



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 023-17
150 SOUTH LA CUMBRE ROAD
MODIFICATION
APRIL 12, 2017

**APPLICATION OF JEFF GORRELL, ARCHITECT FOR MOLLER RETAIL INC.,
150 SOUTH LA CUMBRE ROAD, APN 051-032-002, C-2/SD-2 (COMMERCIAL) AND SD-2
(SPECIAL DESIGN DISTRICT), GENERAL PLAN DESIGNATION: COMMERCIAL HIGH
RESIDENTIAL (MAX 28-36 DU/ACRE) PRIORITY HOUSING (MST2016-00495)**

The proposed project is to remove an existing fuel station canopy and construct a new canopy, reconfigure the existing pump islands and add two new pump islands and two new fuel pumps to increase the total gas pumps to six, relocate a curb cut, and reconfigure the existing accessible parking.

The discretionary application required for this project is for a Front Setback Modification to allow the new canopy to encroach into the required 20-foot front setback (SBMC §28.45.008, SBMC §28.66.060, 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 Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations to 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, April 6, 2017
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that:


- I. The City Staff Hearing Officer approved the subject application making the following findings and determinations:
 - A. **ENVIRONMENTAL REVIEW (CEQA GUIDELINES §15183).** The project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15183 based on City staff analysis and the CEQA certificate of determination on file for this project.
 - B. **FRONT SETBACK MODIFICATION.** The Front Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The overhang of the new canopy for the existing gas station is an appropriate improvement to the commercial operation that does not provide additional floor area and is not anticipated to adversely affect the adjacent neighbors or the visual openness of the streetscape.

I. Said approval is subject to the following conditions:

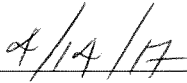
- A. Prior to final Architectural Board of Review approval, a Level 1 Substantial Conformance Determination request will be submitted by the applicant.
- B. The site and landscape plans submitted for Project Design Approval (PDA) by the Architectural Board of Review shall show compliance with SBMC§28.87.205, Automobile Service Stations -Site Development Regulations, specifically in regards to the required landscape planters along and abutting all street right-of-ways.

This motion was passed and adopted on the 12th day of April, 2017 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 Goob, 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.