



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 032-09

803 N. MILPAS STREET

TENTATIVE SUBDIVISION MAP, MODIFICATION, AND DEVELOPMENT PLAN

AUGUST 20, 2009

APPLICATION OF JARRETT GORIN, AGENT FOR 803 N MILPAS STREET LLC, 803 N MILPAS STREET, 031-042-028 COMMERCIAL (C-2) ZONE DISTRICTY, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2006-00510)

The proposed project consists of a mixed use development containing five mixed use residential/commercial condominiums, one live/work unit, two residential units and one commercial condominium. The development would be split among three buildings totaling 19,886 net square feet. The overall height of the proposed development would be between 37 feet and 38 feet, 6 inches. Parking would be located within eight two-car garages and on the interior of the lot for a total of 26 parking spaces. Access to the garages and parking lot would be via a driveway from De la Guerra Street, located between two of the buildings. Pedestrian access to the site would also be provided from Milpas Street. A landscaped area would be provided in the northwest corner of the site, behind the open parking. An area along the northern property line has been reserved for the location of secured remediation equipment, if required.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a one-lot subdivision with nine condominium units (eight residential, one commercial) per SBMC Chapters 27.07 and 27.13;
2. A Modification to allow less than the required number of parking spaces (SBMC §28.92.110.A.1); and
3. A Development Plan to allow the construction of 2,851 net square feet of nonresidential development on APN 031-042-028 (SBMC §28.87.300).

The Planning Commission will consider approval of the Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

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

WHEREAS, no one appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 13, 2009
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA

WHEREAS, the Planning Commission did not feel sufficient information was presented to take action on a decision for said project, and unanimously agreed to continue a decision to the 1st day of October, 2009, action was taken by the Commission to meet the impending California Environmental Quality Act (CEQA) deadline.

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

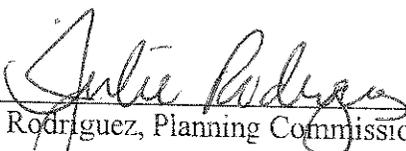
- I. Approved the Final Mitigated Negative Declaration making the following findings and determinations:
 1. The Planning Commission has considered the proposed Final Mitigated Negative Declaration together with comments received during the public review process.
 2. The Planning Commission finds on the basis of the whole record before it (including the initial study and comments received) that there is no substantial evidence that the project will have a significant effect on the environment.
 3. The Planning Commission finds that the Final Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis.
 4. The Planning Commission finds that the Final Mitigated Negative Declaration has been prepared in compliance with CEQA, and constitutes adequate environmental evaluation for the proposed project. The Planning Commission hereby adopts the Final Mitigated Negative Declaration for the project.
 5. The Planning Commission hereby adopts a mitigation monitoring and reporting program for measures required in the project or made a condition of approval to mitigate or avoid significant environmental effects.
 6. The location and custodian of the documents or other material which constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, 630 Garden Street, Santa Barbara, California.

This motion was passed and adopted on the 20th day of August, 2009 by the Planning Commission of the city of Santa Barbara, by the following vote:

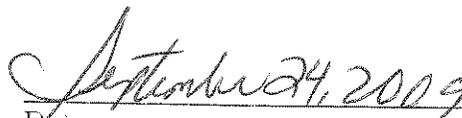
AYES: 4 NOES: 0 ABSTAIN: 0 ABSENT: 3 (Bartlett, Jacobs, Jostes)

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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.