



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** July 25, 2007  
**AGENDA DATE:** August 1, 2007  
**PROJECT ADDRESS:** 819 Garden Street (MST2005-00439)  
**TO:** Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Zoning & Enforcement Supervisor *DK*  
 Roxanne Milazzo, Associate Planner *RM*

### I. PROJECT DESCRIPTION

The 1,881 square foot project site is currently developed with a 702 square foot office building. The proposed project involves: demolition of the existing structure; and the construction of a mixed use building consisting of a first floor 2-car garage with office, second floor commercial, third & fourth floor residence, and a roof-top deck. The discretionary application required for the project is a Modification to not permit the 10% open space as identified in SBMC §28.21.080F.

Date Application Accepted: April 24, 2007      Date Action Required: October 24, 2007

### II. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Jeff Shelton	Property Owner:	Julie & Steven Shulem
Parcel Number:	031-012-011	Lot Area:	1,881 sf
General Plan:	Office & Residential	Zoning:	C-2
Existing Use:	Commercial	Topography:	Flat
Adjacent Land Uses:			
	North – One-Family Residence	East – Multi-Family Residence	
	South – Mixed-Use	West – Mixed-Use	

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Residential	None Existing	2,003 sf
Garage	None Existing	1,122 sf
Commercial	702 sf to be demolished	1,390 sf

**III. LOT AREA COVERAGE**

Lot Area: 1,881 sf  
Building: 1,649 sf; 89%  
Hardscape: 84 sf; 6%  
Landscape: 148 sf; 5%

**IV. DISCUSSION**

This project was reviewed by the Historic Landmark Commission on two (2) occasions, continued indefinitely for preliminary approval, and forwarded with positive comments to the Staff Hearing Officer. The Commission found the Modification request reasonable based on the site constraints and the proposed design.

Residential development in commercial zones requires residential setback and yard areas. With mixed use development, setbacks are not required, but the 10% Additional Open Space still is (SBMC §28.21.080F). This was an oversight of the original mixed use incentive package, and the Planning Commission has already recommended to the City Council that this requirement be deleted. It is Staff's position that this mixed use development provides an appropriate amount of open areas throughout the project with design features such as open stairwells, small balconies, and roof top decks.

**V. RECOMMENDATION/FINDING**

Staff recommends that the Staff Hearing Officer approve the project, making the findings that the Modification is necessary to secure an appropriate improvement of mixed use development on the site, and meets the purpose and intent of the Ordinance with open areas being provided in the design.

- A. Site Plan
- B. Applicant's letter dated February 20, 2007
- C. HLC Minutes

Contact/Case Planner: Roxanne Milazzo, Associate Planner  
(rmilazzo@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101 Phone: (805)564-5470

JEFF SHELTON  
ARCHITECT  
519 FIG AVE  
SANTA BARBARA  
965-8812

February 20, 2007

Roxanne Milazzo  
Modification Officer  
Planning Department  
City of Santa Barbara  
630 Garden Street  
Santa Barbara CA 93101

**Re: Shulem Residence & Office**  
819 Garden Street  
Santa Barbara

**Subject: MODIFICATION REQUEST**

Dear Roxanne Milazzo:

We are requesting the approval of a Modification that will allow us to not include the open space requirement as described in Municipal Code 28.21.080. We are instead providing a tiled roof deck of 602 SF that constitutes 32% of the lot area. We believe that this Modification should be granted for the following reasons:

1. This is a Mixed-use project is located in the C-2 zone, where this Modification is typically granted.
2. The small lot leaves no additional space on the ground floor level after accommodating Parking and exiting requirements.
3. The 602 SF of roof deck, as well as the open stairs and private patios provide ample light and air for the residents and the public on the street.

In addition, the Historic Landmarks Committee unanimously gave this project positive comments and supports the Modification Request. Please let me know if you need any additional information.

Sincerely

  
JEFF SHELTON  
ARCHITECT

STEVEN SHULEM  
OWNER

**EXHIBIT B**

**819 GARDEN STREET – HLC REVIEW COMMENTS**

January 24, 2007

**Motion:** **Continued two weeks with the following comments:** 1) The Commission considers the present proposal a great improvement over the previous one. 2) Reduce the size and bulk of the building wherever possible. The building, in reduced size and bulk, would then be appropriate. 3) Minimize the amount of roof elements. 4) Provide any opportunity for landscape, particularly between the sidewalk and building. 5) Concern was expressed about the light and air of the building to the west. 6) Explore moving the garage entrance to the lower elevation and shifting the stairway to make it more gracious. 7) Minimize the width of the garage door.

**Action:** Pujo/Hausz, 8/0/0. Motion carried.

February 7, 2007

**Motion:** **Continued indefinitely for preliminary approval and forwarded with positive comments to the Staff Hearing Officer:** The Commission finds that the 10% open space modification request is reasonable given the location and constraints of the site, and the fact that the open space is provided on the second floor and roof levels.

**Action:** Hausz/Sharpe, 6/0/0. (La Voie/Naylor absent.) Motion carried.