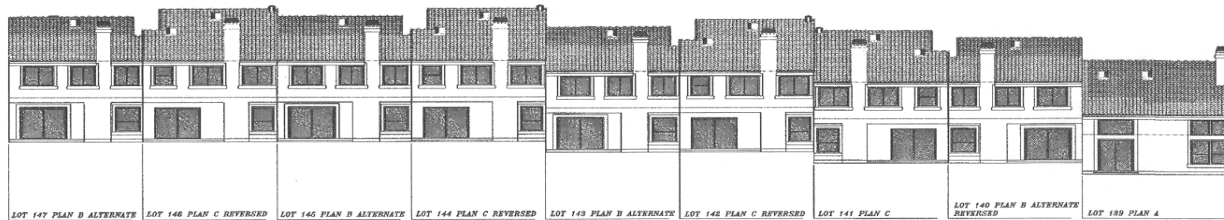
FRONT ELEVATION OF BUILDING FOUR ON PARKVIEW NORTH
SCALE: 1/8" = 1'-0"



WEST SIDE ELEVATION OF BUILDING FOUR (PLAN A ON LOT 139)
SCALE: 1/8" = 1'-0"



EAST SIDE ELEVATION OF BUILDING FOUR (PLAN B ALTERNATE ON LOT 147)
SCALE: 1/8" = 1'-0"



REAR ELEVATION OF BUILDING FOUR ON PARKVIEW NORTH
SCALE: 1/8" = 1'-0"

PROJECT NO: 05-002	SHEET NO: 10
DRAWN BY: Jackie C. Wilks	CHECKED BY: Leo Evans
PROJECT NAME: NORTHPOINT - PHASE IV FOR MR. LEO EVANS	PROJECT ADDRESS: 2001 PARK CALIFORNIA 93105
TRACT: 12.414, 12.415, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6 & 14.7	SCALE: 1/8" = 1'-0"
DATE: OCTOBER 12, 2005	PLAN NO: 05-002
SHEET NO: 10	



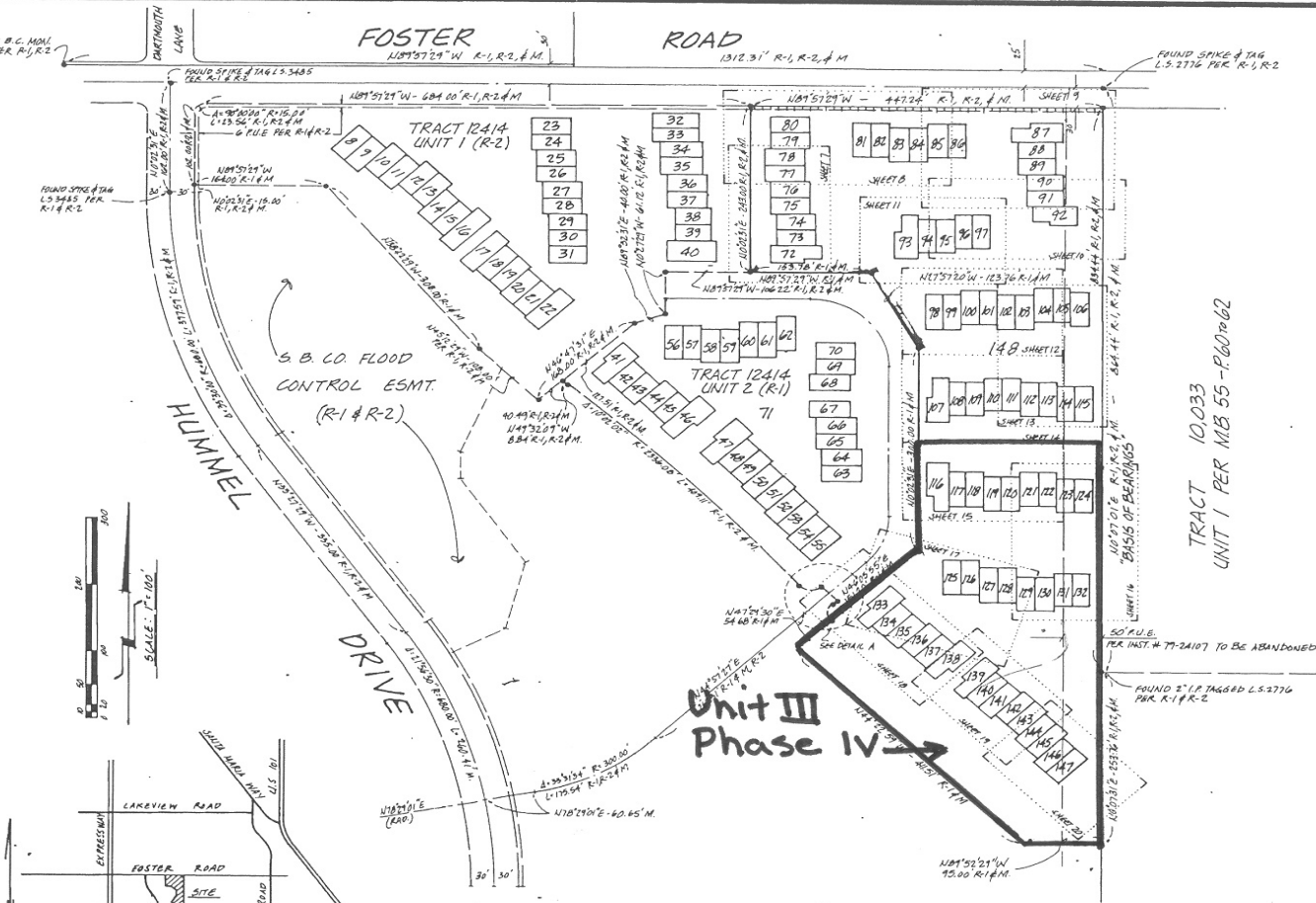
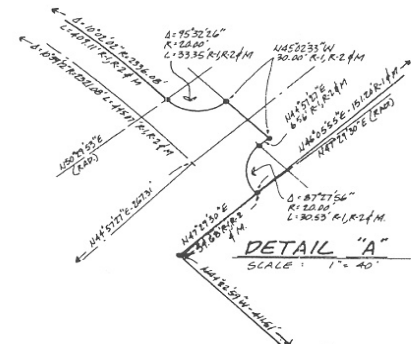
Site Plan

LEGEND:

- FOUND 1/4" I.P. TAGGED L.S. 3485 PER R-1 UNLESS OTHERWISE NOTED
- R-1 MAP BOOK 97, PAGES 57 TO 100
- R-2 MAP BOOK 97, PAGES 57 TO 83
- M. MEASURED DATA
- ||||| DENOTES WAGON OF ABUTTERS ACCESS RIGHTS PER R-2
- SET 5/8" REBAR WITH PLASTIC CAP MARKED L.S. 4577

BASIS OF BEARINGS:

BEING THE DIRECTION BETWEEN THE FOUND SPIKE AND TAG MARKED L.S. 2776 ON THE CENTERLINE OF FOSTER ROAD AND THE FOUND 5/8" WITH TAG MARKED L.S. 2776 AT THE SOUTHWEST CORNER OF TRACT 10,033 UNIT 1, AND NOTED AS N0°07'01"E PER BOOK 97, PAGES 57 THROUGH 83 OF MAPS.



UNIT 3 TRACT 12414

BEING A SUBDIVISION OF A PORTION OF LOT 2 OF TRACT 12414 UNIT 1, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 97, PAGES 57 THROUGH 83 OF MAPS.



PREPARED BY: **FARGEN SURVEYS**
P.O. WEST EL CAMINO
SANTA MARIA, CA 93454
TEL: 805-922-7182
SEPTEMBER, 1981



Condition No. 13

- Prior to land use clearance of the Development Plan, the applicant shall form a Homeowner's Association and record CC&R's that provide for shared maintenance responsibilities by parcels 107-560-001 through 107-560-032 for the private open space area (APN 107-560-033) appurtenant landscaping, subject to approvals from Flood Control, P&D and County Counsel. The CC&R's shall also include by reference responsibilities for all parcels to maintain property in compliance with all conditions of approval for the project. The Homeowner's Association shall pay the existing Northpoint HOA for its share of the repair and maintenance to Northpoint Circle and Parkview North (existing access roads) and the existing Northpoint retention basin; the pro rata share shall be 23% of any such repairs and maintenance.



Revised Condition No. 13

- Prior to issuance of any Land Use Permits, Owner shall provide Planning & Development with evidence of a written signed agreement between Owner and Village of Northpoint Homeowners' Association ("Association) providing for annexation of the project into the existing Association, or, alternatively evidence of an agreement between Owner and the Association which shall include, without limitation, the following:
 - a. Mutually acceptable provisions for temporary construction access across Association's private roadway (portions of Northpoint Circle) to Owner's contractors and suppliers during construction of the project.



Revised Condition No. 13

- b. Mutually acceptable provisions for the future control, management, maintenance, and repair of all shared common areas and amenities between Owner and the future Project occupants and the Association, including, without limitation, the private roads and retention basin currently owned and maintained by the Association. There shall be no deviation from the above stated conditions without Planning & Development approval.