



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 021-14 2911 DE LA VINA STREET MODIFICATION APRIL 30, 2014

**APPLICATION OF ED DEVICENTE, ARCHITECT FOR 2911 DE LA VINA LLC,
2911 DE LA VINA STREET, APN: 051-202-008, C-2 COMMERCIAL AND SD-2 SPECIAL
DESIGN DISTRICT 2 ZONES, GENERAL PLAN DESIGNATION: COMMERCIAL
MEDIUM HIGH RESIDENTIAL (15-27 DU/ACRE) (MST2013-00107)**

The 7,500 square foot lot is developed with a 2,258 square foot non-residential building. The proposed project involves reducing the square footage of the building by 76 square feet by recessing the storefront of the restaurant to be in line with the front door recess, and exterior alterations including replacement of the front windows with bi-fold doors, a new front door, replacement of the existing front concrete patio with a new outdoor dining area, with perimeter bollards and chains, a new wood fence, a new trash enclosure, and alterations to the existing parking lot. The discretionary application required for this project is a Front Setback Modification to allow alterations to the existing building within the required twenty-foot front setback (SBMC §28.45.008 and 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 and 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 either in favor of the application, and one person appeared to speak in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 24, 2014.
2. Site Plans

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

- I. Approved the Front Setback Modification making the findings and determinations that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed alterations are appropriate improvements to the existing commercial building because they will reduce the floor area in the setback, reduce the size of the front door, and are not anticipated to adversely affect the adjacent neighbors or the visual openness of the streetscape.

II. Said approval is subject to the following conditions:

- A. The proposed fence at the rear of the building, next to the driveway, shall not exceed 10 feet in length.
- B. A current floor plan/seating plan for the restaurant shall be submitted for the requested building permit. The inside seats are limited to a total of 86 seats.
- C. Restudy the back outside area for the potential reduction in size with the goal of increasing the available on-site parking.

This motion was passed and adopted on the 30th day of April, 2014 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 4/30/14

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.