

County of Santa Barbara Planning and Development

John Patton, Director
Dianne Meester, Assistant Director



January 11, 2002

Thomas Carey
4002 Via Laguna
Santa Barbara, CA 93110

BOARD OF SUPERVISORS
HEARING OF OCTOBER 23, 2001

RE: Fairview Corporate Center Project, 98-DP-024, 99-OA-006

Hearing to consider the Planning Commission's recommendation of approval of the applicant's request for a Development Plan, and Ordinance Amendment. The application involves AP Nos. 071-130-026 and 071-130-052, located on the east side of Fairview Avenue approximately 800 feet south of Hollister Avenue, addressed as 420-500 S. Fairview Avenue, Goleta Old Town area, Third Supervisorial District.

Dear Mr. Carey:

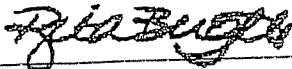
At the Board of Supervisors' hearing of October 23, 2001, Supervisor Rose moved, seconded by Supervisor Marshall and carried by a vote of 5-0 to:

1. Adopt the required findings for the project, specified in Exhibit 1 of the Board Letter dated October 13, 2001;
2. Accept the Addendum to the Goleta Old Town Revitalization EIR, 96-EIR-05 specified, in Exhibit 2 of the Board Letter dated October 13, 2001;
3. Approve the project subject to the conditions specified, in Exhibit 3 of the Board Letter dated October 13, 2001;
4. Adopt Board of Supervisors' Ordinance No. 4432 approving the Development Agreement; and
5. Approve and authorize the Chair to execute the Development Agreement.

The attached findings and conditions of approval reflect the Board of Supervisors' action of October 23, 2001.

The time within which judicial review of this decision must be sought is governed by Section 65009 (c) of the California Government Code and Section 1094.6 of the California Code of Civil Procedure. You are advised to consult an attorney immediately if you intend to seek judicial review of this decision.

Sincerely,



Rita Bright
Deputy Director, Development Review
FOR JOHN PATTON, DIRECTOR

xx: Case File: 98-DP-024, 99-OA-006

Planning Commission File

~~Lisa Martin, Planning Technician~~

Address File: 420-500 S. Fairview, Goleta, CA 93117

Owner/Applicant: ORIX SBAP Goleta Venture, 100 N. Riverside St., Ste. 1400, Chicago Illinois, 60606

Owner/Applicant: Stephen Hess, ORIX SBAP Goleta Venture, 4660 La Jolla Village Dr., Ste. 460, San Diego, CA 92122

Architect: Richard Six, Lenvik & Minor Architects, 315 West Haley Street, Santa Barbara, CA 93101

Attorney: Peter Brown, Hatch and Parent, 21 East Carrillo Street, Santa Barbara, CA 93101

County Chief Appraiser

County Surveyor

Fire Department

Flood Control

Park Department

Public Works

Environmental Health Services

APCD

Mary McMaster, Deputy, County Counsel

Bill Hatcher, Supervising Planner

Attachments: **Board of Supervisors' Minute Order dated October 23, 2001**
 Board of Supervisors Resolution No. 4432
 Findings
 Conditions of Approval
 Development Agreement

RB:cm

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ATTACHMENT A FINDINGS

Fairview Corporate Center (Airport Plaza)
98-DP-024 & 99-OA-006

October 23, 2001

1.0 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

1.1 CONSIDERATION OF THE ADDENDA AND FULL DISCLOSURE

The decision maker has considered the Addenda dated June 1998, May 1999 and August 7, 2001 together with the previously certified Program EIR (96-EIR-05) for the Goleta Old Town Revitalization Plan. The Addenda reflect the independent judgement of decision maker and has been completed in compliance with CEQA. The Addenda, together with the Program EIR, is adequate for this proposal.

1.2 LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Santa Barbara County Planning Commission, Rita Bright, in Planning and Development, located at 123 E. Anapamu St., Santa Barbara, CA 93101 and the Clerk of the Board of Supervisors at 105 E. Anapamu St., Santa Barbara, CA 93101.

1.3 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code §21081.6. requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

1.4 FINDINGS ADDRESSING ADDENDUM ISSUE AREAS

The Addendum prepared for the project addressed the following issues: Land Use, Aesthetic/Visual Resources, Cultural Resources, Geologic Processes, Hazardous Materials, Public Facilities, Transportation/Circulation, Recreation, Water Resources/Flooding, Air Quality, Biological Resources, Energy, Fire Protection and Noise.

2.0 ADMINISTRATIVE FINDINGS:

2.1 **Final Development Plan Findings:** Pursuant to Section 35-317.7 of Article III (Inland) Zoning Ordinance, a Development Plan shall only be approved if all of the following Findings are made:

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

The 16.7-acre project site is adequate to accommodate three research and development buildings totaling 242,000 square feet. The project site is generally square in shape, has accommodated various commercial uses for more than 40 years, and is located within an

urban area surrounded by commercial and industrial uses. The proposed research and development site is not expected to create a use that is more intense than a fully occupied commercial center which has existed on the site over time, and will adequately accommodate all existing and proposed structures, adequate parking, landscaping and public and emergency access.

2.1.2 That adverse impacts are mitigated to the maximum extent feasible.

Significant environmental impacts are mitigated to the maximum extent feasible through mitigation measures identified in the Goleta Old Town Revitalization Plan (96-EIR-05) and addenda dated June 1998, May 1999 and August 7, 2001. Mitigation Measures from EIR 96-EIR-05 are imposed upon this project as Conditions of Approval.

2.1.3 That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

Streets and highways are adequate and properly designed to accommodate the peak hour trips associated with the project, when the construction of the Goleta Transportation Improvement Plan is constructed as a mitigation measure at Calle Real and Fairview Avenue and the U.S. 101 northbound ramps.

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

Adequate public services are available to continue to service the property which has been developed with commercial operations for more than 40 years. All public services will continue to be provided to the site as discussed in section 6.2 of the staff report dated August 8, 2001 and incorporated herein by reference, and redevelopment of the site will not create a significant increase in demand for existing services to the site.

2.1.5 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 area.

The research and development project will not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood and will be compatible with the surrounding area based upon the commercial and industrial nature of surrounding uses and the previous existence of a commercial center on this site for many years.

2.1.6 That the project is in conformance with the applicable provisions of Article III, the Comprehensive Plan and the Goleta Old Town Revitalization Plan.

The project is in conformance with the applicable provisions and policies of Article III, the Comprehensive Plan, the Goleta Community Plan and the Goleta Old Town Revitalization Plan as discussed in Sections 6.2, 6.3, 6.4 and 6.5 of this staff report dated August 8, 2001.

2.1.7 That in designated rural areas the use is compatible with and subordinate to the scenic, agricultural and rural character of the area.

The project is not located within a rural area.

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

The project will not conflict with any easements required for public access or use of the property.

2.2 **Ordinance Amendment Findings: Error! Bookmark not defined.** Pursuant To Section 35-325.5 of Article III (Inland) Zoning Ordinance, in order for the decision makers to approve an Ordinance Amendment (Development Agreement) request, the following Findings shall be made by the decision makers:

2.2.1 *The request is in the interests of the general community welfare.*

As part of the planning process for the Old Town Revitalization Plan, the property was identified as Key Site 10. Its substantial size, its location on the western border of the Old Town area, its potential as an economic engine to assist Old Town's revitalization, and its potential for providing pedestrian amenities, provision of 35 public parking spaces for the exclusive use of Old Town residents and facilitating the proposed Ekwill Street extension project are all furthering the interests of the general community welfare.

2.2.2 *The request is consistent with the Comprehensive Plan, the Goleta Community Plan, The Revitalization Plan and the requirements of State planning and zoning laws, and Article III.*

The request is consistent with State planning and zoning laws, the Comprehensive Plan, The Goleta Community Plan and the Revitalization Plan and Article III as discussed in Sections 6.3, 6.4, and 6.5 of this staff report.

2.2.3 *The request is consistent with good zoning and planning practices.*

To strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California adopted §65864 et seq. of the Government Code, which authorizes the County to enter into an agreement with any person having a legal or equitable interest in real property providing for the development of such property. The development agreement is consistent with good zoning and planning practices as it eliminates uncertainty in planning, provides for orderly, phased development and comprehensive planning of the property and the Goleta Old Town area, provides for installation of necessary improvements and payment of fees, and assists in attaining the most effective utilization of resources.

**ATTACHMENT B
CONDITIONS OF APPROVAL**

**Fairview Corporate Center (Airport Plaza)
98-DP-024**

October 23, 2001

1. This Final Development Plan is based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits A-F dated August 15, 2001, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the Planning Director for conformity with this approval. Deviations may require modification to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

The project description is as follows:

The proposed project involves redeveloping the site to complement the renovations that were recently made to Building 500. Building 420 (42,930 square feet) is to be demolished and replaced with a two-story, 65,600 square foot building in the north central portion of the site (Building 1). Building 430 (25,250 square feet) is to be demolished and replaced with a two-story, 62,400 square foot building in the northeastern portion of the site (Building 2). The existing (11,000 square foot) dock on the west side of Building 500 will be demolished, and a new one-story, 6,000 square foot building (Building 3) will be attached to the west side of Building 500. The net increase of the square footage on site is 65,820 square feet, for a total of 242,000 square feet on site. Buildings 1 and 2 will be approximately 35 feet, which includes the equipment screens on the roof. The architectural features (i.e. raised building parapets and copper roof features) at the building entries will be approximately 38 feet.

The applicant plans to design the interior improvements to Buildings 1 and 2 to accommodate tenants involved in technology, electronic commerce or similar industries; Building 500 will continue to house additional operations and personnel of Santa Barbara Bank and Trust. Pursuant to the terms of the proposed Development Agreement, the applicant may lease up to 20% of the total gross floor area to commercial/retail users. The project will require 1,220 cubic yards (c.y.) of cut and 10,250 c.y. of fill.

Vehicular access to the center will be provided by a main entry drive from Fairview Avenue on the west; a repaved private road or alley (sometimes referred to as Carson Street) that runs along the northern edge of the site from Fairview to Magnolia Avenue; and another entry drive from the north that in essence will extend Orange Avenue into the site. The project will also include two future entry drives from the south along the proposed extension of Ekwill Street from Pine Avenue to Fairview Avenue. A proposed bus stop (which may take the form of a turnout), and shelter will be located along the project frontage on Fairview Avenue between the main entry drive and the Carson Street entrance, as approved by MTD and County Public Works. A series of walkways will provide pedestrian access to the center from both Fairview and Orange Avenues, connecting with an internal walkway network to Building 500 and each of the proposed new structures.

The applicant will reconfigure the existing parking lot to install new landscaping and a total of 731 parking spaces. The proposed project includes 696 parking spaces that will serve all of the buildings in the center, and 35 parking spaces that will be for the exclusive use of the County Redevelopment Agency. The Redevelopment Agency parking spaces will be used to satisfy parking requirements for future residential or mixed-use projects along the Hollister Avenue Mixed-Use Corridor. Of the 702,574 square feet onsite, building footprints, covered docks, covered patios and covered entries will occupy 181,000 square feet (or 26 percent of the site);

drives, parking and other paved areas will occupy 318,800 square feet (or 45 percent of the site); landscaping on site will occupy 160,012 square feet (or 23 percent of the site); and employee patios and other, unspecified “hardscape” will occupy the remaining 42,762 square feet (6 percent of the site).

The landscape plan for the project emphasizes a mixture of native and non-native trees and shrubs selected for their visual interest and drought tolerance. The planting plan within the floodway on the western portion of the site will be consistent with the Flood Control District requirements.

A development agreement (99-OA-006) accompanies the development plan. The Legislature of the State of California adopted §65864 et seq. of the Government Code, which authorizes the County to enter into an agreement with any person having a legal or equitable interest in real property providing for the development of such property and establishing certain development rights therein.

Action KS 10-14 in the Goleta Old Town Revitalization Plan specifies that the County and the applicant are to negotiate a Development Agreement for the proposed project. The key elements of the Agreement include cooperation on location of the Ekwill Street extension, overall renovation of Key Site 10, variation from certain applicable development standards, the project’s contributions toward improvements to the Fairview Avenue corridor, and dedicated parking spaces for the County’s Redevelopment Agency.¹

Water service to the site will continue to be provided by the Goleta Water District and sewer will be provided by the Goleta Sanitary District.

The proposed project does not include signs. A condition of approval requires that the applicant gain final Board of Architectural approval for an Overall Sign Plan for the property prior to building occupancy.

The project may be developed in either one or two phases. If the project is phased, the phasing plan indicates that the first phase will include at a minimum construction of landscape improvements along the full length of the Fairview Avenue frontage within the right-of-way and the required buffer area, and the construction of 35 Redevelopment Agency parking spaces and construction of either Building 1 or 2. The 6,000 square foot addition to Building 500 will be built in conjunction with either Phase I or Phase II at the discretion of the applicant. See Attachment F for the phasing plan.

Modifications Requested

As a part of the project, the application is requesting modifications to certain standards of the Article III (Inland) Zoning Ordinance as follows:

1. Section 35.233.13 to allow a reduction in the amount of required landscaping from 30% to 23%;

¹ The June 1998 Goleta Old Town Revitalization Plan identifies South Fairview Beautification as one of a series of public improvements designed to improve the identity and visual environment of Old Town village. The project is planned to include construction of a Class I bikepath on South Fairview between Hollister and Fowler Road, major landscape improvements (including restoration of San Pedro Creek) and frontage improvements (curb, gutter and sidewalks) where appropriate.

2. Section 35-262.2(a) to allow offstreet parking spaces in the required front setback area; and
3. Section 35-233.9 to allow a reduction in the required setback for corner lots, from 50 feet to 0 feet at the future Ekwill right-of-way.

Project Mitigation Measures (96-EIR-05 and associated addenda):

2. Grading/Dust Control: If the construction site is graded and left undeveloped for over four weeks, the applicants shall employ the following methods immediately to inhibit dust generation:
 - a. seeding and watering to revegetate graded areas; and/or
 - b. spreading of soil binders; and/or
 - c. any other methods deemed appropriate by Planning and Development.

Plan Requirements: These requirements shall be noted on all plans. **Timing:** Plans are required prior to approval of Land Use Permits. **Monitoring:** Grading Inspector shall perform periodic site inspections.

3. Grading/Dust Control: Dust generated by development activities shall be kept to a minimum with a goal of retaining dust on the site, by following the dust control measures listed below:
 - a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
 - b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this will include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - c. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

Plan Requirements: All requirements shall be shown on grading and building plans. **Timing:** Condition shall be adhered to throughout all grading and construction periods. **Monitoring:** P&D shall ensure measures are on plans. P&D Grading and Building inspectors shall spot check; Grading and Building shall ensure compliance on-site. APCD inspectors shall respond to nuisance complaints.

4. Grading/ESH protection: All ground disturbances and vegetation removal shall be prohibited in a 50-foot setback from the outward edge of the riparian vegetation along the northwestern bank of Old San Jose Creek, a designated Environmentally Sensitive Habitat area. The area shall be protected with a fencing type and in a location acceptable to Planning and Development (P&D). **Plan Requirements:** The riparian habitat area and setback shall be shown on all grading plans. **Timing:** Fencing shall be installed prior to any earth movement and remain in place throughout all construction. **Monitoring:** P&D shall perform site inspections throughout the construction phase.
5. Grading/Erosion Control: Prior to any building or grading on site, a grading and erosion control plan shall be prepared to minimize erosion from any grading and construction activities. The plan shall include the following:

- a. Erosion control measures shall be implemented to prevent erosion and siltation of Old San Jose and San Pedro Creeks. Mechanisms such as temporary berms, silt fencing, straw bales, sediment basins, and spot grading shall be used in combination with one another during all grading and site construction activities.
- b. Excavation and grading shall be limited to the dry season of the year (i.e., April 15 to November 1) unless otherwise approved by Planning and Development.
- c. Graded areas shall be revegetated within four weeks of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.
- d. A staging area for the temporary storage of construction equipment shall be located in the western portion of the site and outside of setback areas, and shall be shown on grading and erosion control plans.

Plan Requirements: An erosion control plan shall be submitted to and approved by P&D, Grading Division prior to approval of Land Use Permits. **Timing:** The plan shall be implemented prior to the commencement of grading/construction. **Monitoring:** P&D and Grading staff shall perform site inspections throughout the construction phase to insure compliance with the plan.

6. Grading/Archeological Finds: For any development on the project site that includes ground disturbances at depths exceeding 18 inches, excavation and grading shall be monitored by a County-qualified archeologist and a Native American representative pursuant to County archeological guidelines. In the event archaeological remains are encountered during such excavation or grading activities, work shall be stopped immediately or redirected until a P&D qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans. **Monitoring:** P&D shall check plans prior to approval of Land Use Permits and shall spot check in the field.
7. Construction and Demolition Solid Waste Management Plan: Applicant shall develop and implement a Construction and Demolition Solid Waste Management Plan to direct the reuse and recycling of as much construction and demolition (C&D) waste as possible. Among other elements, the plan shall identify
 - a. the estimated weight by total materials expected to be utilized for the project;
 - b. the estimated weight, by material type, to be discarded;
 - c. the estimated weight, by material type, to be recycled or reused;
 - d. names and locations of markets for C&D waste and recycling and disposal of all component materials to be taken of site;
 - e. the estimated number of separate bins require for recycling construction materials and cleared brush during grading and construction activities; and

- f. the estimated space and number of bins required for recycling during operation.

All demolition and excess construction materials shall be separated onsite to facilitate reuse, recycling or proper disposal and to maximize the applicant's ability to obtain favorable pricing for recycling these materials; to do so, the applicant should employ such methods as using separate bins for concrete and asphalt, wood, metal, and drywall. In addition, the applicant shall develop a source reduction program describing its efforts and projected goals to reduce solid waste before it is created. Another component shall include development and implementation of a program to purchase construction materials with a recycled content (such as plastic lumber); to do so, the applicant should request suppliers to provide information regarding the content of post-consumer recycled material for construction materials sold to the applicant. **Plan Requirements and Timing:** Plans shall be reviewed and approved by the Solid Waste Division of County Public Works and are required prior to approval of Land Use Permits. These requirements shall be noted on all plans. **Monitoring:** The Solid Waste Division of County Public Works shall perform periodic site inspections to insure compliance with the plan and may require receipts to verify purchase or sale of recycled materials.

8. **Geological Study:** Prior to the approval of any Land Use Permit, the applicant shall demonstrate through an appropriate study prepared by a certified engineering geologist, that site preparation, structural design criteria, and footings and foundation design will comply with the soils analyses previously prepared for the project site. **Plan Requirements and Timing:** The study shall be in a form satisfactory to the Building and Safety Division of Planning and Development. **Monitoring:** Permit Compliance and Building & Safety shall insure compliance with the plan.
9. **Hazardous Materials Plan:** Applicant shall submit a Hazardous Materials Monitoring and Contingency Plan to be reviewed and approved by the Protective Services Division of the County Fire Department. **Plan Requirements and Timing:** The Plan shall include at a minimum the following components:
- a. The applicant will conduct soil tests or other assessments during the course of construction to determine whether any previously unknown soil or groundwater contamination exists on site, and if it does, the lateral and vertical extent of such contamination
 - b. The applicant will specify in detail what steps will be taken to identify and if necessary mitigate any contamination discovered during excavation, grading or other earthmoving activities.
 - c. The Plan will specify the consultant who will conduct the soil tests and perform the monitoring contemplated by the Plan, and the qualifications of that consultant;
 - d. The plan will contain commitments that (1) the applicant will notify County Protection Services Division (PSD) and P&D if any contamination or suspected contamination is encountered; (2) prior to attempting to mitigate the contamination by removal, cover, or remediation, or any other method, a specialist from PSD will be contacted to witness the area of concern and (3) if necessary, the applicant shall apply for appropriate permits for remediation from PSD.

Monitoring: The Plans shall be reviewed and approved by P&D and PSD prior to issuance of a Land Use Permit for the project.

10. **Asbestos Control:** Prior to the demolition or remodeling of any structure on site constructed before 1979, the applicant shall retain a certified asbestos consultant to conduct asbestos sampling of the structure and then prepare a plan for removal and proper disposal of any asbestos materials. **Plan Requirements and Timing:** Prior to the issuance of a Land Use Permit, the applicant will determine whether any of the structures proposed for demolition contain asbestos that is friable or has the potential to become friable during demolition or disposal. If a structure does contain friable asbestos, a contractor that is state certified for asbestos removal must be retained to remove the asbestos. The applicant will also be required to submit to the Santa Barbara County APCD and EPA Region IX whatever reports APCD may require regarding the removal and disposal of that asbestos. **Monitoring:** Permit Compliance and Building & Safety shall insure compliance with the plan.
11. **Construction Activity:** 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. No construction shall occur on State holidays (e.g. Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** A sign stating these restrictions shall be provided by the applicant and posted on site. **Timing:** The sign shall be in place prior to the beginning of and throughout grading and construction activities. Violations may result in suspension of permits. **Monitoring:** Building Inspectors and Permit Compliance shall spot check and respond to complaints.
12. **Haul Permit:** The applicant shall obtain a haul permit from the Transportation Division of County Public Works, specifying construction haul routes and allowable hours of transport. **Plan Requirements:** This requirement shall be noted on all grading plans. The haul route plan shall be reviewed and approved by P&D and Public Works prior to approval of a land use permit for grading. Construction-related trips shall be scheduled to avoid peak traffic hours (7:30-8:30 a.m. and 4:30-5:30 p.m.). **Timing:** The haul permit shall be obtained prior to issuance of Grading Permits. **Monitoring:** P&D shall perform site inspections periodically throughout the grading phase of the project to confirm adherence to the permitted haul routes.
13. **Wash-off Area:** 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 all plans. **Plan Requirements:** The applicant shall designate a wash off area, acceptable to P&D, on the construction plans. **Timing:** The wash off area shall be designated on all plans prior to approval of Land Use Permits. The wash off area shall be in place throughout construction. **Monitoring:** P&D staff shall check plans prior to approval of Land Use Permits and compliance staff shall site inspect throughout the construction period to ensure proper use.
14. **Lighting:** Any exterior night lighting installed on the project site 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. Applicants shall develop a Lighting Plan incorporating these requirements and provisions for dimming lights after 10:00 p.m., while still maintaining security lighting that is required for the 24-hour operation conducted in Building 500 by Santa Barbara Bank and Trust. **Plan Requirements and Timing:** 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 a Lighting Plan to be reviewed and approved by P&D and the BAR. **Monitoring:** P&D and BAR shall review a Lighting Plan for compliance with this measure prior to approval of an LUP for structures. Permit Compliance shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

15. Landscaping: Applicants shall install 36-inch box specimen, canopy trees along the frontage of Fairview Avenue as mitigation for the reduced landscape buffer. The trees shall be located outside of the public right-of-way. The number of 36-inch box trees required shall be determined by the Board of Architectural Review, however the number shall not be less than the number shown on the Preliminary Landscape Plan dated 6/28/2001 and prepared by Arcadia Studio. **Plan Requirements and Timing**: All proposed landscaping must be approved by the County Board of Architectural Review prior to approval of a Land Use Permit in order to ensure conformance with nearby land uses and development standards in the Old Town Revitalization Plan and to ensure maximum aesthetic impact.
16. Noise: The applicant shall include in all site leases specific disclosures to tenants of potential noise levels on site caused by flight activity at and in the vicinity of Santa Barbara Municipal Airport, including noise caused by overflights of light aircraft landing on runway 15L. If an acoustical analysis of the structure does not demonstrate that interior noise levels within the building are at or below 45 dBA CNEL when windows and doors are closed, then the disclosure shall also notify the tenant that interior noise levels do not meet the requisite standards for a noise sensitive use. **Plan Requirements and Timing**: Prior to issuance of Land Use Clearance, the applicant shall submit to P&D a copy of the proposed clause in its building lease that includes such disclosures.
17. Solid Waste Management Plan: The applicant shall develop and implement a solid waste management plan for operation of Buildings 1, 2 and 3 and adjacent parking areas. At a minimum, that plan shall include:
- Storage of recyclable materials within the project site.
 - Establishment of a recyclable materials pickup area.
 - Procedures and regular services for collection of materials on a regular basis.
 - Implementation of a monitoring program to ensure participation by all tenants in approved recycling efforts, including review of written documentation.
 - Development of source reduction measures approved by the County.
 - Implementation of a program to purchase recycled materials used in association with the proposed project.

Plan Requirements and Timing: Plans shall be reviewed and approved by the Solid Waste Division of County Public Works and are required prior to approval of Land Use Permits. These requirements shall be noted on all plans. **Monitoring**: The Solid Waste Division of County Public Works shall perform periodic site inspections to insure compliance with the plan.

18. Off-Site Street Improvements: To improve the level of service at the Fairview Avenue/Calle Real and U.S. 101 northbound ramp intersections, the following GTIP improvement must be installed prior to occupancy (prior to occupancy of Phase II if the development project is phased):
- Restriping of intersection approaches;
 - Traffic signal upgrades to "unsplit" the signal phasing;

Plan Requirements and Timing: Prior to Land Use Clearance, the applicant shall submit revised plans to Planning and Development and the Public Works Transportation Division for review and approval. **Monitoring:** P&D and Public Works shall review plans prior to Land Use Clearance.

19. **FEMA Analysis:** A registered engineer (acting on behalf of the applicant) must prepare and certify a Federal Emergency Management Agency (FEMA) simplified flood control analysis for the site, verifying that the project will not result in any such impact. **Plan Requirements:** The applicant shall submit plans and report to the County Flood Control District reflecting compliance with the County's Floodway Ordinance. **Timing:** Plans and Report must be reviewed and approved by the County Flood Control District prior to issuance of a Land Use Permit. **Monitoring:** The Building and Safety Division and the County Flood Control District shall check all plans prior to approval of Land Use Permits and compliance staff shall inspect finish floor levels and grading throughout the construction period to ensure compliance.
20. **Stormwater Control:** Site development plans shall incorporate into the site design one or more features to minimize the impacts of impervious surfaces and to help preserve the natural ability of the site to capture and infiltrate stormwater. Those features may include such techniques as dry wells for roof drainage or other roof downspout infiltration systems; modular paving, unit pavers on sand or other porous pavement for driveways, patios or parking areas; multiple-purpose detention systems; concave landscape infiltration areas and infiltration islands between parking spaces; and grass or other vegetated swales. **Plan Requirements:** The measures to be incorporated shall be shown on future building and grading plans to be submitted and approved by P&D prior to approval of Land Use Permits. **Timing:** The measures shall be implemented before final inspection. **Monitoring:** Permit Compliance shall inspect the site to insure compliance.

Project Specific Conditions:

21. **Clear Site of Debris:** The developer shall clear the project site of all excess construction debris. This requirement shall be noted on final building plans. Debris clearance shall occur prior to occupancy clearance of each phase. P&D shall site inspect prior to occupancy clearance.
22. **Signs:** No signs of any type are approved with this action. Applicant shall obtain final Board of Architectural approval for an Overall Sign Plan for the property prior to building occupancy. Applicant shall comply with Section 35-10 of Article I of the Santa Barbara County Zoning Ordinance. In conjunction with the Overall Sign Plan, the applicant shall comply with all requirements of Section 35-17 of Article I, which deals with signs permitted in industrial districts outside of shopping centers.
23. **Storm Water Permit:** The applicant shall obtain proof of exemption or proof that a National Pollution Discharge Elimination (NPDES) Storm Water Permit from the California Regional Water Quality Control Board has been applied for by registered mail. The applicant shall submit proof and Planning and Development shall review and approve documentation prior to approval of a land use permit for grading.
24. **Trash storage Areas:** Trash storage areas shall be installed which are architecturally compatible with the project design. The storage areas shall be enclosed with a solid wall of sufficient height to screen the area and shall include a solid gate. The trash storage areas shall be maintained in good repair. Location and design of trash storage areas shall be denoted on project plans. Trash storage areas shall be installed prior to occupancy clearance for each stage.
25. **Noise Study:** An on-site noise study shall be performed by an acoustical engineer prior to issuance of Building Permits. All construction techniques and recommendations in this report shall be incorporated into the project design to reduce interior noise to at or below 45 dBA. All

construction techniques and recommendations of the noise study shall be incorporated into design of the project and detailed on building plans. Building Inspectors shall ensure that all noise control measures have been according to the approved plans.

26. Reciprocal Access Easement Agreement: The applicant shall record a reciprocal access and parking easement agreement between the two parcels of the project (APNs: 071-130-026 and 071-130-052). In addition, the applicant shall record a reciprocal access easement agreement between APN 071-130-052 and the parcel to the east, APN 071-130-048, for access to and from Magnolia Avenue. Santa Barbara County Counsel, Public Works and the Planning and Development Department shall review and approve the agreements as to form prior to recordation. Evidence of recordation is required prior to issuance of a Land Use Permit for the site.
27. Landscaping in the Fairview Avenue public right-of-way and buffer area: Regardless of project phasing, the applicant shall install landscaping within the front setback area and within the Fairview Avenue right-of-way along the entire Fairview Avenue frontage prior to issuance of certificate of occupancy. Landscaping shall be maintained in good condition, until such time that curb, gutter and sidewalk are installed. An encroachment permit from Public Works will be required for any work done in the public right-of-way.
28. Installation and Maintenance of Landscaping: Installation and Maintenance of landscaping shall be guaranteed by performance securities as set forth in Article III, Section 35-289 (General Regulations). Landscaping shall be maintained for the life of the project.
29. Graffiti abatement: The applicant or successor shall require the clean up of any graffiti on the property within 72 hours. If the problem persists, as determined by Planning and Development, a plan for preventing recurrence shall be submitted to Planning and Development for review and approval, and shall be implemented as approved. Suggested anti-graffiti measures include the use of vertical landscaping or vines along affected wall surfaces and/or the use of anti-graffiti paint.
30. Underground Utilities: All new utilities to any new structural development shall be installed underground.
31. Property Management Contact Number: The applicant shall supply a contact number to the Santa Barbara Municipal Airport Director in the case that any obstructions (such as project lighting or tall trees) become a safety problem.
32. Compliance with FAA requirements: The applicant shall comply with all Federal Aviation Administration requirements, as applicable.
33. Print and Illustrate Conditions on Plans: All applicable final conditions of approval shall be printed in their entirety on applicable pages of grading/construction or building plans submitted to Planning and Development or Building and Safety Division. These shall be graphically illustrated where feasible.
34. Height Restriction: Future structures shall not exceed a height of 35 feet above median existing ground surface. This measure shall be included on building plans. Plans shall be submitted prior to approval of Land Use Permits.
35. BAR Approval: The applicant shall obtain final approval from the Board of Architectural Review (BAR) prior to approval of a Land Use Permit.
36. Compliance with Departmental letters: Applicant must comply with the following Departmental letters:

- a. Air Pollution Control District dated June 14, 2001
 - b. Environmental Health Services dated August 1, 2001
 - c. Fire Department dated December 6, 2000
 - d. Flood Control dated July 6, 2001
 - e. Parks Department dated June 5, 2001
 - f. Public Works Roads Division dated July 16, 2001
37. Fees: Prior to issuance of a Land Use Permit, the applicant shall pay all applicable P & D permit processing fees in full. In addition, pursuant to the provisions of ordinances and resolutions adopted by the County, the applicant will be required to pay development impact mitigation fees to finance the development of public facilities, based on the fee schedules in effect at the time of project approval.
- Fees shall be paid prior to Final Inspection and shall be based on the fee schedules in effect when paid. The fees are subject to yearly adjustments. Fees are payable to the County of Santa Barbara.
38. Phasing: If the project is developed in phases, grading and dust control measures as previously enumerated in this list of conditions shall apply to both phases. Phasing of the project shall be consistent with the plans submitted by Lenvik and Minor to the County on July 18, 2001 (See Attachment F of the August 8, 2001 staff report for this project).
39. Future Parking: Eighteen (18) parking space on site shall be reserved in landscaped areas until such time as parking demand may require conversion to parking spaces. At the time that the applicant would like to convert the landscaping to 18 parking spaces, the applicant shall apply for a substantial conformity determination by the Director of Planning and Development. The applicant must demonstrate that there is a sufficient need and demand to develop these 18 spaces. Future Parking spaces have been delineated on the Site Plan for the project, prepared by Lenvik and Minor and received by Planning and Development on August 7, 2001. See the Development Plan (99-OA-006) for the project for more details.
40. Unobstructed Site Access: Applicant shall not gate or otherwise obstruct access to project entries as shown on the site plan for the project dated June 1, 2001 and received by the Planning and Development Department on August 7, 2001 prepared by Lenvik & Minor Architects.
41. Access Easement: Access and drive easement shall be maintained on the southeastern corner of APN 071-130-052 for the benefit of an existing building on property known as APN 071-130-050. Plans shall be reviewed and approved by the County Traffic Division prior to issuance of a Land Use Permit for the project.

Development Plan Conditions:

42. Development Plan Expiration: Approval of Phase I of 98-DP-024 shall expire six (6) years after final approval by the Board of Supervisors, unless prior to the expiration date, substantial physical construction has been completed on the development or a time extension has been applied for by the applicant. Approval of Phase II of 98-DP-024 shall expire at the same time as Phase 1 or 3 years from the date of issuance of occupancy clearance for Phase 1, whichever occurs later, unless prior to the expiration date, substantial physical construction has been completed on the development 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.

43. Substantial conformity of plans: 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, and landscaped areas shall be developed in conformity with the approved development plans received by Planning and Development on August 7, 2001. Substantial conformity shall be determined by the Director of Planning and Development.
44. Subsequent Development Plan: 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.
45. Time Extension: If the applicant requests a time extension for this project, the project may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts. Mitigation fees shall be those in effect at the time of approval of a Land Use Permit.
46. Architectural compatibility: The design, scale, and character of the project architecture shall be compatible with the development in the project vicinity. The applicant shall submit proposed final architectural drawings, grading plans, building materials and colors and landscape plans to the Board of Architectural Review for review and approval prior to approval of a land use permit. Permit Compliance shall perform site inspections to ensure compliance with the approved plans.
47. Mitigation Monitoring Required: The applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the applicant agrees to:
 - a. Contact Planning and Development compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities.
 - b. Contact Planning and Development compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting with the owner, compliance staff, other agency personnel and with key construction personnel.
 - c. Pay fees prior to approval of Land Use Permits as authorized under ordinance and fee schedules to cover full costs of monitoring as described above, including costs for Planning and Development to hire and manage outside consultants when deemed necessary by Planning and Development staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the applicant shall comply with Planning and Development recommendations to bring the project into compliance. The decision of the Director of Planning and Development shall be final in the event of a dispute.

County Rules and Regulations:

48. Development Plan Approval: Approval of this Development Plan is subject to the Board of Supervisors approving the Development Agreement, Case No. 99-OA-006.
49. Land Use Permit Required: 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 from Planning and Development. The Land Use Permit must be issued prior to implementation of any component of the project and/or commencement of any use specified by the permit. The Permit is required by ordinance and is necessary to ensure implementation of the conditions required by the Planning Commission. Before a Land Use Permit will be issued by Planning and Development, the applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available in Planning and Development.

50. Performance Securities: Two performance securities shall be provided by the applicant prior to approval of a Land Use Permit, one equal to the value of installation of all items listed in section (a) below (labor and materials) and one equal to the value of maintenance and/or replacement of the items listed in section (a) for three (3) years of maintenance of the items. The amounts shall be agreed to by P&D. Changes to approved landscape plans may require a substantial conformity determination or approved change to the plan. The installation security shall be released upon satisfactory installation of all items in section (a). If plants and irrigation (and/or any items listed in section (a) below) have been established and maintained, P&D may release the maintenance security three (3) years after installation. If such maintenance has not occurred, the plants or improvements shall be replaced and the security held for another year. If the applicant fails to either install or maintain according to the approved plan, P&D may collect security and complete work on property. The installation security shall guarantee compliance with the provision below:

- a. Installation of proposed landscaping planting as depicted on a final landscape plan approved by P&D.
- b. Installation of proposed walls and fences as shown on a final site plan and approved by the BAR.

P&D shall inspect landscaping and improvements for compliance with approved plans prior to authorizing release of both installation and maintenance securities.

51. Plan Compliance: The applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this the applicant agrees to:

- a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities.
- b. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting with the owner, compliance staff, other agency personnel and with key construction personnel.
- c. Pay fees prior to approval of a Land Use Permit as authorized under ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or insure compliance. In such cases, the applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute.

52. P&D Processing fees: Prior to approval of a Land Use Permit, the applicant shall pay all applicable P&D permit processing fees in full.
53. Change of Use: Any change of use in proposed building or structure shall be subject to environmental analysis and appropriate review by the County including building code compliance.
54. Claim, Action or Proceeding Against the County: Developer shall defend, indemnify and hold harmless the County or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of the Development Plan Revision. In the event that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
55. Court Challenge: In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsor in an action filed in a court of law 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 County and substitute conditions may be imposed.



Santa Barbara County
Air Pollution Control District

TO: Department of Planning and Development
ATTN: ~~Jackie Campbell~~ *Katrina Schmidt*
FROM: Vijaya Jammalamadaka *VJ*
DATE: June 14, 2001
CASE #: 98-DP-024 Airport Plaza Shopping Center
(APN 071-130-052) (APN 071-130-026)

The Air Pollution Control District has reviewed the referenced case and offers the following:

- The APCD has no comment on this project at this time.
- Applicant must be issued an APCD permit prior to construction or operation of this project.
- Applicant must apply for an APCD permit exemption prior to land use clearance.
- The applicant should determine whether the structure(s) proposed for demolition contains asbestos that is friable or has the potential to become friable during demolition or disposal. If the structure does contain friable asbestos, the asbestos should be removed by a contractor that is state certified for asbestos removal.
- Applicant is required to complete the attached "Asbestos Demolition/Renovation Notification" form. The completed form should be mailed to the Santa Barbara APCD and EPA Region IX no later than the date specified in number 2 of the instructions.
- Standard dust mitigation measures (dated September 1996) are recommended for all construction and/or grading activities. The name and telephone number of an on site contact person must be provided to the APCD prior to issuance of land use clearance.

Attachment

cc:

Tom Carey, Agent
Project File
TEA Chron File

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JUN 15 2001

S.S. COUNTY
PLANNING & DEVELOPMENT

Douglas W. Allard
26 Castilian Drive B-23, Goleta, CA 93117 Fax: 805-961-8801 Phone: 805-961-8800

Air Pollution Control Officer

PUBLIC Health
DEPARTMENT

Environmental Health Services

2125 S. Centerpointe Pkwy., #333 • Santa Maria, CA 93455-1340
805/346-8460 • FAX 805/346-8485

Roger Haroux, MPA Director
Tara Brown, MBA Assistant Director
Elliot Schulman, MD, MPH Health Officer/Medical Director

TO: Katrina Schmidt, Planner
Planning & Development Department
Development Review Division

FROM: Paul Jenzen
Environmental Health Services

DATE: August 1, 2001

SUBJECT: Case No. 98-DP-024

Goleta Area

Applicant: ORIX SBAP Goleta Venture
c/o Stephen Hess
4660 La Jolla Village Dr. Suite 460
San Diego, CA. 92122

Property Location: Assessor's Parcel No. 071-130-026, 052, zoned MR-P, located
at 420-500 South Fairview Avenue.

Case No. 98-DP-024 represents a request to demolish two existing structures and construct a new 65,600 square foot two-story building, a new 62,400 square foot building and a 6,000 square foot addition to an existing 108,000 square foot building.

Domestic water supply is proposed to be provided by the Goleta Water District.

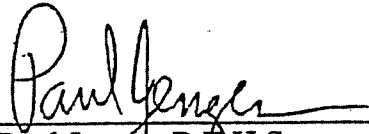
Sewage disposal is proposed to be provided by the Goleta Sanitary District.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

1. Prior to Issuance of Zoning Clearance, Environmental Health Services shall receive and approve written notice from the Goleta Water District indicating that said district can and will provide domestic water service upon demand and without exception and that all financial arrangements guaranteeing extension of said service have been made to the satisfaction of the district and Environmental Health Services.
2. Prior to Issuance of Zoning Clearance, Environmental Health Services shall approve written notice from the Goleta Sanitary District indicating that said sanitary district can and will provide municipal sewage collection and disposal upon demand and without exception and that all

financial arrangements guaranteeing extension of services have been made by the applicant to the satisfaction of the sanitary district and Environmental Health Services.

3. Prior to Issuance of a Building Permit, Environmental Health Services shall review and approve the plans and specifications for the proposed food facility and any related facilities.



Paul Jenzen, R.E.H.S.
Senior Environmental Health Specialist

cc: Applicant
Agent, Thomas Carey, 4002 Via Laguna, Santa Barbara, CA. 93110
Goleta Water District
Goleta Sanitary District
John Keairns, Planning & Development Dept, Building Div., Santa Barbara
Jennifer Bernstein, Environmental Health Services

Memorandum

Date: December 6, 2000

To: Petra Leyva
Planning and Development
Santa Barbara

From: Dan Gosselin, Inspector
~~XXXXXXXXXXXX~~



Subject: APN: 071-130-026/052; Case #: 98-DP-024; Site: 420-500 S. Fairview Ave.

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.

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

- ✓1. Four (4) 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. The system shall be tested by the fire department to ensure compliance with recognized standards. (Standard 2-A attached)

Any work being undertaken by the applicant (including applicant's agents or contractors) shall be in accordance with the following:

- ⇒ The fire department shall have on file a set of approved plans prior to any work being done.
- ⇒ A set of approved plans, stamped and dated by the fire department shall be kept at the work site and available upon request.
- ⇒ Water system(s) shall be installed exactly as the approved plans dictate. No changes or modifications to these plans shall take place without prior fire department approval.
- ⇒ No work shall be covered or otherwise rendered inaccessible or unviewable prior to inspection by a fire department representative.
- ⇒ A minimum of 48 hours notice shall be given to the fire department by the applicant prior to scheduling an inspection.

PRIOR TO OCCUPANCY CLEARANCE THE FOLLOWING CONDITIONS MUST BE MET:

2. Building address numbers must be a minimum height of six (6) inches for commercial and a color contrasting to the background color. The address number shall be elevated at least three (3) feet from the ground for clear visibility and easy directional identification. The numbers shall be visible from the access road when traveling in either direction. If the driveway is over 150 feet in length or the building is obstructed from view at the access road, numbers shall be posted at any driveway and road intersections as is necessary.
3. Fire or emergency alarm system plans shall be submitted to this office for review. Systems shall be installed in conformance with Santa Barbara County Fire Department Standard #7 (attached) and all other applicable standards. Alarm panel location(s) and annunciator graphics to be approved by fire department prior to installation
4. Portable fire extinguisher(s) are required and shall be in accordance with the Santa Barbara County Code Chapter 15, Article 1.
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. An automatic fire sprinkler system will need to be installed. Fire sprinkler plans are required to be checked and approved by this department, prior to installation. Any system must be in compliance with Santa Barbara County Fire Department Standard #4 or #5 (attached). The fire department shall determine the location of any fire department connection (FDC) that may be required.

Any work being undertaken by the applicant (including applicant's agents or contractors) shall be in accordance with the following:

- ⇒ The fire department shall have on file a set of approved plans prior to any work being done.
- ⇒ A set of approved plans, stamped and dated by the fire department shall be kept at the work site and available upon request.

December 6, 2000

Page 3

- ⇒ Water system(s) shall be installed exactly as the approved plans dictate. No changes or modifications to these plans shall take place without prior fire department approval.
- ⇒ No work shall be covered or otherwise rendered inaccessible or unviewable prior to inspection by a fire department representative.
- ⇒ A minimum of 48 hours notice shall be given to the fire department by the applicant prior to scheduling an inspection.

7. The applicant will be required to pay a new development impact fee. In accordance with Chapter 15 of the Santa Barbara County Code, the fee shall be computed per square foot on each new building, including non-habitable spaces, paid for the purpose of mitigating the incremental increase in needs for emergency services generated by the development.

Checks shall be made payable to the Santa Barbara County Fire Department and shall be paid at the Building and Safety Division of the Planning and Development Department.

Mitigation fees are subject to change prior to issuance of building permit.

Estimated fees calculated as follows:

- ✓ Mitigation Fee at \$.10 per square foot
- Goleta Fees at \$543 per 1000 square feet

Final occupancy clearance inspection will not be scheduled unless fees have been paid. If a project is denied on the initial inspection, then a second inspection will be arranged with the inspector assigned to the project. This could result in additional delays.

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.

The application for a new building permit or time extension for the project may require further review and the imposition of current development standards and fees.

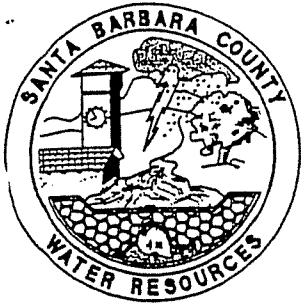
Non-compliance with conditions placed on this project could result in the issuance of a stop work order by the fire department, which may require additional fees and a delay in final occupancy clearance.

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

MY:rb

c: APN/Chron

Attachments: Refer to #2-A, #4, #6, #7



Santa Barbara County Flood Control & Water Conservation District and Water Agency

123 E. Anapamu Street, Santa Barbara, California 93101

(805) 568-3440 Fax: (805) 568-3434

Web: <http://www.publicworkssb.org/>

Phillip M. Demery
Public Works Director

Thomas D. Fayram
Deputy Public Works Director

July 6, 2001

Planning Commission
Santa Barbara County
123 E. Anapamu Street
Santa Barbara, CA 93101

Ref: 99-DP-011; Fairview Corporate Center
APN: 071-130-26/Goleta

Dear Commissioners:

This District recommends that approval of the above referenced project be subject to the following conditions.

- 1) Prior to issuance of Land Use Clearance, the applicant shall comply with Flood Control Standard Conditions of Approval.
- 2) This project is located within the Regulatory Floodway & Floodplain of San Pedro Creek as shown on the current FEMA Flood Insurance Rate Map (FIRM). Prior to issuance of Land Use Clearance, the applicant shall submit improvement plans and landscape plans to the District for review and approval. Said plans shall include the following:
 - a) The limits of Floodway & Floodplain as shown on the current FIRM.
 - b) Finish Floor elevations shall be elevated to 2 feet above the 100 year Base Flood Elevation (BFE). A 1-foot variance may be granted upon written request to the District, to allow a finish floor elevation of no less than 1 foot above BFE, based on hardship.
 - c) Encroachments within the Floodway shall not be allowed unless a Floodway Encroachment Analysis is prepared and certified by a Registered Civil Engineer. Said Analysis shall indicate that "no-rise" in flood depth and "no-loss" of conveyance will occur due to the encroachment(s).
- 3) All drainage improvements required as part of the conditions above shall be constructed in accordance with the approved plans and certified by a Registered Civil Engineer prior to issuance of Occupancy Clearance.
- 4) The applicant will be required to pay the current plan check fee deposit at the time the plans are submitted for District review and approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Dale W. Weber".

Dale W. Weber, P.E.
Development Engineer

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JUL 10 2001

S.B. COUNTY
PLANNING & DEVELOPMENT

- cc: Katrina Schmidt, Planning & Development
Steve Hess, Orix Real Estate Equities, 4660 La Jolla Village Dr., Suite 460, San Diego, CA 92122
Flowers & Assoc., 500 E. Montecito St., Santa Barbara, CA 93103
Lenvik & Minor Architects, 315 W. Haley St., Santa Barbara, CA 93101
Tom Carey, 4002 Via Laguna, Santa Barbara, CA 93110



Jennifer Briggs

Director of Parks
(805) 568-2461

Michael Gibson

Business Manager
(805) 568-2477

Coleen Lund

Project Manager
(805) 568-2470

Rick Wheeler

South County Deputy Director

Tel: (805) 681-5653
Fax: (805) 681-5657

Jeff Stone

North County Deputy Director

Tel: (805) 934-6145
Fax: (805) 934-6213

610 Mission Canyon Road
Santa Barbara, CA 93105

Tel: (805) 568-2461
Fax: (805) 568-2459

administration@sbparks.org
www.sbparks.org


Reservations:

(805) 568-2460 Voice/TDD

Equal Opportunity Employer

June 5, 2001

TO: Katrina Schmidt, Planner
Planning & Development

FROM: Claude Garciacelay, Park Planner 

RE: 98-DP-024/99-LA-018/99-OA-006 Fairview Corporate Center
APN 071-130-026, 017-130-152

County Parks recommends the following condition(s) to the approval of the above referenced project:

- 1) Pursuant to Ordinance 4341 and Resolution 98-458 adopted by the Board of Supervisors, the applicant will be required to pay a development mitigation fee for new commercial/industrial construction to offset the project's potential impact on the County's park system. Said fee will be used in conjunction with other similar fees collected in the area to provide park and recreational facilities in the Regional Demand Area.

The current applicable fee for commercial/industrial development is \$1,661/1,000 square feet. The total fee for the project would be \$109,327.00 (65,820 sf net new building). Fees shall be paid prior to final inspection approval, and shall be based on the fee schedule in effect when paid. Fee schedules are subject to annual adjustments. Funds for payment of fees will not be accepted or processed prior to project approval.

The check must be made out to County of Santa Barbara, and can be paid in person or mailed to: Santa Barbara County Parks, Rocky Nook Park, 610 Mission Canyon Road, Santa Barbara, CA 93105.

cc: Owner:

Stephen C. Hess, ORIX Real Estate Equities, Inc.
4660 La Jolla Village Drive, Ste. 460, San Diego, CA 92122

Agent:

Tom Carey, TGC Real Estate, Inc.,
4002 Via Laguna, Santa Barbara, CA 93110

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT

123 East Anapamu Street
Santa Barbara, California 93101
805\568-3000 FAX 805\568-3019



PHILLIP M. DEMERY
Director

July 16, 2001

TO: Katrina Schmidt, Development Review
Planning & Development

FROM: Court Eilertson, Traffic Section *MIS for*
Transportation Division

SUBJECT: ***Revised* Conditions for the Fairview Corporate Center (98-DP-024)**

Santa Barbara County Public Works' conditions for the approval of the Fairview Corporate Center are listed below; all conditions must be fully satisfied prior to land use clearance.

1. Sight Distance Requirements: Sight distance requirements shall be to the satisfaction of the County Traffic Engineer.
2. Encroachment Permits / Maintenance Agreement: An encroachment permit will be required for any work done in the public right-of-way. Include signage and landscaping in the encroachment permit. Any landscaping or irrigation in the right-of-way requires a long-term maintenance agreement.
3. Fairview Avenue Improvements: The developer shall prepare a cost estimate for curb, gutter, sidewalk, and up to 18 feet of pavement along the project frontage along Fairview Avenue using the County Cost Estimate Form, including 15% engineering and contingency. Prior to land use clearance, a payment of this amount shall be made to the County Road Improvement Trust Fund for future improvements on Fairview Avenue.
4. Calle Real/Fairview Intersection Improvements: In the event that the County cannot proceed with the Fairview Avenue/Calle Real intersection improvement project within such time as the project is ready for final occupancy, the applicant shall design and construct the project, to the satisfaction of the County Traffic Engineer, prior to issuance of final occupancy. If the project is phased, the intersection shall be constructed prior to occupancy of the second building (Phase II).
5. Ekwill Street Dedication: The developer shall dedicate right of way along the project frontage on the planned Ekwill Street extension pursuant to the Development Agreement (99-0A-006).

Applicant must offer the right of way dedication as an easement to the County, at no cost to the County. All project right-of-way dedications include five to ten-foot easements incorporating pedestrian pathways for public use as well as signs, utilities, etc. All road rights of way offered for dedication to the County must be free and clear of any easements prior to Land Use Clearance, unless otherwise approved by the Department of Public Works.

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JUL 16 2001

AA/EEO Employer

S.B. COUNTY
PLANNING & DEVELOPMENT

Thomas D. Fayram, Deputy Director

Scott D. McGolpin, Deputy Director

Mark A. Schleich, Deputy Director

Rochelle Camozzi, Business Manager

Michael B. Emmons, County Surveyor

6. Frontage Improvements: Required frontage improvements, designed and constructed to the satisfaction of the County Traffic Engineer, as follows:
- a) Design and construct the two driveway entrances on Fairview Avenue to include a minimum of 15-foot radius curb returns.
 - b) Design and construct the two driveway entrances along Ekwill Street to include a minimum of 15-foot radius curb returns.
 - c) Prior to occupancy, and prior to final acceptance, the County may require the developer to add traffic safety devices, such as signing and striping, the need for which are not apparent at time of plan approval but which are warranted due to actual field conditions. The developer shall install the traffic safety devices prior to final acceptance.

If you have any questions, please contact me at 805-568-3042.

c: Bill Hatcher/P & D Development Review
Bret Stewart/PW Traffic
Rob Eaton/PW Traffic

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