



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 097-09
317 N. MILPAS STREET
MODIFICATION
NOVEMBER 18, 2009

**APPLICATION OF BRIAN NELSON, ARCHITECT FOR MILPAS STREET PARTNERS,
317 N. MILPAS STREET, APN 031-363-034, MANUFACTURING (M-1) ZONE, GENERAL
PLAN DESIGNATION: INDUSTRIAL (MST2009-00392)**

The proposed project involves the reduction of parking provided for an existing warehouse building. Currently, four parking spaces are provided for the warehouse, with three of those spaces located in a parking lot shared with an adjacent lot, 319 N. Milpas Street (APN 031-363-035), and one parking space located within the warehouse building. The applicant is requesting to reduce the parking for the warehouse to two spaces and assign the remaining two spaces to two residential condominium units located at 319 N. Milpas Street. The discretionary application required for this project is a Modification to reduce the required parking for the warehouse use from four to two parking spaces (SBMC §28.90.100.J. and §28.92.110.A.1.)

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 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 in favor or opposition of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, November 11 2009.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, 650 Miramonte Drive, Santa Barbara, Ca

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

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


The 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. Adequate parking is provided in the shared parking lot for the three current uses. The Modification will not cause a deficit in parking if the use of the building at 317 N. Milpas Street is changed from its current use of manufacturing, as any future use of the building would have to provide the required parking for that particular use.

II. Said approval is subject to the following conditions:

1. Four parking spaces within the shared lot are designated and assigned for the two condominium units at 319 N. Milpas Street. An exhibit shall be included with the Recorded Parking Agreement for 317 N. Milpas Street and 319 N. Milpas Street depicting the designated parking spaces.
2. Prior to the issuance of any Public Works permit or 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 Directory and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
 - A. Four parking spaces within the shared lot are designated and assigned for the two condominium units at 319 N. Milpas Street. In addition, the parking space denoted as number 8 on the approved site plan shall be assigned to the manufacturing building at 317 N. Milpas Street. The balance of the parking spaces shall not be assigned. An exhibit shall be included with the Recorded Parking Agreement for 317 N. Milpas Street and 319 N. Milpas Street depicting the designated parking spaces.
 - B. The parking space within the manufacturing building located at 317 N Milpas Street shall be kept open and available for parking of vehicles for the manufacturing use.
 - C. Due to the potential for adverse parking effects, uses other than warehouse/manufacturing within the building at 317 N. Milpas Street are not permitted without further review and approval. Prior to initiating the 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 process.

This motion was passed and adopted on the 18th day of November, 2009 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.



Gloria Shafer, Staff Hearing Officer Secretary

11-23-2009

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. **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 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.

