



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning and
Development
Department No.: 053
For Agenda Of: March 6, 2012
Placement: Departmental Agenda
Estimated Time: 15 minutes
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: Department: Planning and Development
Director: Glenn Russell, Ph.D., Director, 568-2085
Contact Info: Alice McCurdy, Deputy Director, 568-2518
Development Review Division– South County
SUBJECT: Miramar Beach Resort and Bungalows Time Extension for the Amended Project

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

Consider the recommendation of the Montecito Planning Commission on Case No. 11TEX-00000-00032 regarding a request by the applicant, Caruso Affiliated, of a time extension for the amended Miramar Beach Resort & Bungalows project, and take the following actions:

1. Make the required findings for approval of the project specified in Attachment A of the Montecito Planning Commission action letter dated February 22, 2012 (Attachment 2 of this Board Report) including the California Environmental Quality Act (CEQA) findings.
2. After considering the environmental review documents [Addendum dated March 15, 2011 together with the previously certified focused Environmental Impact Report (08EIR-00000-00003), the previously adopted Mitigated Negative Declaration (00-ND-003) and Addendum dated December 9, 2008] determine that, as reflected in the CEQA findings, no subsequent EIR or Negative Declaration shall be prepared for this project.
3. Approve the project, Case No. 11TEX-00000-00032, a one-year time extension from March 15, 2012 to March 15, 2013 of Case No. 11CDH-00000-00001.

Background:

The Montecito Planning Commission (MPC) considered the time extension request for the amended Miramar project at their February 22, 2012 hearing. Their recommendations to the Board of Supervisors included the following:

1. Recommend that the Board of Supervisors make the required findings for approval of the project specified in Attachment A of the staff report, dated February 3, 2012, including the California Environmental Quality Act (CEQA) findings.
2. Recommend that the Board of Supervisors, after considering the environmental review documents [Addendum dated March 15, 2011 together with the previously certified focused Environmental Impact Report (08EIR-00000-00003), the previously adopted Mitigated Negative Declaration (00-ND-003) and Addendum dated December 9, 2008] determine that, as reflected in the CEQA findings, no subsequent EIR or Negative Declaration shall be prepared for this project.
3. Recommend that the Board of Supervisors approve the project, Case No. 11TEX-00000-00032.

The amended Miramar Beach Resort & Bungalows project was approved by the Board of Supervisors on March 15, 2011. The approved entitlements for the project include a Coastal Development Permit (11CDH-00000-00001) which has an initial life span of one year from the date of approval. 11CDH-00000-00001 is currently set to expire on March 15, 2012. The discretionary permits associated with the amended project including a revised Development Plan and four Conditional Use Permits are set to expire on April 6, 2015. A table showing the status of each of the current Miramar entitlements is included in Section 5.4 (Background) of the MPC staff report dated February 3, 2012 included as Attachment 1 of this Board Letter.

The applicant is currently requesting a one-year time extension for 11CDH-00000-00001. If granted, the request would extend the life of the permit one year from March 15, 2012 to March 15, 2013 as allowed by ordinance. If necessary, and prior to March 15, 2013, the applicant could request an additional time extension. Pursuant to Section 35-169.6.2.a.1, the decision-maker may approve the two additional time extensions for two years each if good cause is shown and the applicable CDP findings could still be made. If all available time extensions are eventually granted, the CDP would be valid until April 6, 2015, synchronizing its expiration with the project Development Plan and Conditional Use Permits. The life span of the amended project CDP is limited to April 6, 2015 despite the available, second two-year time extension, due to the limited life spans of the Conditional Use Permits and Development Plan.

The following table summarizes the history of the Miramar entitlements under Caruso Affiliated ownership for both the originally approved project and the amended project.

	Effective Approval Date	1-Year Time Extension	First 2-Year Time Extension
Original Project	April 6, 2009	April 6, 2010 to April 6, 2011	April 6, 2011 to April 6, 2013
Case Nos.	07RVP-00000-00009, 07CUP-00000-00045, 07CUP-00000-00046, 07CUP 00000-00047, 08CUP-00000-00005 & 08CDP-00000-00054	10TEX-00000-00005, 10TEX-00000-00008, 10TEX-00000-00009, 10TEX-00000-00010 & 10TEX-00000-00011 (07CUP-00000-00045, 07CUP-00000-00046, 07CUP 00000-00047, 08CUP-00000-00005 & 08CDP-00000-00054)	10TEX-00000-00039 (08CDP-00000-00054)
Amended Project	March 15, 2011	March 15, 2012 to March 15, 2013	N/A
Case Nos.	10AMD-00000-00010, 11CDH-00000-00001, 11AMD-00000-00002, 11AMD-00000-00003, 11AMD-00000-00004 & 11AMD-00000-00005	11TEX-00000-00032 (11CDH-00000-00001)	N/A

Project Description:

The request is for a time extension to a previously approved Coastal Development Permit, Case No. 11CDH-00000-00001 for the amended Miramar Beach Resort & Bungalows project. The approved project includes an amended Development Plan, four amended Conditional Use Permits and the subject Coastal Development Permit, and was approved by the Board of Supervisors on March 15, 2011. The applicant requests a one-year time extension for 11CDH-00000-00001, which would extend the life of the permit from March 15, 2012 to March 15, 2013.

The abbreviated project description for the amended Miramar Beach Resort & Bungalows project, Case Nos. 10AMD-00000-00010, 11CDH-00000-00001, 11AMD-00000-00002, 11AMD-00000-00003, 11AMD-00000-00004 and 11AMD-00000-00005 is as follows:

Redevelopment of the Miramar Hotel with all new buildings (all existing buildings to be demolished) totaling approximately 258,860 gross (165,219 net) square feet, including a main building with a lobby, meeting rooms and conference facilities, back-of-house areas, a ballroom, and underground parking; a spa, a Beach Club with expanded membership; 186 guest rooms; two restaurants and two pools; new

landscaping; new 10-foot high sound wall; four employee dwellings; associated water and sewer infrastructure and abandonment of the north-south segment of Miramar Avenue. A detailed project description for the amended Miramar project is included with the conditions of approval of the Board of Supervisors Action Letter dated March 15, 2011 (included as Attachment B to the Montecito Planning Commission staff report dated February 3, 2012 included as Attachment 1 of this Board Letter.).

Fiscal and Facilities Impacts:

Budgeted: Yes

The cost of processing the time extension request to the Board of Supervisors is borne completely by the applicant. The estimated staff cost to process the project is approximately \$3,690.60 (20 planner hours). Permit revenues are budgeted in the Development Review Permits section within the Development Review South Division, on page D-314 of the adopted 2011-2012 fiscal year budget.

Noticing Instructions:

Noticing instructions were included with the Miramar Beach Resort & Bungalows Project set hearing letter dated February 21, 2012. The Clerk of the Board shall fulfill the noticing requirements. A minute order and a copy of the notice and proof of publication shall be returned to Planning and Development, attention David Villalobos.

Attachments:

1. Montecito Planning Commission staff report dated February 3, 2012
2. Montecito Planning Commission action letter dated February 22, 2012

Authored by:

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568-2047

cc: Anne Almy, Supervising Planner
Alice McCurdy, Deputy Director, Development Review South
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