



Agenda Item A.3
CONSENT CALENDAR
Meeting Date: March 3, 2009

TO: Mayor and Councilmembers

FROM: Dan Singer, City Manager

CONTACT: Steve Chase, Director, Planning and Environmental Services
Patricia S. Miller, Manager, Current Planning

SUBJECT: Case No. 07-208-SPA, -DP; Camino Real Hotel Project; 401 Storke Road; APN 073-440-019

RECOMMENDATION:

- A. Conduct the second reading (by title only) and waive further reading of City Council Ordinance 09-__ entitled "An Ordinance of the City Council of the City of Goleta, California Amending the Camino Real Specific Plan; 401 Storke Road; APN 073-440-019". (Attachment 1)
- B. Adopt City Council Resolution 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Development Plan, Including Assignment of GGMO Points, for the Camino Real Hotel Project, Case No. 07-208-DP; at the Northwest Corner of Storke Road and Phelps Road; 401 Storke Road; APN 073-440-019". (Attachment 2)

Refer back to staff if the City Council decides to take action other than the recommended action.

BACKGROUND:

The proposed project is described in the staff report for the February 3, 2009, City Council hearing and includes a 73,828 square foot hotel (99 rooms) at the northwest corner of Storke and Phelps Roads. At the February 3, 2009 hearing, the Council adopted the project CEQA Resolution and conducted the first reading of the Ordinance for the Specific Plan Amendment to Camino Real Specific Plan Development Standards CRSP LU-21 and LU-23. The Council also conceptually approved the resolution for the Camino Real Hotel Development Plan.

DISCUSSION:

The item appears on your of March 3, 2009 agenda for the purpose of conducting the second reading on the Ordinance for the Specific Plan Amendment and to adopt the Resolution approving the Development Plan that would allow the hotel to be developed.

GOLETA STRATEGIC PLAN:

The Camino Real Hotel project would be consistent with the following Goals in the Strategic Plan entitled: "Promote a Healthy Business Climate" and moves the City closer toward realizing its vision as defined within the City's Strategic Plan.

ALTERNATIVES:

None are recommended.

LEGAL REVIEW:

This staff report has been reviewed by the City Attorney.

FISCAL IMPACTS:

The processing costs associated with the Camino Real Hotel Project are paid by the applicant.

Submitted By:

Reviewed by:

Approved By:

Steve Chase, Director
Planning and Environmental
Services

Michelle Greene, Director
Administrative Services

Daniel Singer
City Manager

ATTACHMENTS:

1. City Council Ordinance 09-___; entitled an Ordinance of the City Council of the City of Goleta, California Amending the Camino Real Specific Plan; 401 Storke Road; APN 073-440-019".
2. City Council Resolution 09-___ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Development Plan, Including Assignment of GGMO Points, for the Camino Real Hotel Project, Case No. 07-208-DP; at the Northwest Corner of Storke Road and Phelps Road; 401 Storke Road; APN 073-440-019".

ATTACHMENT 1

CITY COUNCIL ORDINANCE 09 - ___
ORDINANCE FOR CAMINO REAL SPECIFIC PLAN AMENDMENT

ORDINANCE NO. 09-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, AMENDING THE CAMINO REAL SPECIFIC PLAN; CASE NO. 07-208-SPA

WHEREAS, on July 22, 1997 the Santa Barbara County Board of Supervisors adopted the Camino Real Specific Plan (95-SP-1) by Ordinance No. 4271, including identifying the southeast three acres of the Specific Plan area for visitor-serving commercial uses, including a hotel; and

WHEREAS, the City of Goleta was incorporated on February 1, 2002; and

WHEREAS, on February 1, 2002, the City Council adopted Ordinance 02-01 entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting by Reference the Santa Barbara County Code and Other Relevant Non-Codified Santa Barbara County Ordinances as City Ordinances," which code and ordinances remain in effect except as expressly repealed or amended by the City; and

WHEREAS, the ordinances adopted by the City included Article III of Chapter 35, referred to as the "Inland Zoning Ordinance;" and

WHEREAS, an application was submitted by Wynmark Company, agent for the property owner, Camino Real III, LLC on October 18, 2007 requesting approval of an amendment to the Camino Real Specific Plan, as part of their request for approval of a 99-room hotel on APN 073-440-019 on a 3.02 acre parcel in the southeast corner of the Specific Plan, zoned C-2 (Retail Commercial) pursuant to the Inland Zoning Ordinance. The Specific Plan Amendment revises the language of Camino Real Specific Plan Development Standards LU-21 and LU-23; and

WHEREAS, The revised language for Development Standard LU-21 updates the land use designation for the site from General Commercial to Community Commercial, to make the land use designation in the Specific Plan consistent with the more recently adopted Goleta General Plan; and

WHEREAS, The revised language for Development Standard LU-23 increases the maximum number of hotel rooms allowed for the site in the Specific Plan from 50 rooms to 99 rooms; and

WHEREAS, the project application was deemed complete on March 4, 2008; and

WHEREAS, it was determined that the proposed project, inclusive of all of its various components, was subject to the California Environmental Quality Act

and that preparation of a Addendum to the Camino Real Project EIR (96-EIR-3) would be appropriate; and

WHEREAS, on November 10, 2008, the City of Goleta Planning Commission held a duly noticed public hearing to consider the proposed Specific Plan Amendment and related Camino Real Hotel Project Development Plan, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, on November 10, 2008, the City of Goleta Planning Commission adopted Resolution 08-12, recommending that the City Council approve the proposed Specific Plan Amendment and related Development Plan; and

WHEREAS, on February 3, 2009, the City Council adopted Resolution 09-08, adopting findings pursuant to the California Environmental Quality Act (CEQA) and accepting the Addendum to 96-EIR-3 dated October 31, 2008; and

WHEREAS, the City Council has considered the entire administrative record, including the application materials, staff reports, the CEQA Addendum to 96-EIR-3, the recommendation of the Planning Commission, and oral and written testimony from interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA AS FOLLOWS:

SECTION 1. Recitals.

The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.

SECTION 2. Amendment to the Camino Real Specific Plan.

This ordinance amends the Camino Real Specific Plan as follows:

***CRSP LU-21:** The land use designation for the visitor-serving commercial component shall be ~~General~~ Community Commercial and the zoning shall be Retail Commercial (C-2).*

***CRSP LU-23:** A hotel or motel shall be limited to a maximum of ~~50~~ 99 rooms.*

SECTION 3. Findings.

The findings set forth in Exhibit 1 to this Ordinance are hereby adopted and incorporated herein by reference.

SECTION 4. Documents.

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the City Clerk, City of Goleta, 130 Cremona Drive, Suite B, Goleta, California, 93117.

SECTION 5. Effective Date.

This ordinance shall take effect on the 31st day following the date of its final adoption.

SECTION 6. Publication.

The City Clerk shall certify to the passage of this Ordinance and cause the same to be published and posted in the manner prescribed by California law.

INTRODUCED ON the 3rd day of February, 2009.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2009.

ROGER S. ACEVES, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH CONSTANTINO
CITY CLERK

TIM W. GILES
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing City Council Resolution No. 09-__ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the ____ day of _____, 2009, by the following vote of the Council members:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH CONSTANTINO
CITY CLERK

**EXHIBIT 1
SPECIFIC PLAN AMENDMENT FINDINGS**

**CAMINO REAL HOTEL PROJECT
401 STORKE ROAD; APN 073-440-019
CASE NO. 07-208-SPA**

1.0 Pursuant to Section 35-318 of Article III, Chapter 35, Article III, the Inland Zoning Ordinance, of the Goleta Municipal Code, a Specific Plan Amendment shall only be approved if all of the following findings are made:

1.1 *The Specific Plan Amendments are in conformance with and will implement all applicable General Plan policies and incorporates any other conditions specifically applicable to the parcels that are set forth in the plan.*

Proposed Amendments to the Camino Real Specific Plan (CRSP):

CRSP LU-21: *The land use designation for the visitor-serving commercial component shall be ~~General~~ Community Commercial and the zoning shall be Retail Commercial (C-2).*

CRSP LU-23: *A hotel or motel shall be limited to a maximum of ~~50~~ 99 rooms.*

The proposed amendments to CRSP Development Standards LU-21 and LU-23 would bring the land use designation for the property into conformance with the Goleta General Plan, which designates the subject property as Community Commercial. Increasing the number of hotel rooms allowed, from a maximum of 50 rooms to a maximum of 99 rooms, would not alter the location or identified building footprint for a hotel onsite. In addition, given the variety in hotel room sizes and in amenities and services offered at different hotels, the maximum number of rooms is only one component which would affect the overall size of a hotel. As discussed in the CEQA Addendum prepared for the project (dated 10/30/08), the Camino Real EIR (96-EIR-3) evaluated a 115-room hotel for the project site. The maximum number of hotel rooms was reduced prior to approval of the Specific Plan in 1997, in response to recommendations from the Airport Land Use Commission (ALUC). On October 16, 2008, the ALUC considered the CEQA Addendum, the proposed Specific Plan Amendment and the Development Plan request for the current 99-room hotel. The ALUC was advised at their hearing that if the ALUC did not take action on the project within the applicable timeframe for their comments, that the project would be considered consistent with the Airport Land Use Plan (ALUP). The date of

this automatic determination of consistency was November 4, 2008. Because the ALUC did not take action on the project, the proposed Specific Plan Amendment (to amend the language of CRSP LU-21 and LU-23) is considered consistent with the ALUP and the related airport safety policies in the General Plan.

- 1.2 *The Specific Plan Amendments will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood.*

The proposed amendments to the language of CRSP LU-21 and LU-23 would not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and would not be incompatible with the surrounding areas. The project would be served by existing public services and would have safe and adequate primary and emergency/secondary vehicular access. The design of the project would be compatible with surrounding development and the hotel land use would provide a transitional land use on an infill, urban parcel, located between the intensive regional shopping center to the north and the residential area to the south. The ALUC did not take a formal action on the project (including the Specific Plan Amendment) with the knowledge that without a formal action, the project would be found consistent with the Airport Land Use Plan. The project is therefore considered consistent with the ALUP. Further, the proposed Specific Plan Amendment would not increase the potential for an accident involving aircraft. As discussed in the EIR Addendum dated October 31, 2008 and in the policy consistency discussion in the City Council staff report, the Specific Plan Amendment to modify CRSP LU-21 and LU-23 is not expected to generate emissions, traffic levels, noise levels, biological impacts, cultural resource impacts, geology, drainage or flooding impacts, or effects on visual resources or public services which would be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood.

- 1.3 *The Specific Plan Amendments will not adversely affect necessary community services such as traffic circulation, sewage disposal, fire protection, and water supply.*

As discussed in the CEQA Addendum dated October 31, 2008 and the policy consistency discussion of the staff report for the February 3, 2009 City Council hearing (Attachment 6), the proposed Specific Plan Amendment to modify Development Standards CRSP LU-21 and LU-23 would not adversely affect traffic circulation, fire protection, sewage disposal, or water supplies within the City or surrounding areas. Standard development conditions of approval require payment of traffic fees to fund a project's contribution toward local roadway improvements, the applicant must provide proof of adequate water and sewage disposal services prior to issuance of permits for development, the site is located adjacent to Fire Station #11 and a hotel project would not generate significant fire hazards that would adversely impact this public service.

- 2.0 The following finding is adopted pursuant to California Government Code §65454, which requires that no *specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan.*

The Specific Plan Amendment is consistent with the General Plan. The revised language for CRSP Development Standard LU-21 would bring the land use designation for the property into conformance with the Goleta General Plan, which designates the subject property as Community Commercial. Further, the revised language for CRSP LU-23, which increases the maximum allowed number of hotel rooms onsite is also consistent with the General Plan as identified in the discussion under Finding 35-318.5 a) above and in General Plan consistency discussion in Attachment 6 to the project Staff Report for the February 3, 2009 City Council hearing.

ATTACHMENT 2

CITY COUNCIL RESOLUTION 09 - ____
DEVELOPMENT PLAN FOR THE CAMINO REAL HOTEL PROJECT

RESOLUTION NO. 09-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA APPROVING A DEVELOPMENT PLAN FOR THE CAMINO REAL HOTEL PROJECT; 401 STORKE ROAD; APN 073-440-019; CASE NO. 07-208-DP

WHEREAS, an application was submitted by Wynmark Company, agent for the property owner, Camino Real III, LLC on October 18, 2007 requesting approval of a Specific Plan Amendment and a Development Plan; and

WHEREAS, the application was found complete for processing on March 4, 2008; and

WHEREAS, the application is for a Specific Plan Amendment to revise the language of Camino Real Specific Plan Development Standard LU-21 to update the land use designation for the site from General Commercial to Community Commercial, to revise the language of Development Standard LU-23 to increase the maximum number of hotel rooms from 50 to 99 rooms and for a Development Plan to construct a 99-room, two-story hotel of approximately 73,828 square feet; and

WHEREAS, the procedures for processing the project application have been followed as required by state and local laws; and

WHEREAS, it was determined that the proposed project, inclusive of all of its various components, was subject to the California Environmental Quality Act and that preparation of a Addendum to the Camino Real Project EIR (96-EIR-3) would be appropriate; and

WHEREAS, on November 10, 2008, the City of Goleta Planning Commission conducted a duly noticed public hearing on the project application, at which time all interested persons were given an opportunity to be heard; and considered the entire administrative record, including application materials, staff report, the Addendum, and oral and written testimony from interested persons; and

WHEREAS, on November 10, 2008, the City of Goleta Planning Commission adopted Resolution 08-12, recommending that the City Council adopt the Addendum dated October 31, 2008 to 96-EIR-3 pursuant to the State CEQA Guidelines and approve Case 07-208-SPA, -DP, with recommended findings and conditions of approval; and

WHEREAS, on February 3, 2009, the City Council conducted a duly noticed public hearing on the project application, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, on February 3, 2009, the City Council adopted Resolution 09-08, adopting findings pursuant to the California Environmental Quality Act (CEQA) and accepting the Addendum dated October 31, 2008 to 96-EIR-3; and

WHEREAS, by adoption on March 3, 2009 of Ordinance 09-___, the City Council has approved an amendment to the Camino Real Specific Plan, to revise Development Standard LU-21 to update the land use designation for the site, consistent with the Goleta General Plan, to Community Commercial and to revise Development Standard LU-23 to increase the maximum number of hotel rooms allowed from 50 to 99 rooms; and

WHEREAS, a Development Plan is required pursuant to Section 35-317 of Chapter 35, Article III of the Goleta Municipal Code; and

WHEREAS, the City Council considered the entire administrative record, including application materials, staff report, the Addendum, and oral and written testimony from interested persons.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF GOLETA FINDS AND DETERMINES AS FOLLOWS:

SECTION 1. Recitals

The City Council hereby finds and determines the foregoing recitals, which are incorporated herein by reference, are true and correct.

SECTION 2. Adoption of Findings

The findings set forth in Exhibit 1 to this Resolution are hereby adopted and incorporated herein by this reference.

SECTION 3. Approval of Development Plan

The Development Plan for the subject application, Case No. 07-208-DP, is hereby approved subject to the conditions set forth as Exhibit 2 to this Resolution and incorporated herein by this reference. This includes the “good cause” findings for exception to the recommended maximum height identified in the General Plan, Land Use Element, Table 2-2, for the C-C land use designation.

SECTION 4. Documents

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the City Clerk, City of Goleta, 130 Cremona Drive, Suite B, Goleta, California, 93117.

SECTION 5. Certification

The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2009.

ROGER S. ACEVES, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH CONSTANTINO
CITY CLERK

TIM W. GILES
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing City Council Resolution No. 09-__ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the __ day of _____, 2009, by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH CONSTANTINO
CITY CLERK

**EXHIBIT 1
DEVELOPMENT PLAN FINDINGS**

**CAMINO REAL HOTEL PROJECT
401 STORKE ROAD; APN 073-440-019
CASE NO. 07-208-DP**

Pursuant to Section 35-317 of Article III, Chapter 35, the Inland Zoning Ordinance, of the Goleta Municipal Code, a Preliminary or Final Development Plan shall be approved only if all of the following findings can be made:

1. *That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed.*

The project site is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed, including structural development, landscaping, parking, and on-site circulation for pedestrians, passenger vehicles and emergency vehicles, to accommodate the project design. Overall, there is sufficient acreage onsite to accommodate the density and intensity of development proposed. Further, the use, acreage and building footprint were previously analyzed and approved for the site as part of the Camino Real Specific Plan review and approval process.

2. *That adverse impacts are mitigated to the maximum extent feasible.*

Potential impacts involving aesthetics, air quality, biological resources, cultural/archaeological resources, geology/soils, flooding/drainage, land use/hazards, hydrology/water quality, noise, public services, transportation/traffic and utilities/service systems would be reduced to less than significant levels through implementation of the mitigation measures as incorporated into required conditions of approval included in Exhibit 2. Airport related impacts would not be reduced to less than significant levels, but would be mitigated to the maximum extent feasible. Measures which minimize airport hazard impacts include the hotel design and operations, such as the limitation to two stories, incorporation of night-lighting which does not interfere with visibility for nearby aircraft overflights, and lack of conference facilities (and associated population densities) in the design and operations.

3. *That streets and highways are adequate and properly designed.*

All existing streets and highways serving the proposed project are adequate and properly designed. As indicated by the conclusions of the ATE traffic study for the project (and concurrence by Community Services staff regarding these conclusions), project-generated traffic would not trigger traffic thresholds or Circulation Element standards for roadways or intersections and local streets and

highways can accommodate the traffic generated by the project. Community Services review and approval of the final project plans for the new access driveways will further ensure that the project will not result in traffic safety impacts. The project is conditioned to contribute Goleta Transportation Improvement Fees to fund identified improvements to the area roadway network.

4. *That there are adequate public services, including but not limited to, fire protection, water supply, sewage disposal, and police protection to serve the project.*

The proposed project would be served by the Santa Barbara County Fire Department, the Goleta Water District, the Goleta West Sanitary District, and the City of Goleta Police Department. These agencies and districts have adequate capacity to serve the proposed Camino Real Hotel. Final sign-offs from these agencies will be required prior to issuance of Land Use Permits for the hotel development.

5. *That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding areas.*

The proposed project would not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and would not be incompatible with the surrounding areas. The project would be served by existing public services and would have safe and adequate primary and emergency/secondary vehicular access. The design of the project would be compatible with surrounding development and the hotel land use would provide a transitional land use between the intensive regional shopping center to the north and the residential area to the south. As discussed under finding No. 2 above, the hotel's design and operations will reduce the airport related hazards, identified in the CEQA Addendum to the maximum extent feasible. Further, pursuant to the November 5, 2008 letter from SBCAG, the Camino Real Hotel project is deemed consistent with the Airport Land Use Plan.

6. *That the project is in conformance with 1) the General Plan and 2) the applicable provisions of this Article.*

As discussed in the Planning Commission and City Council staff reports, the proposed project is consistent with the General Plan land use designation of C-C, with the exception of the recommended building standards for maximum height and floor area ratio. The *Recommended Standards for Building Intensity* (including 0.40 FAR and 25-foot height limit in the C-C land use designation) may be exceeded based on a "good cause" finding. "Good cause" is defined as a better site, or architectural design, will result in better resource protection, will provide a significant community benefit and/or does not create an adverse impact to the community character, aesthetics or public views. The DRB found no issue with the hotel's proposed FAR or height. Further, because substantial landscaping within the Phelps Road right-of-way will be installed and maintained

by the hotel, the effective size of the hotel as viewed from surrounding streets, within all of the "site's" landscaped area, may appear smaller than is indicated by the FAR calculation (which excludes all right-of-way area, even if such areas are landscaped). The good cause finding can be made with regard to exceeding the recommended height and FAR for the C-C land use designation in the General Plan. Neither the DRB nor the FAA identified concerns with regard to the proposed height of the hotel. The FAR calculation does not take into account the landscaped right-of-way area along the southern property frontage, which will be maintained by the applicant over the long-term. The property is surrounded by a wide variety of land uses and structures and the hotel would provide a transitional use between commercial and service industrial uses and structures to the north and east and residential and recreational uses and structures to the south and west. The proposed hotel would be compatible with the diverse building heights, FARs, and architecture styles of area development. In summary, the "good cause" finding can be made because the proposed height and calculated FAR for the hotel project would not create an adverse impact to the community character, aesthetics, or public views.

The project is consistent with all applicable General Plan policies, as specified in the policy consistency discussion of the staff report for the November 10, 2008 Planning Commission hearing and Attachment 6 (General Plan Policy Consistency Analysis) of the project staff report for the February 3, 2009 City Council hearing. The proposed project is also consistent with the C-2 zone district subject to approval of the requested Specific Plan Amendment to increase the maximum number of hotel rooms allowed from 50 to 99 rooms. The project would also be consistent with applicable zoning ordinance standards, subject to approval of the requested modification to allow some parking spaces to be located within the front yard setback area as discussed in Attachment 7 (Zoning Ordinance Consistency Analysis) of the project staff report for the February 3, 2009 City Council hearing.

7. *That the project will not conflict with any easements required for public access through, or public use of a portion of the property.*

The property does not include easements for use by the public at large, and would therefore not conflict with such easement for access through the site.

**EXHIBIT 2
CONDITIONS OF APPROVAL**

**CAMINO REAL HOTEL PROJECT
401 STORKE ROAD; APN 073-440-019
CASE NO. 07-208-DP**

1. **Authorization:** Subject to the conditions set forth below, this permit authorizes implementation of Case No. 07-208-DP marked "March 3, 2009, City Council Exhibit #1". Any deviations from the project description in the staff report, exhibits or conditions must be reviewed and approved by the City of Goleta for conformity with this approval. Deviations may require approved changes to the permit to be approved and/or further environmental review. Deviations without the above-described approval will constitute a violation of the permit approval. The exhibits associated with this permit include:

07-208-DP: Camino Real Hotel Development Plan

Cover Sheet (dated May 21, 2008)

Conceptual Rendering (dated May 21, 2008)

Site Plan (dated May 21, 2008)

First Floor Plan (dated May 21, 2008)

Second Floor Plan (dated May 21, 2008)

Roof Plan (dated May 21, 2008)

Suite Types (dated May 21, 2008)

Elevations – East & South (dated May 21, 2008)

Elevations – West & North (dated May 21, 2008)

Trash Enclosure & Perimeter Fence (dated May 21, 2008)

Conceptual Grading & Utility Plan (dated May 21, 2008)

Drainage Exhibit (dated April 24, 2008)

Drainage Exhibit overview (dated April 24, 2008)

Preliminary Landscape Plan (dated May 22, 2008)

Preliminary Landscape Plan Interior Courtyard (dated May 22, 2008)

Preliminary Tree & Plant List (dated May 22, 2008)

Color & Materials Board (dated May 21, 2008)

2. **Authorized Development:** This permit allows construction of a 73,828-square foot, two-story, 99-room service hotel. The hotel will have a Tuscan/Mediterranean architectural design/coloring to compliment the Camino Real Marketplace (CR Marketplace). The building coverage is 32.3%, and the Floor-Area-Ratio is 56.1%. The mean height of the structure is 32 feet, roof heights range from 13.5 to 35 feet, and tower peaks are 38 and 40 feet.

Of the total of 99 rooms, 47 rooms would be located on the first-floor and 52 rooms would be located on the second-floor. No restaurant is permitted within the service hotel, but a service area to prepare continental breakfasts and afternoon snacks would be available for guests. Additionally, guest amenities include a meeting room, small board room, fitness room, business center, lounge, pool, spa, fire pits, fountains and patios.

Vehicular ingress and egress would be from Storke Road and Phelps Road. A 40-foot wide driveway apron would front on Storke Road, and a 30-foot wide driveway apron would front on Phelps Road. A landscaped buffer along Storke Road and Phelps Road would be expanded and would replace landscaping currently installed. An existing bus stop on Phelps Road, across the street from the hotel site, would be improved as required by MTD (e.g., shelter, bench, and trash receptacle). Aside from roadway improvements associated with the two driveway entrances (on Phelps Road and Storke Road), no additional frontage improvements are proposed since existing frontage improvements, which include street lights, utilities, landscaping and meandering sidewalks, were installed during construction of the CR Marketplace in the late 1990s.

Onsite vehicular circulation would be provided by a 24-foot wide drive aisle with a minimum of a 14-foot height clearance for the porte cochere entrance. A total of 110 parking spaces, of which 5 parking spaces would be ADA compliant, are proposed. An additional storage area has been proposed for a total of 20 bicycles. Pedestrian circulation would be provided through 4-foot wide sidewalk segments, and would connect the hotel entrances and exits to Storke Road, Phelps Road, and the adjacent park.

The site was previously rough graded as part of grading for the CR Marketplace, park, and parking lots. Additional finish grading would consist of 2,500-cubic yards of cut and 2,500-cubic yards of fill. No import or export of fill material is anticipated to complete site grading. The applicant proposes stormwater catch basins/drains and pollution prevention interceptors onsite and bio-swales both onsite and within the right-of-way to avoid cross lot drainage. Captured water would be transported by an existing underground 30-inch storm drain located on the west end of the site and routed to an existing natural area for bio-filtration and detention on the adjacent Girsh Park property. The natural area for bio-filtration and detention was previously engineered to hold a 100-year flood event for all development considered in the CRSP.

A Mediterranean landscape palette is designed to compliment landscaping at the CR Marketplace. The proposed landscape coverage is 24.5%, which is not inclusive of the 16,000 square feet of landscaping located

within the City rights-of-way for both Storke and Phelps Roads. A 6-foot tall decorative masonry wall/iron fence is proposed on the north and west property lines. A decorative/covered trash enclosure, out of public view, is proposed in the northwest corner of the property. Additional lighting is also proposed throughout the project site.

The applicant will incorporate a variety of “green” components into the design, construction and operation of the hotel. The applicant proposes to meet at least the minimum requirements for LEED certification, but will attempt to meet the highest level that they determine to be feasible.

The property is currently served by the Goleta Water District (through a Water Conveyance Agreement), Goleta West Sanitary District, Southern California Edison, the Southern California Gas Company and Marborg Industries.

No signage is included in this proposed project.

The following modification is granted:

- A modification to allow 28 parking spaces to encroach into the southern front yard setback along Phelps Road (Section 35-262.a).

The grading, development, use and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall substantially conform to the project description in the staff report and abide by the conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the City of Goleta. Minor changes to the project description contained herein shall be subject to the approval of the Director of Planning and Environmental Services.

MITIGATION MEASURES FROM THE CEQA ADDENDUM DATED OCTOBER 31, 2008

Aesthetics/Visual Resources

3. The design, scale and character of the project architecture, landscaping and signage shall be compatible with vicinity development. The proposed project shall be resubmitted for Preliminary/Final Review by DRB consisting of: (i) updated site plan, architectural floor plans, exterior elevations, landscape drawings, street improvement plans and lighting plan. The preliminary development plans shall be revised to address the

issues raised by DRB in its Conceptual Review and shall incorporate all applicable mitigation measures and conditions of approval. The updated building exterior elevations shall be fully dimensioned, showing existing grade, finished grade, finished floor, average height and peak height. **Plan Requirements and Timing:** The preliminary development plans shall be revised and resubmitted to DRB for review and approval prior to issuance of a Land Use Permit (“LUP”) for the project.

Monitoring: City staff shall verify that the project is constructed per the final architectural plans approved by DRB prior to issuance of any certificate of occupancy.

4. All exterior night lighting shall be of low intensity/low glare design, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. Exterior lighting fixtures shall be kept to the minimum number and intensity needed to ensure the public safety of employees, residents, and visitors to the hotel. All upward directed exterior lighting shall be prohibited to protect night sky views of the stars (and to avoid glare for overhead aircraft). All exterior lighting fixtures shall be appropriate for the architectural style of the proposed structure and the surrounding area. The applicant shall develop a lighting plan incorporating these requirements and provisions for dimming lights after 11:00 p.m. to the maximum extent practical without compromising public safety. The final lighting plan shall be amended to include identification of all types, sizes, and intensities of wall mounted building lights and landscape accent lighting. Wall wash type lighting should be avoided, except if required for safety reasons. “Moonlighting” type fixtures that illuminate entire tree canopies should also be avoided (up-lighting and down-lighting as separate methods are acceptable). **Plan Requirements:** The locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture and the height of the fixtures shall be depicted on the preliminary/final lighting plan and shall be reviewed and approved by DRB and City staff. **Timing:** The preliminary/final lighting plan shall be reviewed and approved by DRB and City staff prior to issuance of any LUP for the project.

Monitoring: City staff shall inspect all exterior lighting to verify that exterior lighting fixtures have been installed consistent with their depiction on the final lighting plan.

5. The applicant shall prepare detailed landscape and irrigation plans for the project that identifies the following:
 - a. Type of irrigation proposed;
 - b. All existing and proposed trees, shrubs, and groundcovers by species;
 - c. Size of all planting materials including trees; and
 - d. Location of all planting materials.

The project landscaping shall consist of drought-tolerant native and/or Mediterranean type species which adequately complement the project design and integrate the site with surrounding land uses. Landscaping shall be compatible with the character of the surroundings, the architectural style of the structure and shall be adjusted necessary to: (i) provide adequate vehicle stopping sight distance at all driveway entrances (as determined by the City); (ii) visually screen parking areas from street view to the maximum extent reasonable; and (iii) screen, through plantings and other features, loading and services areas of the proposed hotel. **Plan Requirements and Timing:** The landscape plans shall be revised and resubmitted for review and approval prior to and as a condition precedent to issuance of any LUP for the project. The plans shall be submitted for review and the DRB and City staff prior to issuance of an LUP. All elements of the final landscape plan, including irrigation improvements, shall be installed prior to any occupancy clearance.

Monitoring: City staff shall withhold issuance of an LUP pending Final Approval of the landscape plans by DRB. City staff shall also field verify installation of all landscaping and irrigation system improvements per the approved final landscape plan prior to issuance of any certificate of occupancy for the project.

6. The applicant shall enter into an agreement to install required landscaping and water-conserving irrigation systems as well as maintain required landscaping for the life of the project. **Plan Requirements and Timing:** Performance securities for installation and maintenance for at least three (3) years shall be subject to review and approval by City staff. At a minimum, performance securities guaranteeing installation of the landscaping shall be furnished by the applicant prior to issuance of any LUP for the project. The landscape maintenance agreement shall be signed and filed with the city prior to approval of any certificate of occupancy for the project.

Monitoring: City staff shall photo-document installation prior to occupancy clearance and shall check maintenance as needed. Release of any performance security requires City staff signature.

7. An Overall Sign Plan for the project shall be prepared and submitted for review and approval by DRB and City staff because conceptual signs shown on Planning Commission or City Council exhibits have not been reviewed for compliance with Sign Ordinance standards. **Plan Requirements and Timing:** The Overall Sign Plan shall be reviewed and approved by DRB and City staff prior to and as a condition precedent to installation of any signs for the project. Individual signs shall be reviewed and approved by the DRB and City staff prior to issuance of a Sign Certificate of Conformance.

Monitoring: City staff shall verify that project signs are approved and installed according to the Overall Sign Plan.

8. The height of structural development shown on final plans shall not exceed the mean height and peak height shown on the approved project exhibit maps. Finish grade shall be consistent with the approved final grading plan. Height limitations shown on preliminary plans shall be carried through on final plans and in the field. **Plan Requirements and Timing:** During the framing stage of construction and prior to commencement of roofing, the applicant shall submit verification from a licensed surveyor demonstrating that the mean height and peak height conform to those shown on the preliminary and final plans. This survey shall be reviewed and approved by the City of Goleta prior to commencement of roofing.

Monitoring: City staff shall verify compliance with this requirement prior to commencement of roofing.

9. To prevent construction and/or employee trash from blowing offsite, covered receptacles shall be provided onsite prior to commencement of grading or construction activities. Waste shall be picked up daily or as directed by staff. **Plan Requirements and Timing:** Prior to and as a condition precedent to issuance of any LUP for the project, the applicant shall designate and provide to City staff the name and phone number of a contact person(s) to monitor construction trash/waste and organize a clean-up crew. Additional covered receptacles shall be provided as determined necessary by City staff. This requirement shall be noted on all plans. Trash control shall occur throughout all grading and construction activities.

Monitoring: City staff shall inspect periodically throughout grading and construction activities to verify compliance.

10. The applicant shall prepare a detailed design of the proposed trash enclosures, for recyclables and solid waste, for the proposed hotel that exhibits good design and is compatible with the architectural style of the project. The storage area shall be enclosed with a solid wall of sufficient height to screen the area and shall include a solid gate and a roof. The trash storage area shall be maintained in good repair. A letter from the trash/recycle hauler shall be required that states that the location and design is accessible. **Plan Requirements and Timing:** Said trash enclosure plans shall be submitted for review and approval by DRB and City staff prior to issuance of any LUP for the project.

Monitoring: City staff shall verify compliance on project plans prior to approval of any LUP for the project. City staff shall verify installation of the approved trash enclosure prior to the issuance of any certificate of occupancy for the project.

11. The applicant shall submit a composite utility plan for DRB and City staff Preliminary/Final Review. All external/roof mounted mechanical equipment on the proposed hotel (including HVAC condensers, switch boxes, etc.) shall be included on all building plans and shall be designed to be integrated into the structure and/or screened from public view in a manner deemed acceptable to the City. **Plan Requirements and Timing:** Detailed plans showing all external/roof mounted mechanical equipment shall be submitted for review by DRB and City staff prior to and as a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall verify installation of all external/roof mounted mechanical equipment per the approved plans prior to the approval of any certificate of occupancy.

12. All new utility service connections and above-ground mounted equipment such as backflow devices, etc, shall be screened from public view and painted (red is prohibited) so as to blend in with the project. Screening may include a combination of landscaping and/or masonry or lattice walls. Whenever possible and deemed appropriate by City staff, utility transformers shall be placed in underground vaults. All gas and electrical meters shall be concealed and/or painted to match the building. All gas, electrical, backflow prevention devices and communications equipment shall be completely concealed in an enclosed portion of the building, on top of the building, or within a screened utility area. All transformers and vaults that must be located within the right-of-way shall be installed below grade unless otherwise approved by the City, and then must be completely screened from view. **Plan Requirements and Timing:** The site and building plans submitted for DRB Preliminary/Final Review shall identify the type, location, size, and number of utility connections and above-ground mounted equipment as well as how such equipment would

be screened from public view and the color(s) that it would be painted so as to blend in with the project and surrounding area.

Monitoring: City staff shall verify that all above-ground utility connections and equipment is installed, screened, and painted per the approved plans.

Air Quality

13. To mitigate fugitive dust emissions, the applicant shall implement APCD dust control measures, including, but not limited to wetting down graded areas and vegetating areas left undeveloped for more than four weeks, during all earthmoving and ground disturbing activities, requirements for gravel pads to be installed at access points to the project site, use of vacuum trucks or suction sweepers to collect soil on paved surfaces, and designation of a person(s) to monitor the dust control program during regular construction hours as well as during holidays and weekends. **Plan Requirements and Timing:** All APCD required dust control measures shall be noted on all construction plans and shall be submitted for approval by City staff prior to issuance of any LUP for the project. The name and telephone number of a designated person to monitor the dust control program shall be provided to City staff and the APCD.

Monitoring: City staff shall perform periodic site inspections to verify compliance as well as contact the designated monitor as necessary to ensure compliance with dust control measures.

14. Construction activities shall incorporate the dust mitigation measures and equipment control measures identified in the Air Pollution Control District condition letter dated November 4, 2008. The applicant shall provide a letter to all adjacent property owners with a construction activity schedule and construction routes as well as the name and telephone number of a contact person responsible for the compliance with air quality measures and the construction schedule fourteen days in advance of construction activities. Any alterations or additions shall require seven day notification. Planning & Environmental Services is to receive copies of all correspondence.

Monitoring: City staff shall perform periodic site inspections to verify compliance as well as contact the designated monitor as necessary to ensure compliance with dust control measures.

15. The project shall also comply with all Rules and Regulations required by the Santa Barbara County APCD, including, but not limited to:
 - a) Compliance with APCD Rule 339, governing application of cutback and emulsified asphalt paving materials;
 - b) Obtaining required permits for any emergency diesel generators or large boilers prior to any LUPs;
 - c) Obtaining APCD permits prior to handling or treating any contaminated soil onsite, if identified;
 - d) Limited idling of heavy-duty diesel trucks during loading and unloading to five minutes at any location and auxiliary power units should be used whenever possible. See APCD letter for additional idling restrictions.

16. Mechanical air conditioners shall use non-CFC refrigerants. The air conditioning systems shall utilize HCFC-123 or other refrigerants which are determined to have a minimal effect on ozone depletion. If feasible, the systems installed shall be designed to accommodate new non-ozone depleting refrigerants as they become available. **Plan Requirements and Timing:** Air conditioner information shall be provided on project building plans and shall be reviewed and approved by City staff prior to issuance of LUPs for structures.

Monitoring: City staff shall verify conformance with this measure on project building plans prior to issuance of LUPs and shall verify installation in conformance prior to certificate of occupancy.

17. The following energy-conserving techniques, that substantially exceed the minimum Title 24 energy conservation requirements, shall be incorporated unless the applicant demonstrates their infeasibility to the satisfaction of City of Goleta staff:
 - a. Installation of low NOx residential water heaters and space heaters meeting the minimum efficiency requirements of applicable APCD rules;
 - b. Installation of Energy Star Labeled Furnaces;
 - c. Use of water-based paint on exterior surfaces;
 - d. Use of solar-assisted water heating for swimming pools and tankless hot water on demand systems if their energy efficiency is demonstrated to exceed that of a central storage tank water heating system;
 - e. Use of passive solar cooling/heating;
 - f. Use of energy efficient appliances;
 - g. Use of natural lighting;
 - h. Installation of energy efficient lighting;

- i. Use of drought-tolerant native or Mediterranean landscaping subject to Planning and Environmental Services staff and Design Review Board (DRB) approval to shade buildings and parking lots;
- j. Encouragement of the use of transit, bicycling, and walking by providing infrastructure to promote their use;
- k. Provision of segregated waste bins for recyclable materials; and
- l. Prohibition against the installation and use of wood burning fireplaces.

Plan Requirements and Timing: These requirements shall be shown on applicable building plans prior to issuance of any land use permit.

Monitoring: City of Goleta staff shall site inspect for compliance prior to issuance of an occupancy permit.

18. The applicant shall prepare and implement an Alternative Transportation Program incorporating the following measures, unless the applicant demonstrates their infeasibility to the satisfaction of City of Goleta staff:
- a) A program to educate employees and customers about the benefits of alternate transportation modes;
 - b) Identification of specific alternative modes of transportation for hotel employees and related opportunities available to employees to facilitate use of alternative modes of transportation.
 - c) Provision of bus passes and posted bus schedule information for the Goleta area.
 - d) Shower and locker facilities for bicyclists;
 - e) A description and map showing the location of on-site bicycle storage and employee shower facilities, as well as a map showing local bike paths.
 - f) Preferential parking for carpoolers;
 - g) Child care facilities or access to nearby facilities;
 - h) Transit and carpool subsidies;
 - i) Other measures to encourage and facilitate hotel guests to utilize alternative transportation means.

Plan Requirements and Timing: The applicant shall include these measures as part of any project lease agreement terms or shall incorporate these measures as the business owner/operator. A sample agreement or owner/operator plan shall be submitted for review and approval prior to issuance of LUPs. The hotel owner and operator shall be responsible for implementing this condition.

Monitoring: City staff shall periodically inspect to confirm compliance and implementation of Alternative Transportation Program measures.

Biology

19. Applicant shall submit drainage and grading plans with a final hydrology report for review and approval by Community Services and Building staff. The plan shall incorporate appropriate Best Management Practices to minimize storm water impacts to the maximum extent feasible in accordance with the City's Storm Water Management Plan. **Plan Requirements and Timing:** The plans shall include features which serve the function of historic wetlands in the area such as bio-swales, permeable paving, on site detention, fossil filters and other feasible operational features. Where these features are located off of the immediate project site as part of the drainage facilities developed for the CR Marketplace, the off-site features shall be indicated on the plans. The plans shall also include an erosion control plan for review and approval by Community Services staff prior to the issuance of any LUP for the project. After installation of any drainage improvements or erosion control measures, the applicant shall be responsible for on-going maintenance of all improvements in accordance with the manufacturer's specifications or the approved plans.

Monitoring: City staff shall perform periodic site inspections to verify compliance as well as contact the designated monitor as necessary to ensure compliance with maintenance requirements.

20. During construction, washing of concrete, paint, or equipment shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing shall not be allowed near sensitive biological resources. An area designated for washing functions shall be identified on the plans submitted for approval of any LUP for the project. The washoff area shall be in place throughout construction. **Plan Requirements and Timing:** The wash off area shall be designated on all plans and shall be reviewed and approved by City staff prior to issuance of any LUP for the project.

Monitoring: City staff shall site inspect throughout the construction period to ensure compliance and proper use.

21. Oil and grease traps or other protective devices and measures, including bio-filters, shall be incorporated on-site to minimize transport of pollutants into wetlands. **Plan Requirements and Timing:** The oil and grease traps or other protective devices shall be designated on all plans and shall be reviewed and approved by City staff prior to issuance of any LUP for the project.

Monitoring: City staff shall site inspect throughout the construction period to ensure compliance and proper use.

22. Grading and Drainage plans for the hotel project shall be designed to convey drainage to the willow woodland in a manner which helps to replace the functions provided by existing wetlands on the site (e.g., use of on-site bio-swales to filter and slow the rate of flow of stormwater runoff). **Plan Requirements and Timing:** The conveyance of drainage to the willow woodland shall be designated on the grading and drainage plans and shall be reviewed and approved by City staff prior to issuance of any LUP for the project.

Monitoring: City staff shall site inspect throughout the construction period to ensure compliance.

Cultural Resources

23. In the event archaeological artifacts are encountered during grading or other ground disturbing activities, work shall be stopped immediately or redirected until a City approved archaeologist and Native American representative are retained by the applicant (at its cost) to evaluate the significance of the find pursuant to Phase 2 investigations. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program funded by the applicant. **Plan Requirements:** The applicant shall restate the provisions for archeological discovery on all building and grading plans. **Timing:** This condition shall be satisfied prior to issuance of any LUP for the project.

Monitoring: City staff shall check plans prior to approval of any LUP for the project and shall conduct periodic compliance inspections during and after construction.

Environmental Hazards

24. The applicant shall maintain landscape buffer setbacks as shown on the Specific Plan, and maximize setback distance to proposed underground power lines from areas where people congregate and linger. **Plan Requirements and Timing:** Project plans shall identify the location of overhead lines adjacent to the project site and shall maintain setbacks identified on the DP approved plans.

Monitoring: City staff shall verify construction according to approved plans, with regard to building setbacks.

25. The applicant shall work with SCE to ensure that any under-grounding of electrical facilities shall occur using best practices for reduced magnetic fields in accordance with SCE's EMF Design Guidelines. **Plan Requirements and Timing:** If any utilities will be under-grounded as part

of the project, applicant shall submit confirmation from SCE that best practices have been incorporated. This confirmation shall be submitted prior to issuance of LUPs.

Monitoring: City staff shall verify that any under-grounding is performed pursuant to SCE confirmed best practices design.

Geology/Drainage

26. The following shall be included on the Final Grading and Drainage plans and implemented during construction:
- a. Temporary berms and sediment traps;
 - b. Revegetation of non-paved areas immediately after grading;
 - c. Surface runoff shall be conveyed in accordance with the approved drainage plans;
 - d. Energy dissipaters shall be installed at drain pipe outlets;
 - e. Grading shall not occur during the rainy season (November 1 to May 1) unless approved erosion control measures are implemented;
 - f. Grading shall ensure that water does not drain toward structures or pavements.

Plan Requirements and Timing: The final grading and drainage plan (including details regarding conveyance of on-site drainage to the overall CR Specific Plan area drainage system, implementation of BMPs and conformance with Stormwater Management Program standards) shall be reviewed and approved by Community Services and Planning & Environmental Services staff prior to issuance of LUPs. All drainage related measures shall be implemented throughout construction/during project operations, as identified on the approved drainage plan.

Monitoring: City staff shall verify approval of grading and drainage plan prior to issuance of LUPs.

27. The applicant shall demonstrate through a structural soils and corrosivity report, prepared by a certified engineering geologist, that site preparation, structural design criteria, and final footings and foundation design accounts for liquefaction and expansive soils in accordance with the State Building Code. The structural soils report shall also prescribe recommendations for design and construction of site improvements to minimize long term damage to paved driveways, parking areas, sidewalks and other similar surface features that may be susceptible to possible settlement and lateral movement. The recommendations prescribed in the structural soils report shall be implemented through construction plans and documents. **Plan Requirements and Timing:** The structural soils

report shall be reviewed and approved by the City Building Official prior to any LUP for the project.

Monitoring: City staff shall periodically perform site inspections to verify compliance with the approved construction documents.

Land Use

28. Applicant shall record an avigation easement between the applicant and the City of Santa Barbara. **Plan Requirements and Timing:** The applicant shall submit a copy of the recorded avigation easement, with written confirmation from the City of Santa Barbara that the avigation easement is acceptable to the City prior to land use clearance.

Monitoring: City of Goleta staff shall verify that recordation has occurred prior to issuance of a land use clearance.

Noise

29. The applicant shall prepare an acoustical study that: (i) includes field measurement of noise levels on-site, with specific assessment of the outdoor courtyard area and hotel rooms; (ii) identifies methods to reduce noise levels, including reducing indoor noise levels to less than 45 dBA CNEL, taking into account existing and future noise exposure; and (iii) specifically addresses the potential and effectiveness of installation of water features (as “white” noise). The study shall be presented, along with design alterations, for consideration by the DRB in connection with the Preliminary/Final Review of the project. **Plan Requirements & Timing:** The acoustical study and design modifications (if any are proposed) shall be submitted to DRB for review and approval prior to issuance of a Land Use Permit (“LUP”) for the project.

Monitoring: City staff shall withhold issuance of an LUP pending approval of the final development plans by DRB. City staff shall verify that the project is constructed per the final architectural plans approved by DRB prior to issuance of any certificate of occupancy.

30. Noise generating construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday, and no construction shall occur on State holidays (e.g. Christmas, Thanksgiving, Memorial Day, 4th of July, Labor Day). Exceptions to these restrictions may be made in extenuating circumstances (in the event of an emergency, for example) on a case by case basis at the discretion of the Director of Planning and Environmental Services. Non-noise generating construction activities such as interior painting are not subject to these restrictions. Prior to commencement of

any pile driving operations, properties within the vicinity of the site shall be notified not less than 72 hours in advance of commencement. Said notice shall provide businesses with the anticipated time and duration of pile driving and shall be reissued if there is a substantial change in scheduling. **Plan Requirements:** Two signs stating these restrictions shall be provided by the applicant and posted on site prior to commencement of construction. **Timing:** The signs shall be in place prior to beginning of and throughout all grading and construction activities. Violations may result in suspension of permits.

Monitoring: City staff shall spot check to verify compliance and/or respond to complaints.

31. A temporary sound wall shall be placed along the project boundary, or other suitable noise attenuation measure(s) shall be provided, where the site is opposite day care facilities (e.g., at the southeastern corner of the project site along the length of the day care facility on the southern side of Phelps Road) to reduce construction noise below 65 dBA CNEL on these sensitive receptors. **Plan Requirements and Timing:** Temporary sound wall(s) or other noise attenuation measure(s) shall be identified on the project grading plans. City staff shall verify compliance with this requirement prior to issuance of LUPs and the sound wall(s)/other noise measure(s) shall be installed prior to commencement of other project grading and construction.

Monitoring: City staff shall perform site inspections to ensure compliance.

32. Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded to the City of Goleta's satisfaction and/or shall be located a minimum of 1,600 feet from sensitive receptors. **Plan Requirements and Timing:** The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.

Monitoring: The City of Goleta compliance staff shall perform site inspections to ensure compliance.

Public Services

33. The applicant shall develop and implement a Solid Waste Management Program. The program shall identify the amount of waste generation projected during processing of the project. The program shall include the following measures, unless the applicant demonstrates their infeasibility to the satisfaction of City of Goleta staff:

- a) Provision of at least 50% of space and/or bins for storage of recyclable materials within the project site.
- b) Implementation of a green waste source reduction program focusing on recycling of all green waste generated onsite.
- c) Development of a Source Reduction Plan ("SRP"), describing the recommended program(s) and the estimated reduction of the solid waste disposed by the project. For example, the SRP may include a description of how fill will be used on the construction site, instead of sending excess fill material to a landfill, or a detailed set of office procedures such as use of duplex copy machines and purchase of office supplies with recycled content.
- d) Implementation of a program to purchase materials that have recycled content for project construction and/or operation (i.e., plastic lumber, office supplies, etc.). The program could include requesting suppliers to show recycled materials content. To ensure compliance, the applicant shall develop an integrated solid waste management program, including recommended source reduction, recycling, composting programs, and/or a combination of such programs, subject to City staff review and approval prior to issuance of any certificate of occupancy

Plan Requirement and Timing: The applicant shall submit the Solid Waste Management Program to City staff for review and approval prior to approval of any LUP for the project. Program components shall be implemented prior to occupancy clearance and throughout the life of the project.

Monitoring: City staff shall site inspect during construction and prior to occupancy to ensure solid waste management components are established and implemented.

34. A Waste Reduction and Recycling Plan (WRRP) shall be submitted to the Community Services Department for review and approval. Said plan shall indicate how a 50% diversion goal shall be met during construction. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete asphalt). During grading and construction, separate bins for recycling of construction materials and brush shall be provided onsite. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all construction recoverable/recyclable material. (Copy of contract to be provided to the City.) Recoverable construction material shall include but not be limited to asphalt, lumber, concrete, glass, metals, and drywall. At the end of the project, applicant shall submit a Post-Construction Waste Reduction & Recycling Summary Report documenting the types and amounts of materials that were generated during the project and how much was reused, recycled, composted, salvaged, or landfilled. **Plan**

Requirements and Timing: This requirement shall be printed on the grading and construction plans. Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to occupancy clearance.

Monitoring: City staff shall review and approve Solid Waste Reduction Plan prior to issuance of LUPs.

35. A Can and Will Serve (“CAWS”) letter from Goleta West Sanitary District (GWSD) shall be provided indicating that adequate water treatment capacity is available to serve the project upon demand and without exception (or equivalent guarantee). Based on the final construction drawings, the applicant shall pay the following fees as determined by GWSD: (i) sewer connection fees; and (ii) mitigation fees to offset the difference between allocated capacity to the site and projected volumes attributable to the proposed hotel, if any. **Plan Requirements and Timing:** A CAWS shall be forwarded to the City of Goleta prior to issuance of any LUP for the project.

Monitoring: A connection permit issued by GWSD, along with evidence that sewer connection and mitigation fees have been paid, shall be submitted to the City prior to and as a condition precedent to approval of any LUP for the project. City staff shall withhold occupancy until all necessary permanent or temporary measures have been taken to accommodate effluent from the hotel to the satisfaction of GWSD.

Traffic/Circulation

36. The project applicant shall pay impact mitigation fees toward the Goleta Transportation Improvement Program (GTIP). **Plan Requirements and Timing:** The applicant shall pay GTIP fees in the amount, time and manner prescribed by Ordinance or Resolution of the City of Goleta.

Monitoring: City shall verify compliance with this mitigation measure prior to issuance of any LUP for the project.

37. Detailed improvement plans prepared by a registered civil engineer for the proposed project shall be prepared for review and approval by the City’s Community Services Department. The drawings and specifications shall substantially conform to the Preliminary Development Plans and incorporate Community Service Department required improvements for the proposed driveways (on Storke and Phelps Roads), frontage improvements along both Storke and Phelps Road, and MTD-approved improvements to the bus stop on the south side of Phelps Road across from the project site. **Plan Requirements and Timing:** The project plans shall be revised, as appropriate, for review and approval by the City’s

Community Services Department prior to and as a condition precedent to issuance of any LUP for the project. The required street improvements shall be installed by applicant, and accepted City Engineer prior to any occupancy clearance.

Monitoring: City staff shall verify compliance with the requirement for submittal of final plans. City staff shall inspect and approve the completed street improvements prior to any occupancy clearance.

38. Consistent with the project description and MTD letter dated October 25, 2007, the applicant shall make improvements to the existing bus stop at the southwest corner of the Phelps/Storke intersection. Improvements shall be up to current MTD bus stop standards, including an ADA-compliant concrete pad, bench, shelter, trash receptacle, and night-lighting for safety. Detailed improvement plans shall be prepared for review and approval by the MTD. **Plan Requirements & Timing:** The bus stop improvement plans shall be submitted for review and approval by MTD. Applicant shall submit written confirmation of MTD acceptance of bus stop improvement plans. Bus stop improvements shall be included on project plans for LUP submittal. Compliance with MTD requirements shall be a condition precedent to issuance of any LUP for the project.

Monitoring: City staff shall verify applicant submittal of approval of improvement plans by MTD. City staff shall inspect and approve the completed street improvements prior to any occupancy clearance.

Water Resources

39. The applicant shall provide confirmation from GWD that water savings from conversion of sprinklers in CR Marketplace to drip irrigation will offset hotel related increases in water demand such that overall Camino Real Specific Plan water demand (e.g., CR Marketplace, all landscaping, park bathrooms, etc.) does not exceed the Camino Real allotment of 80 AFY. In the event that water demand will exceed the allotment, the applicant shall confirm allocation of necessary supplies from the Goleta Water District. In the latter event, a Can and Will Serve (“CAWS”) letter from GWD shall be provided indicating that adequate water supply is available to serve the project upon demand and without exception (or equivalent guarantee). **Plan Requirements and Timing:** Applicant shall provide proof of adequate water supplies consistent with the above requirements prior to issuance of LUPs.

Monitoring: City staff shall verify compliance with water supply requirement prior to issuance of LUPs. If additional water is needed from the GWD, a CAWS, with firm reservation of water availability for the

project from the GWD shall be submitted to the City prior to approval of any LUP for the project.

40. To reduce and filter stormwater runoff leaving the project site, the project plans shall incorporate BMPs in compliance with the City's Stormwater Management Program Ordinance and draft NPDES permit (and component Stormwater Management Plan) including, but not limited to: installation of an on-site fossil filter to pre-treat surface water before entering into storm drain system, erosion control and sediment discharge measures during construction, and development of the proposed bioswales on-site. **Plan Requirements and Timing:** Design details of the bioswales and other operational features shall be submitted to DRB and City staff for review and approval prior and as a condition precedent to issuance of any LUP for the project. Erosion control and sediment discharge measures shall be specified on a separate sheet attached to the grading and building plans. These measures shall be implemented during and after project construction, as appropriate after installation, the applicant shall be responsible for on-going maintenance of all on-site storm water pollution control devices in accordance with the manufacturer's specifications.

Monitoring: City staff shall perform periodic site inspections to verify compliance as well as contact the designated monitor as necessary to ensure compliance with maintenance requirements.

41. Outdoor water use shall be limited through the following measures: (i) landscaping shall be primarily with native and/or drought tolerant species; (ii) drip irrigation or other water-conserving methods shall be used; (iii) plant material shall be grouped by water needs; (iv) extensive mulching shall be used to improve water holding capacity of the soil by reducing evaporation and soil compaction; and (v) soil moisture sensing devices shall be installed to prevent un-necessary irrigation. Indoor water use shall be limited through the following measures: (i) all hot water lines shall be insulated wherever possible; (ii) recirculating, point-of-use, on-demand or other energy efficient water heaters shall be installed; (iii) water efficient clothes washers and dishwashers shall be installed; and (iv) public lavatories and drinking fountains shall be equipped with self-closing valves. **Plan Requirements and Timing:** The outdoor water conserving measures shall be incorporated into the final landscape plan that is submitted for review and approval by DRB. The indoor water-conserving measures shall be graphically depicted on building plans and approved prior to issuance of any LUP for the project.

Monitoring: City staff shall inspect and verify installation of all water conserving measures prior to occupancy clearance.

42. A pesticide, herbicide and fertilizer maintenance plan shall be prepared that minimizes their use, particularly during the rainy season. Biodegradable pesticides and herbicides shall be maximized. Grasses not generally susceptible to pest disease shall be planted in turf areas. **Plan Requirement and Timing:** The landscape plan shall include this maintenance plan component, which shall be reviewed and approved by DRB and City staff prior to issuance of LUPs.

Monitoring: City staff shall periodically inspect and verify compliance with the approved maintenance plan.

43. To ensure adequate design and sizing of drainage conveyance infrastructure (drop inlets, outlet pipes, connections to existing infrastructure, flood water retention areas, etc.), final grading and drainage plans shall be reviewed and approved by Community Services staff prior to Land Use Permits to prevent on- and off-site flooding and to ensure compliance with the Stormwater Management Program. **Plan Requirements and Timing:** Detailed final grading and drainage plans shall be submitted to Community Services and Planning & Environmental Services staff for review and approval prior to and as a condition precedent to issuance of any LUP for the project. After installation, the applicant shall be responsible for on-going maintenance of drainage infrastructure.

Monitoring: City staff shall review plans to ensure appropriate grading and drainage design prior to issuance of LUPs and shall perform periodic site inspections to verify installation according to approved grading and drainage plan as well to verify on-going maintenance.

PROJECT SPECIFIC CONDITIONS

44. Compliance with Agency Letters:
- a. Air Pollution Control District letter dated November 4, 2008
 - b. Community Services memorandum dated October 24, 2008
 - c. Fire Department letters dated October 14, 2008 and January 26, 2009
 - d. MTD letter dated October 25, 2007
45. Due to the site's location near the Santa Barbara Municipal Airport and associated aircraft overflights in the area, the landscape plan shall exclude trees or other plantings which could exceed 45 feet at maturity. Vines or other plantings may be incorporated to "spill over" from the roof to break up the massing of the higher elevations of the structure. The applicant shall submit landscape plans for preliminary and final DRB review which

comply with this condition. The DRB shall review the landscape plans for compliance.

46. The property owner shall be required to execute and record a deed restriction that acknowledges and assumes responsibility for airport safety risks; waives any future claims of damage or liability against the City; and agrees to indemnify and hold harmless the City against any and all liability, claims, damages, and/or expenses arising from any injury to any person or damage to property due to such hazards. In addition, the applicant shall record a Real Estate Disclosure notice informing potential owners, lessees, or renters that the subject property is within the Santa Barbara Municipal Airport's Airport Influence Area and is subject to noise and other potential hazards from low-altitude aircraft overflights.
47. All drainage control facilities as noted in the Project Description and shown on Sheets 1 of 1 of the civil engineering plans *and the Hydraulic Report* by Fuscoe Engineering dated November 3, 1997, and amended by letter on October 20, 2008, and associated plans shall be maintained for the life of the project by the applicant and/or operator. **Plan Requirements:** Maintenance of all drainage facilities for two (2) years from occupancy clearance of the last building shall be ensured through a performance security provided by the applicant. **Timing:** All drainage control facilities shall be installed (landscaped and irrigated subject to City inspection and approval) prior to approval of the first Land Use Permit for a building. The performance security shall be released upon expiration of the two (2) year period provided such facilities have been installed per plans and maintained in good working order.

Monitoring: City staff shall verify installation of all drainage improvements and posting of the required maintenance security prior to approval of the first Land Use Permit for a building. City staff shall field inspect to verify adequate drainage system maintenance by the applicant/property owner in perpetuity.

48. Guest stays at the proposed hotel shall be limited to a maximum of 30 consecutive days. Exceptions to this requirement may be granted on a case-by-case basis at the sole discretion of the City. **Plan Requirements and Timing:** An enforceable covenant with the foregoing occupancy stipulation shall be prepared by the applicant and submitted for review and approval by the City. The covenant, following approval, shall be recorded against the property prior to issuance of any LUP for the project.

Monitoring: City staff shall verify that the occupancy covenant has been recorded prior to issuance of any LUP for the project.

49. The applicant shall pay all applicable development impact fees under the City of Goleta Development Impact Fee program in full. **Plan Requirements and Timing:** Payment amounts are estimated below, and shall be based on the fees in effect and applicable at the time fees are due.

Quimby/Park Fees	\$2,072/ 1000 sq. f t	Due at Final Inspection
Transportation	\$7,832/room for 99rooms	Due at Land Use Permit
Fire Protection	\$0.20/SF	Due at Final Inspection
Fire Facility	\$700/1000 SF	Due at Final Inspection
Library	\$190/1000 SF	Due at Final Inspection
Public Admin	\$841/1000 SF	Due at Final Inspection
Sheriff	\$433/1000 SF	Due at Final Inspection

Monitoring: The City of Goleta shall ensure payment is made as required.

50. The applicant shall pay a housing in-lieu fee of \$383,906.00 prior to Final Inspection.

DEVELOPMENT PLAN CONDITIONS

51. Approval of this Development Plan is subject to the City Council approving the required Specific Plan Amendment.
52. Approval of the Final Development Plan shall expire five (5) years after approval, unless prior to the expiration date, substantial physical construction has been completed on the Development Plan or a Time Extension has been applied for by the applicant. The decision maker with jurisdiction over the project may, upon good cause shown, grant a time extension for one year.
53. If the applicant requests a Time Extension, the project may be revised to include updated language to standard conditions and/or may include revised/additional conditions which reflect changed circumstances or additional identified project impacts. Fees shall be those in effect at the time of issuance of a Land Use Permit.
54. No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of buildings, walkways, parking areas, drainage facilities, and landscaped areas shall be developed in substantial conformity with the approved development plan marked City Council

Hearing Exhibit #1, dated March 3, 2009. Substantial conformity shall be determined by the Director of Planning and Environmental Services.

55. The Final Development Plan approval runs with the land and the rights and obligations thereof, including responsibility to comply with conditions of approval shall be binding upon successors in interest in the real property unless or until such permits are expressly abandoned.
56. On the date a subsequent Preliminary or Final Development Plan is approved for this site, any previously approved but unbuilt plans shall become null and void.
57. Planning and Environmental Services Compliance Review shall be required. The applicant agrees to pay Compliance Review fees prior to Land Use Permit issuance to cover full costs of compliance monitoring. The decision of the Director shall be final in the event of any dispute.
58. Prior to approval of the first Land Use Permit for general grading and/or buildings for development, the applicant shall pay all applicable City of Goleta permit processing fees in full. Prior to the start of any work on-site, the applicant shall request and attend a preconstruction meeting that includes monitor(s), project superintendent, architect, subcontractors, as well as City representatives including staff from Planning and Environmental Services and Community Services.
59. The applicant shall pay the statutory school fees in effect at the time of issuance of each building permit to the appropriate school districts and/or shall mitigate school impacts by other measures consistent with State law. The applicant shall submit final square footage calculations and a copy of the fee payment to the school districts prior to issuance of each building permit.
60. All work within the public right-of-way, including but not limited to utilities and grading, shall be explicitly noted on the building plans. The applicant shall obtain all necessary encroachment permits from the City of Goleta Community Services Department prior to issuance of building permits for all work and construction that encroach within or over the public right-of-way, including, but not limited to, water meters, backflow devices, signs, and curb/gutter/sidewalk improvements.
61. Any temporary building, trailer, commercial coach, etc. installed or used in connection with construction of this project shall comply with the requirements of Section 35-281, Article III of the City's Municipal Code.

62. All trees planted in accordance with this approval shall be maintained according to the latest adopted American National Standard Institute (ANSI) guidelines for tree care, generally referred to as ANSI A300 (various parts), and the companion publications "Best Management Practices" published by the International Society of Arboriculture (ISA). Any pruning of trees, other than light pruning of no more than 25 percent (25%) of the foliage within any one growing season, requires review and approval of the City of Goleta prior to commencement of the work.
63. The applicant shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements herein in the City of Goleta Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City as well as hours of operation requirements in the City.

GENERAL CONDITIONS

64. No signs are authorized with this permit. All signs require separate permits and shall comply with City of Goleta Chapter 35, Article I, Sign Regulations, with setbacks specified in Article III, Inland Zoning Ordinance.
65. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Land Use Permit (LUP) and Building Permit(s) if required from the Planning & Environmental Services Department. These permits are required by ordinance and are necessary to ensure implementation of the conditions required by the Director of Planning & Environmental Services.
66. All applicable final conditions of approval shall be printed in their entirety on applicable pages of all plans submitted for approval of any LUP and/or building permit for the proposed project.
67. This permit is granted for the property described in the application on file with the Planning & Environmental Services Department and may not be transferred from one property to another.
68. When exhibits and/or written Conditions of Approval are in conflict, the written Conditions of Approval shall prevail.
69. If the applicant, owner or tenant fails to comply with any of the conditions of this permit, the applicant, owner or tenant may be subject to a civil fine pursuant to the City Code and/or permit revocation.

70. The applicant shall be responsible for the completeness and accuracy of all forms and supporting materials submitted in connection with any application. Any errors or discrepancies found therein may constitute grounds for the revocation of any approvals.
71. Any new or changed use on the site shall be subject to appropriate review by the City, including building code compliance and environmental review if applicable.
72. Revised plans and building elevations incorporating all conditions of approval for this project shall be coordinated and submitted to Planning and Environmental Services as one package in accordance with plan check requirements. All plans, including site, grading, landscape, irrigation, mechanical, and street improvement plans shall be reviewed for condition compliance prior to issuance of any permits such as grading, building, or encroachment permits. Any change to the size, colors, construction materials, design or location of any structure onsite, or other site or landscape improvements, except to the extent such changes are deemed in substantial conformity, shall not be made without prior City approval.
73. Applicant agrees, as a condition of this approval, at applicant's expense, to defend, indemnify and hold harmless the City of Goleta or its agents, officers and employees from any claim, action or proceeding against the City of Goleta or its agents, officers or employees, to attack, review, set aside, void, or annul, in whole or in part, the City of Goleta approval of the Development Plan or any condition attached thereto or any proceedings, acts, or determinations taken, done or made prior to the approval that were part of the approval process.
74. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City of Goleta and substitute conditions may be imposed.



**Santa Barbara County
Air Pollution Control District**

November 4, 2008

Scott Kolwitz, Project Planner
City of Goleta Planning & Environmental Services
130 Cremona Drive, Suite B
Goleta, CA 93117

RECEIVED

NOV 04 2008

City of Goleta
Planning & Environmental Svcs.

RE: Camino Real Hotel Project: Recommended Conditions of Approval

Dear Scott,

The Santa Barbara County Air Pollution Control District (APCD) recommends the following conditions of approval for this project, so that the project is consistent with the Conservation Element Policies regarding air quality in the City of Goleta General Plan. This letter supersedes previous recommended conditions of approval sent by the APCD for this project and supplements the air quality conditions of approval placed on the Camino Real Marketplace.

APPLICANT-PROPOSED MEASURES

1. **Hotel Shuttles:** Shuttle vans will be available to transport guests to and from the hotel and the Santa Barbara Airport, the Goleta Amtrak train stop, and UCSB.
2. **Bicycles:** Bicycles will be available to hotel guests as an alternative mode of transportation to UCSB and other nearby business meetings in the Goleta area as well as for leisure/recreational purposes.
3. **Laundry:** In-house, water-based laundry facilities for hotel use.
4. **Green building features:**
 - Enhanced commissioning and measurement and verification to optimize energy efficiency¹;
 - Hiring of third-party contractor to commission, or balance, the energy-consuming aspects of the hotel to ensure their efficiencies are maximized;
 - Dual-paned windows;
 - Resistant insulation;
 - Efficient water heating;
 - Low-emitting materials in the hotel, including: adhesives and sealants, paints and coatings, carpet systems, composite wood and agri-fiber products as well as products constructed with recycled material (to the extent practical), locally purchased if possible; and
 - Allowance for daylight in 75% of the hotel's interior spaces;

APCD- RECOMMENDED MEASURES

1. Control of Emissions during Grading and Construction

A. Fugitive dust control measures are required for all earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

¹ See additional APCD-recommended performance measure below.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

Plan Requirements and Timing: All APCD required dust control measures shall be noted on all construction plans and shall be submitted for approval by City staff prior to issuance of any Land Use Permits for the project. The name and telephone number of a designated person to monitor the construction shall be provided to City staff and the APCD.

Monitoring: City staff shall perform periodic site inspections to verify compliance as well as contact the designated monitor as necessary to ensure compliance with dust control measures.

B. Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. Therefore, following is an updated list of control strategies that should be implemented to the maximum extent feasible during the construction period.

- All portable diesel-fired engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Other diesel construction equipment, which does not meet CARB standards, shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Idling of diesel construction equipment and trucks during loading and unloading shall be limited to five minutes.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements and Timing: The project applicant shall include these measures as notes on a separate sheet attached to the grading and construction plans. The name and telephone number of a designated person to monitor the construction shall be provided to City staff and the APCD. City staff shall review and approve the grading and construction plans prior to issuance of the Land Use Permit for the project. These measures shall be implemented during project construction.

Monitoring: City staff shall perform periodic site inspections to verify compliance with approved plans, as well as contact the designated construction monitor, as necessary, to ensure compliance with equipment control measures. APCD inspectors shall respond to nuisance complaints.

2. The project shall comply with all Rules and Regulations required by the Santa Barbara County APCD, including, but not limited to:

- a) Compliance with APCD Rule 339, governing application of cutback and emulsified asphalt paving materials;
- b) Obtaining required permits for any emergency diesel generators or large boilers prior to any Land Use Permits;
- c) Obtaining APCD permits prior to handling or treating any contaminated soil onsite, if identified;
- d) Limited idling of heavy-duty diesel trucks during loading and unloading to five minutes at any location. Electric auxiliary power units should be used whenever required.

Plan Requirements and Timing: The applicant shall include these measures as part of any project lease agreement terms or shall incorporate these measures as the business owner/operator. A sample agreement or owner/operator plan shall be submitted for review and approval by the APCD and the City prior to issuance of Land Use Permits.

Monitoring: City staff shall periodically inspect to confirm compliance and implementation of the long-term measures in the agreement.

3. In addition to the applicant-proposed green building measures, the Hotel should reduce emissions of greenhouse gases by providing verification that energy efficiency of each building will exceed Title 24 requirements by at least 20 percent.

Please contact me by phone at 961-8893, or by e-mail: VJ@sbcapcd.org if you have questions.

Sincerely,



Vijaya Jammalamadaka
Air Quality Specialist
Technology and Environmental Assessment Division

cc: Project File: Goleta Camino Real Hotel
TEA Chron File



MEMORANDUM

DATE: October 24, 2008

TO: Scott Kolwitz, Senior Planner

FROM: Diana White, Assistant Engineer *Diana*

SUBJECT: 401 Storke Road, APN 073-440-019 - Case No. 07-208-GP, SP, DP, DRB
Recommended Conditions of Approval (Camino Real Hotel)

Thank you for transmitting the plans as attached to the Addendum dated September 5, 2008 to the Camino Real Environmental Impact Report (96-EIR-003).

Community Services recommended Conditions of Approval for the Camino Real Hotel project at 401 Storke Road are:

A. PRIOR TO LAND USE PERMIT

1. Payment of Development Impact Fees for Transportation (GTIP Fees).
2. A Waste Reduction and Recycling Plan (WRRP) shall be submitted to the Community Services Department for review and approval. Said plan shall indicate how a 50% diversion goal shall be met during construction.
3. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all construction recoverable/recyclable material. (Copy of Contract to be provided to the City). Recoverable construction material shall include but not be limited to: asphalt, lumber, concrete, glass, metals, and drywall.
4. All existing survey monuments shall be preserved and/or tied out in coordination with the County of Santa Barbara's Surveyor's Office.
5. Provide hydrology calculations to comply with the City's Storm Water Management Plan (SWMP), including but not limited to percent of effective impervious, water quality calculations and Best Management Practices (BMPs) for storm water exiting the site.

B. PRIOR TO ENCROACHMENT PERMIT ISSUANCE

1. Owner shall submit to the Community Services Department two copies of a separate public improvement plan prepared by a registered civil engineer. This plan may be incorporated into the Building Plan set, with additional public improvement plan sheets provided unbound. As determined by the Community Services Department, the improvements shall include but not be limited to:

Storke Road Public Improvements:

- a) Installation of city street tree(s) and other approved landscaping within the public right of way (parkway). Type of city street tree and planting location shall be as approved by the City Manager of Parks and Open Space.
- b) Slurry seal to the centerline of the street along entire subject property frontage and a minimum of fifty feet (50') beyond the limits of all trenching in the roadway.
- c) Install pavement traffic striping as determined by the Community Services Department to facilitate ingress/egress from the northerly driveway on Storke Road. This may include limiting left turns from Storke Road onto the site.
- d) Upgrade the existing Metropolitan Transit District (MTD) bus stop on the westside of Storke Road, south of Phelps. The bus stop shall meet the standards of the City and MTD, and include at a minimum, a shelter, bench, trash cans, and be ADA accessible. A bus turnout lane may be required.

Phelps Road Public Improvements:

- e) Installation of city street tree(s) and other approved landscaping within the public right of way (parkway). Type of city street tree and planting location shall be as approved by the City Manager of Parks and Open Space
- f) Slurry seal to the centerline of the street along entire subject property frontage and a minimum of fifty feet (50') beyond the limits of all trenching in the roadway.
- g) Install pavement traffic striping as determined by the Community Services Department to facilitate ingress/egress from the westerly driveway on Phelps Road.

2. A signed Agreement for Public Improvements, an Engineer's Estimate, signed and stamped by a registered civil engineer. The applicant shall be required to post securities for construction of improvements prior to execution of the agreement. Securities will be submitted at 100% of the engineer's estimate for the performance of the work and 100% of the engineer's estimate for labor and materials.

C. PRIOR TO C OF O:

1. Complete all Public Improvements along Storke Road and Phelps Road, as shown on the building and public improvement plans.
2. The Owner shall enter into a landscape and drainage maintenance and public easement agreement with the City of Goleta for public improvements along Storke Road and Phelps Road.

3. At the completion of all permitted construction, the owner shall provide the City's Solid Waste Coordinator with a Construction Phase - Final Waste Reduction and Recycling Report. Said report shall designate all materials landfilled and recycled, broken down into material types. The final report shall be approved by the Community Services Department prior to C of O.
4. Payment of Parks and Recreation Fees, if required.
5. All existing survey monuments shall that were preserved and/or tied out shall be reset in coordination with the County of Santa Barbara's Surveyor's Office.
6. Submit reproducible Record Drawings and an electronic signed copy of the Record Drawings for the revised street striping and public improvements (i.e., sidewalk, curb cut, drainage/bio filter, bus stop) on Storke Road and Phelps Road.
7. Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) caused by construction subject to the review and approval of the Community Services Department.

If you have any questions, please contact me at x7564.

DW/

cc: Steve Wagner, Community Services Director
Marti Schultz, Principal Civil Engineer



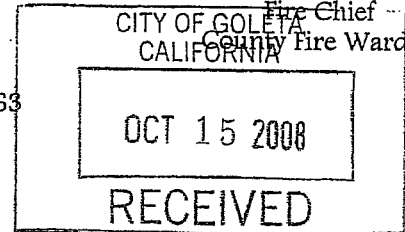
Fire Department

"Serving the Community Since 1926"

4410 Cathedral Oaks Road
Santa Barbara, CA 93110-1042
(805) 681-5500 FAX (805) 681-5563

John M. Scherrei

Fire Chief
CITY OF GOLETA
CALIFORNIA
County Fire Warden



October 14, 2008

Mr. Scott Kolwitz
City of Goleta Planning Department
130 Cremona Drive, Suite B
Goleta, CA 93117

Dear Mr. Kowitz:

SUBJECT: APN: 073-440-019; Permit #: 07-208-GP-SP-DP
Site: NW Corner of Storke/Phelps Roads, Goleta
Project Description: New 73,828 Square Foot 99-Room Hotel

This Condition Letter Supersedes All Previous Condition Letters

The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

GENERAL NOTICE

1. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.

PRIOR TO ERECTION OF COMBUSTIBLE BUILDING MATERIALS THE FOLLOWING CONDITIONS MUST BE MET

2. All access ways (public or private) shall be installed and made serviceable. Roadway plans, acceptable to the fire department, shall be submitted for approval prior to any work being undertaken.
3. New fire hydrant(s) shall be installed. The hydrants shall be located per fire department specifications and shall flow 1250 gallons per minute at a 20 psi residual pressure. Prior to installation, plans showing locations, size and type of hydrants, valves, main lines and lateral lines shall be approved by the fire department.

**PRIOR TO OCCUPANCY CLEARANCE
THE FOLLOWING CONDITIONS MUST BE MET**

4. Santa Barbara County Fire Department fire sprinkler system requirements shall be met. Fire sprinkler system plans shall be approved prior to installation. Location of any fire department connection shall be determined by the fire department.
5. Annual permits for the use and storage of hazardous and/or flammable materials/wastes are required. To determine if your business requires the issuance of an annual permit, please contact the Hazardous Materials Unit for additional information and application procedures (805-686-8167).

A Hazardous Materials Business Plan shall be required if your business stores or handles any hazardous materials or hazardous waste at any one time during a calendar year in quantities equal to or greater than: 55 gallons, 500 pounds, or 200 cubic feet of a compressed gas at standard temperature and pressure. Please contact the Hazardous Materials Unit for additional information and application procedures.

6. Santa Barbara County Fire Department fire or emergency alarm system requirements shall be met. Plans shall be approved by the fire department prior to installation.
7. Portable fire extinguisher(s) are required and shall be in accordance with the Santa Barbara County Code Chapter 15, Article 1.
8. Building address numbers shall be posted in conformance with fire department standards.
9. When access ways are gated a fire department approved locking system shall be installed.
10. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

Fees will be calculated as follows:

- Mitigation Fee at \$.10 per square foot for structures with fire sprinkler systems
- Goleta Fees

NOTE: A comprehensive fire plan prepared by a qualified Fire Protection Engineer will be required for this project. Please contact the fire department for assistance if needed.

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

A copy of this letter will be placed in your Assessor's Parcel File in this office and the fire department advises that these conditions be listed as a disclosure item should your property ever be sold.

As always, if you have any questions or require further information please call 681-5500.

In the interest of life and fire safety,

Brian Hayden

MJ

Brian Hayden, Inspector
Fire Prevention Division

BH:jmd

c Goleta Water District, 4699 Hollister Ave, Goleta, CA 93117
APN



Fire Department

"Serving the community since 1926"

4410 Cathedral Oaks Road
Santa Barbara, CA 93110-1042
(805) 681-5500 FAX (805) 681-5563

John M. Scherrei
Fire Chief
County Fire Warden

January 26, 2009

City of Goleta
Planning & Environmental Services
Attn: Natasha H. Campbell
130 Cremona Drive, Suite B
Goleta, CA 93117

Dear Ms. Campbell:

Subject: Camino Real Hotel
APN #: 073-440-019
Northwest Corner of Storke and Phelps Roads, Goleta, California

In accordance with your request, the Santa Barbara County Fire Department Fire Prevention Division (FPD) Leaking Underground Fuel Tank (LUFT) Program has reviewed the file for LUFT Site #520421, located at 6901 Frey Way, Goleta. This LUFT site is located immediately north of the parcel in question. Review of the LUFT site file indicates that three groundwater monitoring wells were installed on the subject parcel.

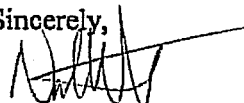
The responsible party for the LUFT site is the County of Santa Barbara General Services Department. At this time, the responsible party has completed all required assessment, monitoring, and remediation. The final task which the responsible party must complete in order to receive closure of the LUFT case is the proper abandonment of the onsite and offsite wells. Upon proper abandonment of all wells under FPD permit and field oversight, FPD will certify completion of remedial action and close the site.

Due to the presence of wells MW-4, MW-5, and MW-7 on the subject parcel, FPD requests that the City of Goleta place the following conditions on redevelopment of the property:

- (1) Prior to receipt of grading or surface disturbance permits, the applicant shall demonstrate that monitoring wells MW-4, MW-5, and MW-7 were properly abandoned by the County of Santa Barbara General Services Department. A copy of the final "Remedial Action Completion Certification" issued by FPD shall serve as documentation of proper well abandonment.
- (2) The applicant shall grant the County of Santa Barbara General Services Department access to the subject property for the purpose of monitoring well abandonment.

Submit any correspondence regarding this site to my attention at: Santa Barbara County Fire Department, Fire Prevention Division, 195 West Highway 246, Buellton, CA 93427. Please do not hesitate to contact me at (805) 686-8142 if you have any questions.

Sincerely,


Nathan P. West
Hazardous Materials Specialist

pc: Mr. Bill Tracy, County of Santa Barbara, Public Works Department



Fire Department

"Serving the Community Since 1926"

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Santa Barbara, CA 93110-1042
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John M. Scherrei

Fire Chief
CITY OF GOLETA
CALIFORNIA Fire Warden

OCT 15 2008

RECEIVED

October 14, 2008

Mr. Scott Kolwitz
City of Goleta Planning Department
130 Cremona Drive, Suite B
Goleta, CA 93117

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PRIOR TO ERECTION OF COMBUSTIBLE BUILDING MATERIALS THE FOLLOWING CONDITIONS MUST BE MET

2. All access ways (public or private) shall be installed and made serviceable. Roadway plans, acceptable to the fire department, shall be submitted for approval prior to any work being undertaken.
3. New fire hydrant(s) shall be installed. The hydrants shall be located per fire department specifications and shall flow 1250 gallons per minute at a 20 psi residual pressure. Prior to installation, plans showing locations, size and type of hydrants, valves, main lines and lateral lines shall be approved by the fire department.

**PRIOR TO OCCUPANCY CLEARANCE
THE FOLLOWING CONDITIONS MUST BE MET**

4. Santa Barbara County Fire Department fire sprinkler system requirements shall be met. Fire sprinkler system plans shall be approved prior to installation. Location of any fire department connection shall be determined by the fire department.
5. Annual permits for the use and storage of hazardous and/or flammable materials/wastes are required. To determine if your business requires the issuance of an annual permit, please contact the Hazardous Materials Unit for additional information and application procedures (805-686-8167).

A Hazardous Materials Business Plan shall be required if your business stores or handles any hazardous materials or hazardous waste at any one time during a calendar year in quantities equal to or greater than: 55 gallons, 500 pounds, or 200 cubic feet of a compressed gas at standard temperature and pressure. Please contact the Hazardous Materials Unit for additional information and application procedures.

6. Santa Barbara County Fire Department fire or emergency alarm system requirements shall be met. Plans shall be approved by the fire department prior to installation.
7. Portable fire extinguisher(s) are required and shall be in accordance with the Santa Barbara County Code Chapter 15, Article 1.
8. Building address numbers shall be posted in conformance with fire department standards.
9. When access ways are gated a fire department approved locking system shall be installed.
10. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

Fees will be calculated as follows:

- Mitigation Fee at \$.10 per square foot for structures with fire sprinkler systems
- Goleta Fees

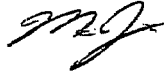
NOTE: A comprehensive fire plan prepared by a qualified Fire Protection Engineer will be required for this project. Please contact the fire department for assistance if needed.

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

A copy of this letter will be placed in your Assessor's Parcel File in this office and the fire department advises that these conditions be listed as a disclosure item should your property ever be sold.

As always, if you have any questions or require further information please call 681-5500.

In the interest of life and fire safety,



Brian Hayden, Inspector
Fire Prevention Division

BH:jmd

c Goleta Water District, 4699 Hollister Ave, Goleta, CA 93117
APN



Metropolitan Transit District
550 Olive Street
Santa Barbara, CA 93101

25 October 2007

City of Goleta
Planning & Environmental Services
Attn: Scott Kolwitz
130 Cremona Drive, Suite B
Goleta, CA 93117

Re: Development Review Committee Case Number 07-208-GP-SP-DP

Dear Scott,

Thank you for giving us the opportunity to review plans for the Camino Real Hotel.

As you know, the Santa Barbara Metropolitan Transit District (MTD) provides fixed route transit service for southern Santa Barbara County. This location is served by four weekday and two weekend bus routes. Although the nearest bus stop on the SW corner of Storke & Phelps Roads is already well-used, it is currently furnished with only a pole and bus stop sign.

Because the guests of this hotel will likely place additional demands on transit services in the area, MTD requests that the developer be required to make improvements to the bus stop to bring it up to current MTD Bus Stop Standards as a part of this development project. Improvements should include an ADA-compliant concrete pad, bench, shelter, trash receptacle, and night lighting for safety.

Should you have any questions about the above comments, please feel free to contact me by phone at (805) 963-3364 extension 218 or by email at the address below.

Sincerely,

A handwritten signature in black ink, appearing to read "Cynthia Boche", with a horizontal line extending to the right.

Cynthia Boche
Assistant Planning Manager
cboche@sbmtd.gov