



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 056-08
113-117 DE LA GUERRA STREET
TIME EXTENSION
JULY 16 2008

**APPLICATION OF PEIKERT GROUP ARCHITECTS, AGENT FOR JOHN R. DEWILDE,
113-117 W. DE LA GUERRA STREET, APN 037-082-003, C-2, COMMERCIAL ZONE,
GENERAL PLAN DESIGNATION: GENERAL COMMERCE AND RESIDENTIAL,
TWELVE UNITS/ACRE (MST2005-00126)**

The proposal is a request to extend the expiration date of the Tentative Map approved by the Planning Commission on October 19, 2006. A three-year extension is requested pursuant to SBMC§27.07.110. The project approved by the Planning Commission consists of the demolition of the existing buildings onsite (except for the front façade of 115 W. De la Guerra Street) and the construction of a mixed-use building, composed of a 2,027 square foot (net) commercial condominium unit and nine residential condominium units. The proposed mix of units consists of six (6) two-bedroom market rate units, one (1) three-bedroom market rate unit, one (1) two-bedroom moderate income affordable unit and one (1) three-bedroom moderate income affordable unit. Six of the nine residential units would have 120 square feet of attached commercial space. The project includes two additional residential units pursuant to State Density Bonus law. A parking garage with twenty parking spaces is proposed on the first floor. The approval also included a lot area modification.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305 for the extension of time limits on an approved project where circumstances have not changed.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

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

Staff Report with Attachments, July 9, 2008.

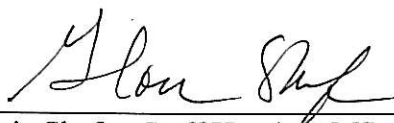
NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

Approve the three-year time extension, to October 19, 2011, for the Tentative Subdivision Map, subject to the original conditions of approval included in Exhibit C.

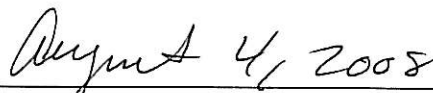
This motion was passed and adopted on the 16th day of July, 2008 by the Staff Hearing Officer of the City of Santa Barbara.

On July 15, 2008, the California Governor signed into law amendments to portions of the Subdivision Map Act to grant one-year automatic tentative map extensions under certain circumstances (See, Government Code Section 66452.21). The extension granted by this legislation is separate from the extension granted by this action of the Staff Hearing Officer. Therefore, the aforementioned tentative map is extended for a total of **four years, to October 19, 2012.**

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.



Gloria Shafer, Staff Hearing Officer Secretary



Date

PLEASE BE ADVISED:

1. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
2. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
3. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has not been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.