



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 014-13

531 E. COTA STREET

MODIFICATION

MARCH 6, 2013

**APPLICATION OF L & P CONSULTANTS, AGENT FOR SANTA BARBARA DANCE ARTS, 531 E. COTA STREET, APN 031-171-014, C-M COMMERCIAL MANUFACTURING ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL INDUSTRIAL (MST2012-00491)**

The 17,000 square-foot site is currently developed with an 8,720 square-foot (net), one-story commercial warehouse and 14 parking spaces. The proposed project involves a change of use from warehouse to a dance school and related exterior changes including: new windows in loading bays, new roof and skylights, HVAC unit, removal of security fencing and loading doors, new parking layout with landscape planters, new fencing, new finish materials, new paint, and interior remodeling. The discretionary application required for this project is a Modification to allow 13 parking spaces to be provided for the project rather than the 35 spaces required. (SBMC § 28.90.100 and SBMC § 28.92.110)

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities).

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

**WHEREAS**, three (3) people 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, February 28, 2013.
2. Site Plans
3. Correspondence received in support of the project:
  - a. David Beaver and Renee Courington, Santa Barbara, CA.
  - b. Salud Carbajal, , Santa Barbara, CA.
  - c. Ginny Brush, Santa Barbara, CA.
  - d. David Asbell, Santa Barbara, CA.
  - e. Matt Tavianni, Santa Barbara, CA.
  - f. Jackie Rotman, Santa Barbara, CA.
  - g. Sheila Caldwell, Santa Barbara, CA.
  - h. Sean Apperson, Santa Barbara, CA.
  - i. Charles Romanus, Santa Barbara, CA.
  - j. Carrie Towbes, Santa Barbara, CA.
  - k. Jan Hahka, Santa Barbara, CA; and

1. Nancy Grinstein, Santa Barbara, CA.
4. Correspondence received in opposition to the project:
  - a. Paula Westbury, Santa Barbara, CA.

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

- I. Approved the subject application finding the Modification to reduce the required parking to a total of 13 spaces for the proposed project is consistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking space or loading space in the immediate area. The proposed parking modification is appropriate because the parking demand is being met on-site; the location is near local bus lines, adjacent to local schools and youth-focused programs, and in a walkable community allowing for alternative modes of transportation to the facility.
- II. Said approval is subject to the following conditions:
  - A. The Cota Street entrance/exit door shall be removed or remain closed and used only as an emergency exit so that students will exit directly to either of the parking lots, thereby, reducing the opportunity for queuing issues on-street.
  - B. All special events including recitals, dance productions, and rentals with more than 60 people (e.g. students and parents) shall either be held at an off-site location consistent with current operational practice or the applicant shall submit advance written notice of the event to the Planning Division for evaluation of the adequacy of proposed off-site parking arrangements for the event. The notice to the Planning Division shall include:
    - a) off-site location(s) within 1,250 feet of the property,
    - b) the number of off-street parking spaces available for event use,
    - c) the estimated size, date and time of the event,
    - and d) the permission of the lessee or property owner to use the parking space for the particular event.
  - C. Use Limitations. Due to potential parking impacts, uses other than a dance facility are not permitted without further environmental and/or Staff Hearing Officer review and approval. Prior to initiating a change of use, the Owner shall submit a letter to the Community Development Director detailing the proposal, and the Director shall determine the appropriate review procedure and notify the Owner.

This motion was passed and adopted on the 6<sup>th</sup> day of March, 2013 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 Architectural Board of Review (ABR) 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.