

**From:** [Gillian Fennessy](#)  
**To:** [Gillian Fennessy](#)  
**Subject:** FW: New Zoning Ordinance: Letter from Ritz-Carlton Bacara  
**Date:** Friday, November 01, 2019 2:38:50 PM  
**Attachments:** [image001.png](#)  
[Bacara Letter for 11.5.19 City Council Meeting Item B.2. Adoption of the New Zoning Ordinance.pdf](#)

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**From:** Nytzen, Michael [michaelnytzen@paulhastings.com]  
**Sent:** Thursday, October 31, 2019 2:52 PM  
**To:** Paula Perotte; Kyle Richards; Roger Aceves; Stuart Kasdin; James Kyriaco; City Clerk Group  
**Cc:** Anne Wells; Peter Imhof; Lorcan Drew ([drew@watermarkcap.com](mailto:drew@watermarkcap.com)); Menzer, Mitch  
**Subject:** New Zoning Ordinance: Letter from Ritz-Carlton Bacara

Good afternoon, all.

On behalf of the Ritz-Carton Bacara, please see the attached letter concerning the New Zoning Ordinance.

Thank you in advance for your attention to this matter.

Regards,  
Michael Nytzen

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**PAUL HASTINGS** **Michael Nytzen | Senior Land Use Project Manager**  
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Carey Watermark Investors Incorporated

October 30, 2019

**VIA EMAIL**

The Honorable Paula Perotte, Mayor of the City of Goleta  
and Members of the Goleta City Council  
Goleta City Hall  
130 Cremona Drive, Suite B  
Goleta, CA 93117

Re: City of Goleta New Zoning Ordinance, Hearing on November 5, 2019

Dear Mayor Perotte and Members of the City Council:

I am writing on behalf of CWI Santa Barbara Hotel, LP and CWI 2 Santa Barbara Hotel, LP, the owners of The Ritz-Carlton Bacara (the "Bacara") with respect to the proposed New Zoning Ordinance.

At several public hearings conducted by the Planning Commission and the City Council and in letters to staff, we expressed our concern that the proposed non-conforming use provisions of the New Zoning Ordinance would be detrimental to the continued operation of the Bacara. In addition, we were concerned that if the Bacara were damaged or destroyed, the non-conforming use provisions would prevent the prompt restoration of the project.

The Bacara was designed to fit on a challenging site and to create a unique experience with the highest architectural standards. The Bacara was approved under the County of Santa Barbara's previous zoning ordinance and underwent a comprehensive and rigorous approval and environmental review process. The County of Santa Barbara approved a Final Development Plan that was specifically tailored to the site. The August 2019 draft of the New Zoning Ordinance includes new Section 17.36.020(D), which excludes from the non-conforming use provisions any legally permitted project that was approved in a Development Plan. In addition, Section 17.36.020(D) allows the project to be promptly restored to its original condition if damaged or destroyed.

We are in full support of these changes to the non-conforming use provision in Section 17.36 and we urge the City Council to adopt this well-crafted solution, which addresses our concerns.

We would like to thank the Planning Commission and the staff members of the Planning and Environmental Review Department for working collaboratively with us on the New Zoning Ordinance to ensure that the Bacara will not be detrimentally affected.

Very truly yours,

Lorcan Drew  
Vice President

A handwritten signature in blue ink that reads "Lorcan Drew".

cc: Mitchell B. Menzer, Esq.  
Ms. Anne Wells  
Mr. Peter Imhof

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