



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

*\*Revised \** RESOLUTION NO. 069-15  
402 E. GUTIERREZ STREET  
PARKING MODIFICATION  
NOVEMBER 25, 2015

**APPLICATION OF JOSE LUIS ESPARZA, ARCHITECT FOR LAGUNA INDUSTRIAL PARTNERS, 402 E GUTIERREZ STREET, APN: 031-343-009, M-1 (LIGHT MANUFACTURING) ZONE, GENERAL PLAN DESIGNATION: INDUSTRIAL (MST2014-00274)**

The 3.71 acre site is currently developed with an approximately 83,500 sq. ft. industrial/commercial complex with 153 parking spaces. The proposed project involves a change of use to convert an existing, 10,540 sq. ft. tenant space to a new church and ancillary uses, and rental offices. The proposal includes a minor façade alteration on the south elevation and interior improvements.

The discretionary applications required for this project is a Parking Modification to allow 153 parking spaces to be provided, instead of the 246 required parking spaces. (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 and 15305 (Existing Facilities and Minor Alterations in Land Use Limitations).

**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 no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, November 19 2015.
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 Parking Modification 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, because both the weeknight/weekend and weekday parking demand will be met on-site.

**II.** Said approval is subject to the following conditions:

- A.** The sanctuary and foyer shall not be used on weekdays between the hours of 8:00 a.m. to 5:00 p.m.

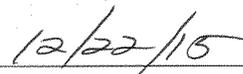
- B.** Prior to the issuance of any Building Permit for the project on the Real Property, the Owner shall execute a written instrument, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

Due to potential parking impacts, prior to initiating a change of use of any tenant space on the Real Property known as APN 031-343-009, the Owner shall submit a letter to the Community Development Director detailing the proposal, and the Director shall review the request against the Updated Parking Study prepared by Associated Transportation Engineers, dated October 27, 2015, to determine the appropriate review procedure, and notify the Owner.

This motion was passed and adopted on the 25th day of November, 2015 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.

