



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 061-07

819 GARDEN STREET

MODIFICATION

AUGUST 1, 2007

APPLICATION OF JEFF SHELTON FOR JULIE & STEVEN SHULEM, 819 GARDEN STREET, APN 031-012-011, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: OFFICE & RESIDENTIAL (MST2005-00439)

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 office, third & fourth floor residence, and a roof-top deck. The discretionary application required for the project is a Modification to not provide the 10% open space as required in SBMC §28.21.080F.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

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 of the application, and three people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

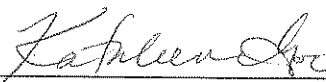
1. Staff Report with Attachments, July 25, 2007
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Betty Jeppesen, 800 Garden Street, Ste K, Santa Barbara, CA 93103

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

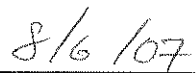
Approved the project for off-site parking of the mixed-use project to accommodate the 10% required common open space on the roof making the findings that the Modification is necessary to secure an appropriate improvement of mixed use development on the site, and meets the purpose and intent of the Ordinance with open areas being provided in the design. The Staff Hearing Officer recommends the roof deck design return to the Historic Landmarks Commission to review and consider the configuration of the roof deck so as to minimize light, air ventilation, and noise impacts to adjacent properties.

This motion was passed and adopted on the 1st day of August, 2007 by the Staff Hearing Officer of the City of Santa Barbara.

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.



Kathleen Goo, Staff Hearing Officer Secretary



Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. 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.
3. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Historic Landmarks Commission (HLC) approval and then a building permit.
4. **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.
5. **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.