

*jack overall*

1362 Oak Creek Canyon Road  
Santa Barbara, CA 93108

March 1, 2011

Supervisor Carbajal  
Supervisor Wolf  
Supervisor Farr  
Supervisor Gray  
Supervisor Lavagnino

By email

Re: Miramar Amended Project  
March 15<sup>th</sup> Hearing

Dear Supervisor,

The Montecito Planning Commission voted 4 to 1 on Wednesday, February 23<sup>rd</sup> to recommend the Board of Supervisors approve the amended Miramar project. I was the dissenting vote.

I believe the amended project represents a substantial improvement over the approved project. However, three aspects of the amended project are not adequately covered by the conditions included in the staff report or the MPC recommendation. For the reasons detailed below, I hope you will consider adding or clarifying conditions when you hear the request on March 15<sup>th</sup>.

First, the approved plan is 88 parking spaces short of the number required by ordinance. That was tempered in part by 26 overflow spaces that were located on the tennis courts. The amended plan is 138 spaces short of ordinance requirements with no overflow capacity because the tennis courts are eliminated. In both the approved and amended plan the peak hour analysis is predicated upon several assumptions that may or may not prove valid.

The potential impacts on the surrounding community and public could be substantial. Project condition #55 seems to provide authority for addressing the impacts that might arise. However, the wording of the condition needs review:

- a time frame of 12-18 months to determine adequacy of the plan is too short. It is unlikely that the project will have achieved a level of stabilized operation with a repeat visitor pattern so quickly. A 24-36 month review period would be more appropriate.
- the remedies for inadequate parking capacity carried over in the condition from the approved plan are: 1) to require additional on-site parking; or, 2) limit the number of patrons attending events. Both

remedies need revision or elimination: 1) the new site design appears to make adding on-site parking very expensive and is therefore probably not a realistic alternative. 2) while reducing the number of patrons is a possible remedy, listing only a reduction in the number of patrons unnecessarily restricts the range of options that could be considered (i.e. shuttling of employees from off-site parking or imposing a limitation/reduction in number of beach club members) – I recommend broader condition language that would require the hotel to reduce demand for on-site parking with the proposed remedy to be reviewed and approved by the Montecito Planning Commission at a public hearing.

- the condition allows for subsequent review by the MPC of “peak season” adequacy – peak season isn’t defined and is an unnecessary ambiguity and limitation on the scope of review. Suggest removal of “peak season” wording.

Second, at the time of the MPC hearing the site plans presented did not meet the Montecito Fire Department’s requirements. Of particular concern is the area along Miramar Avenue. Review of the adequacy and impact on neighbors of the turnaround and loss of on-street public parking is important.

Third, Building #9 has a change in use from hotel guestrooms in the approved plan to a restaurant & bar in the amended plan. The amended plan calls for indoor and outdoor dining & bar operations with the closing hour for the restaurant being midnight and the bar 2AM. Additionally, the building is shown immediately adjacent to a residentially zoned parcel and encroaches into the setback. To mitigate noise impacts on the neighborhood, please consider relocating the building and clarifying and adding conditions as follows:

- clarify that current conditioning on outdoor use of amplified sound includes this venue as well as the Ballroom
- add conditioning that would, in the event of neighborhood complains, allow the MPC to require a change in the hours of operation for; 1) outdoor use of the restaurant; 2) outdoor use of the bar

While these modifications may seem relatively minor, I believe they will reduce the possibility of conflict over interpretation in the future should the need arise.

Sincerely,

Jack Overall  
Montecito Planning Commissioner