

From: [Anne Wells](#)
To: [Andy Newkirk](#); [Jay Ritterbeck](#)
Subject: FW: Goleta - Zoning Memo
Date: Thursday, March 07, 2019 10:51:38 AM
Attachments: [Zoning Memo -City of Goleta 3-7-19.pdf](#)

Letter attached

-----Original Message-----

From: Robert Atkinson [Robert_Atkinson@sywest.com]
Received: Thursday, 07 Mar 2019, 10:43AM
To: Anne Wells [awells@cityofgoleta.org]
CC: Tracy LaTray [Tracy_LaTray@SyWest.com]
Subject: Goleta - Zoning Memo

Good morning Anne,

Per my voice mail message, attached is our letter related to the proposed Zoning Code update. Unfortunately none of the written comments we provided in our 2016 letter appear to have been addressed and we would like to discuss that with Planning.

Also, the Zoning Code update is more restrictive than the current proposed ALUCP safety map changes and it is important than these documents are coordinated in order to avoid unnecessary restrictions on development and land use in the Zoning Code Update.

We are planning a trip to Goleta in the near future to attend one of the upcoming PC Workshops, however we would like to first schedule a time to chat with you next week, can you let us know what days/times work best for a call together?

Thanks.

Robert Atkinson
SVP – SyWest Development
W # 415-448-8397

SYWEST

DEVELOPMENT

March 7, 2019

Attn: Anne Wells
City of Goleta
130 Cremona Drive
Goleta, CA 93117

Re: 907 S. Kellogg
Goleta, CA 93117
APN # 071-190-035-00

Dear Anne,

SyWest Development represents the property owner of 907 S. Kellogg in Goleta, CA. We recently reviewed the January 2019 Revised Draft Goleta Zoning Ordinance and had an opportunity to evaluate modifications to various zoning designations as currently proposed. While we certainly appreciate the City's zoning update objectives, in having completed our assessment we find it necessary to address specific items that will have a potentially significant effect on our property. We ask that you please consider the following;

Specific to any proposed change of zoning from M-S-GOL to IS:

- 1) **17.40.080 Noise - The change proposes to lower the maximum allowable noise levels from 75 dBL to 70 dBL.** There are no sensitive receptors or residential in the vicinity, and we are abutting a state highway, Highway 217, where ambient noise levels already exceed the proposed new noise levels. Further, due to the industrial nature of our current zoning and the fact that all property surrounding are industrial zoned, we do not believe any change is necessary, and that noise standards in the IS District should be consistent with standards in the IG District.

- 2) **17.10.030 Side - The changes propose to increase the 'street side' setbacks from 10' to 20' and then require in 17.35.030(A) that the entire area is landscaped.** This increased setback will greatly reduce the areas available for the site improvements (parking, bio swales, etc.) as well as the building footprint. Considering the ongoing drought conditions in CA, and the overall industry movement toward decreasing water consumption through irrigation/landscape reduction, a proposed 100% increase in the amount of required landscaping along side streets does not appear to be a prudent or environmentally friendly change. In addition to a straight forward reduction to the size of the setback area as proposed, please consider including in the new ordinance viable alternative for compliance, such as; allowing averages across the setback area, dual use all frontage and interior landscape/bio-swales, exemption for frontages against open space or other types of undevelopable areas, etc.

3) 17.16.040 – AE Airport Environs Overlay District

The boundaries of the AE Airport Environs Overlay Zoning District are not consistent with the SBCAG Exhibit A-2 Safety Compatibility Data Map for the San Barbara Municipal Airport dated February 2018. For example, the ZO “Clear Zone” extends east over a portion of our property, while Zone 1 in the SBCAG map does not extend over our property. To avoid confusion, the ZO map should be consistent with SBCAG map in both boundary limits and in the Zone types.

4) 17.35.030(B) Landscaping – Unused Areas:

This section states that *“All visible areas of a project site not intended for a specific use, including areas planned for future phases of a phased development, must be landscaped or left in an undisturbed state provided there is adequate vegetation to prevent erosion and the area is adequately maintained for weed control and fuel maintenance.”*

We recommend that this requirement is exempt for properties with previous site improvements, or add *“existing paving”* after vegetation.

Specific to the proposed change of zoning from our current M-1 to IS

17.10.030 Coverage – Lot coverage requirements were removed from Table 17.10.030 in the Jan 2019 Draft ZO, while the 2016 ZO specified lot coverage requirements. If lot coverage requirements are not applicable in certain zoning districts, then it should be stated in the ZO document.

In addition to issues noted above in the program text, the proposed Zoning Map changes will subject our property to increased development restrictions. Currently, our property is under the jurisdiction of two zoning designations (both M-S-GOL and M-1), and the new map proposes a change to a more restrictive ‘IS Service Industrial’ designation over our entire property. If applied in this manner, the new IS designation will negatively impact the development potential of this land and result in reduced opportunities for any redeployment. This degradation in value is primarily attributable to the reduction in the maximum intensity of employment being newly evoked over our entire parcel.


We are very interested in understanding what options are available to the City to ensure that any change or updates to current our zoning designation do not reduce the development potential of our property and/or degrade it’s underlying value. As you are aware, we have an application Deemed Completed for the proposed development of a new industrial complex on our property and we are very concerned about the negative impact these proposed zoning designation changes may have on our current or future tenant negotiations. Please be advised, any reduction in the maximum intensity of employment could result in our proposed development becoming financially infeasible.

It should also be mentioned, our sister company, Westwind Public Markets has been a member of the Goleta business community for many years in their operating the drive-in facility. We expect the current use of our property will remain unaffected by any proposed zoning changes or update, and should we ultimately abandon our development efforts the long term preservation of the existing use will remain operating on the property.

We do appreciate the efforts of the City Staff to undertake the monumental effort of updating the Zoning Ordinance and we would urge that you take the time necessary to ensure that any change is well conceived and the general public is given ample time to understand and comment on the changes.

We look forward to your response to our comments and any questions that you may have.

Respectfully,



Robert Atkinson
SVP Development

CC: Bill Vierra, SyWest Development