



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 027-11
17 W. MONTECITO STREET
MODIFICATION
JULY 13, 2011

**APPLICATION OF PETER EHLEN, ARCHITECT FOR DUCATI OF SANTA BARBARA,
17 W. MONTECITO ST., APN 033-042-007, HRC-2/SD-3 ZONES, GENERAL PLAN
DESIGNATION: HOTEL AND RELATED COMMERCE II/BUFFER (MST2010-00220)**

Proposal to permit "as-built" entry doors on the Montecito St. building frontage and an "as-built" window and new roll-up door adjacent to the service bays on the Rey Rd. frontage, on the existing single-story commercial building. The project includes new interior loft space and reconfigured entry which would result in 127 square feet of new floor area, for a total building area of 3,463 net square feet on the 6,000 square foot parcel.

The discretionary land use applications required for this project are:

1. A Modification to allow "as-built" doors within the 20-foot front setback on W. Montecito St. (SBMC Sections 28.22.060, 28.92.110); and
2. A Modification to allow an "as-built" window and new roll-up door within the 20-foot front setback on Rey Rd. (SBMC Sections 28.22.060, 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 Sections 15301 (Existing Facilities) and 15305 (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 either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, July 6, 2011.
2. Site Plans

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

- I. Approves the subject application making the findings that the requested Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on the lot. The requested improvements of the "as-built" windows and proposed roll-up door to the existing commercial building are appropriate because the improvements are minor in nature with no negative aesthetic impacts and negligible impacts to the uses of the surrounding properties.

II. Said approval is subject to the following conditions:

A. **Trash Enclosure.** A trash enclosure shall be provided subject to review and approval of the Historic Landmarks Commission with adequate capacity for recycling containers (an area that allows for a minimum of 50 percent of the total capacity for recycling containers) on the Real Property and screened from view from surrounding properties and the street. Dumpsters and containers with a capacity of 1.5 cubic yards or more shall not be placed within five (5) feet of combustible walls, openings, or roofs, unless protected with fire sprinklers.


B. **Landscaping.** Landscaping shall be provided in the southeast corner of the property in the area between the fence, sidewalk, curb cut and driveway and the southwestern property line, to screen the trash enclosure from public view and discourage the use of the area for storage, subject to review and approval of the Historic Landmarks Commission.

This motion was passed and adopted on the 13th day of July, 2011 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.