



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

**RESOLUTION NO. 018-13
2927 DE LA VINA STREET
MODIFICATION
APRIL 3, 2013**

APPLICATION OF TRISH ALLEN, SUZANNE ELLEDGE PLANNING AND PERMITTING SERVICES, AGENT FOR MONTANA VISTA, 2927 DE LA VINA STREET, APN 051-202-026, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL (MST2013-00060)

The 0.67-acre lot is currently developed with a mixed-use development. The Architectural Board of Review previously approved a tenant improvement for Gold Coast Surgical Center that required 56 parking spaces; two of which were located off-site (MST2013-00025). The revised proposal includes eliminating the two off-site parking spaces and providing 54 parking spaces for the development on-site. The discretionary application required is a Modification to allow 54 parking spaces for the project instead of the 56 required parking spaces. (SBMC § 28.90.100 & 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, no one people appeared to speak in favor of the application, and one person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, March 28, 2013.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA.
 - b. John Devore, Santa Barbara, CA.
 - c. John Lauritsen, Santa Barbara, CA.

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

- I. Approved the subject application making the finding and determination that the parking modification to allow 54 parking spaces instead of the required 58 parking spaces 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 parking demand study dated February 1, 2013 prepared by Associated Transportation Engineers indicates that the estimated peak parking demand will be met within the 54 onsite parking spaces.

- II. Said approval is subject to the condition that, due to potential traffic and parking impacts, uses other than the existing medical office, surgery center, and residential uses 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 Applicant.

This motion was passed and adopted on the 3rd day of April, 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.