



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 057-10

26 CHAPALA STREET

MODIFICATIONS

DECEMBER 1, 2010

**APPLICATION OF BRYAN MURPHY, AGENT FOR DARIO PINI, 26 CHAPALA STREET, APN 033-102-001, R-4 HOTEL-MOTEL-MULTIPLE RESIDENCE/SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: HOTEL AND RESIDENTIAL (MST2010-00176).**

The 10,000 square foot project site is currently developed with a 5,602 square foot, 11-unit apartment/hotel complex. The proposed project involves exterior alterations including replacement of all existing windows, extending an existing balcony corridor, a facade remodel, and a revised landscape plan. The discretionary applications required for this project are Modifications to allow alterations within the required 10'-0" front setback on Mason Street (SBMC §28.21.060) and a reduction of the required outdoor living space (SBMC §28.21.081). No additional square footage is proposed. The parcel is non-conforming with 11 existing parking spaces to remain, but the parking lot will be repaved and reconfigured to comply with the Americans with Disabilities Act. Coastal review is required for this project which is located within both the appealable and non-appealable jurisdictions of the Coastal Zone. Issuance of a Certificate of Occupancy for this project will abate enforcement case ENF2010-00250.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Sections 15301 and 15305.

**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 either in favor of the application or in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, November 23, 2010.
2. Site Plans

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

I. Approved the subject application making the following findings and determinations:

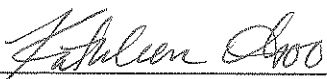
The Staff Hearing Officer finds that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot by upgrading the aesthetics of the building. The architectural thickening of the wall and addition of columns are minimal and will not provide additional floor area within the required setback. The proposed minor encroachment into the non-conforming common outdoor living space would allow for the provision of private patios for some of the units which is a beneficial and appropriate improvement despite not meeting minimum area requirements.


II. Said approval is subject to the following condition:

Prior to final approval by the Historic Landmarks Commission, Applicant shall reduce the height of the walls along the Mason Street frontage within the front setback to 42" maximum, and identify an alternate location for trash storage outside of the required setbacks.

This motion was passed and adopted on the 1st day of December 1, 2010 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 the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. 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.
4. 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.
5. **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.
6. **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 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.