



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 037-09

617 BRADBURY AVENUE

FRONT YARD MODIFICATION AND TENTATIVE SUBDIVISION MAP

SEPTEMBER 17, 2009

**APPEAL OF WANDA LIVERNOIS OF THE APPLICATION OF CLAY AURELL,
ARCHITECT FOR LEED SANTA BARBARA LLC, 617 BRADBURY AVENUE, 037-122-006,
C-2 COMMERCIAL ZONES, GENERAL PLAN DESIGNATION:
COMMERICAL/RESIDENTIAL 12 UNITS/ACRE (MST2007-00559)**

This was an appeal of the July 15, 2009 Staff Hearing Officer decision to approve a Modification and Tentative Subdivision Map. The project consists of the demolition of an existing duplex, and the construction of a sustainable, 5,488 square foot, three-story, mixed-use building. The proposal will result in two residential condominiums and two commercial condominiums, with an on-grade parking structure. Two bicycle parking spaces and a changing room are provided on-site. The residential units are two 1,506 s.f., two-bedroom, three-story units at the rear of the lot. The commercial units are a total of 998 s.f. and are located on the first and second floor adjacent to the street. The proposal includes 2,015 s.f. of green roof and upper level landscape plantings.

The discretionary applications required for this project are:

1. A Modification to allow the required common open area to be located in the front yard, and/or smaller than the required dimensions (SBMC §28.21.081.A.3. and §28.92.110.A); and
2. A Tentative Subdivision Map for a one-lot subdivision to create two (2) commercial and two (2) residential condominium units (SBMC 27.07 and 27.13).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303 (New Construction of Small Structures) and 15315 (Minor Land Use Divisions).

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, 12 people appeared to speak in favor of the appeal, and 3 people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, September 10, 2009
2. Site Plans
3. Correspondence received in support of the appeal, or with concerns:
 1. Judy Orias, Allied Neighborhood Association, via email
 2. Caroline Vassallo, via email
 3. Marcella Woolfolk, via email

4. James and Kathleen Smock, via email
5. Jeanne Kahre, via email
6. Karen McFadden, via email
7. Wanda Livernois, via email
8. Neighborhood petition with 20 signatures
9. Theony Condos, via email
10. Naomi Kovacs, Citizens Planning Association, via email
11. Barry Dubin, via email
12. Deidre Dubin, via email
13. John Vasi, Santa Barbara, CA
14. Wendy Foster, via email
15. Barbara Prumeau, Santa Barbara, CA
16. Mark Maslan and Ann Cumming, Santa Barbara, CA
17. Correspondence received in opposition to the appeal:
18. Clay Aurell, via email
19. Greg Griffin, via email
20. Barry Winick, via email
21. Mike McCormack, Santa Barbara, CA

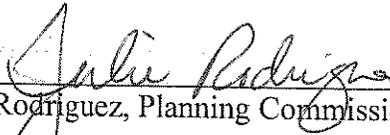
NOW, THEREFORE BE IT RESOLVED that the City Planning Commission upheld the appeal and denied the project due to the inability to make finding C.3 found on page 4 of the July 15, 2009 Staff Hearing Officer Staff Report.

This motion was passed and adopted on the 17th day of September, 2009 by the Planning Commission of the city of Santa Barbara, by the following vote:

AYES: 4 NOES: 0 ABSTAIN: 0 ABSENT: 3 (Bartlett, Thompson, White)

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I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.



Julie Rodriguez, Planning Commission Secretary



Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

