



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 15, 2011
Placement: Departmental Agenda
Estimated Time: 2 hours
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 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 Nos. 10AMD-00000-00010, 11CDH-00000-00001, 11AMD-00000-00002, 11AMD-00000-00003, 11AMD-00000-00004, 11AMD-00000-00005 regarding a request by the applicant, Caruso Affiliated, for an amendment to the Miramar Beach Resort & Bungalows project, and take the following actions:

1. Make the required findings for approval of the project specified in Attachment 1 of this Board Report dated March 15, 2011, including the California Environmental Quality Act (CEQA) findings;
2. Adopt the Addendum dated March 15, 2011 to the Environmental Impact Report (08EIR-00000-00003), Mitigated Negative Declaration (00-ND-003) and the Addendum dated December 9, 2008, included as Attachment 3 of this Board Report under CEQA Guidelines Section 15164; and
3. Approve the project, Case Nos. 10AMD-00000-00010 (amendment to 07RVP-00000-00009), 11CDH-00000-00001, 11AMD-00000-00002 (amendment to 07CUP-00000-00045), 11AMD-00000-00003 (amendment to 07CUP-00000-00046), 11AMD-00000-00004 (amendment to 07CUP-00000-00047) & 11AMD-00000-00005 (amendment to 08CUP-00000-00005), subject to the conditions included as Attachment 2 of this Board Report.

Background:

On December 9, 2008, the Board of Supervisors approved the Miramar Beach Resort & Bungalows project. The approved project includes a Development Plan, four Conditional Use Permits and a Coastal Development Permit to redevelop the Miramar Hotel. The project was subsequently appealed to the California Coastal Commission by two private parties. Those appeals were resolved on April 6, 2009. No further appeals of the approved project are possible.

Issue Summary:

Citing financing constraints, the applicant is now seeking approval of an amended Development Plan as an option to reduce the scope of the approved project. While the overall plan layout and amenities to be provided by the resort have not changed significantly. The project was made smaller by elimination of one level of underground parking (approximately 100,000 square feet), elimination of the Ballroom building (13,590 square feet) and the Beach & Tennis Club building (1,482 square feet), reduction of the retail space (1,026 square feet) and changes to several guest room buildings throughout the site. While the project's overall gross square footage has been reduced by these changes, the proposed project Floor Area Ratio (FAR¹), which is a calculation based on net floor area, has increased slightly as compared to the approved project from 0.2399 to 0.2405. However, the proposed FAR remains below the 0.25 maximum identified in the Montecito Community Plan. Commensurate with the reduction in physical development and use levels, the number of parking spaces to be provided has also been reduced from 551 to 494.

Along with the Amended Development Plan, the proposed amended project includes four amended Conditional Use Permits (CUPs) to update the previously approved CUPs associated with the approved project. The CUP life spans would continue to be synchronized with the maximum lifespan of the Development Plan, all of which would be set to expire on April 6, 2015. The approved Development Plan has an expiration date of April 6, 2014. The available one-year time extension would extend the life of the approved Development Plan to April 6, 2015. Approval of the proposed amended Development Plan would not extend that date.

While modifications for the height of the Ballroom and Beach & Tennis Club buildings are no longer necessary, the amended project continues to require modifications for the height of the Main Building, for setbacks of the Main building, Spa building, Restaurant building and several guest room buildings and for the number of parking spaces to be provided.

With approval of the requested modifications, the project continues to be consistent with the requirements of the Comprehensive Plan including the Coastal Land Use Plan and the Montecito Community Plan. See Section 6.1 of the Montecito Planning Commission staff report dated February 4, 2011 for more detail.

Montecito Planning Commission Action:

The Montecito Planning Commission (MPC) considered the applicant's request for the amended project at their February 23, 2011 hearing. The MPC recommended that the Board of Supervisors approve the amended project. Additionally, the MPC requested that the Board of Supervisors consider the following:

- 1) That the items identified in the Montecito Fire District Letter dated February 18, 2011 are currently not fully addressed in the site plan reviewed by the MPC and should be resolved prior to project approval by the Board;
- 2) That on-street public parking in the surrounding neighborhood is limited; and
- 3) That the onsite parking included with the project may not be adequate to serve the proposed uses, and as such, may impact the surrounding neighborhood. The MPC recommended that an additional 30 onsite parking spaces be provided with the project.

¹ Floor Area Ratio = Net Floor Area/Net Lot Area

The complete Montecito Planning Commission recommendation to the Board of Supervisors is outlined in the MPC action letter dated February 23, 2011, included as Attachment 5 of this Board Report.

Project Changes After Montecito Planning Commission Review:

In response to the Montecito Planning Commission's direction for the applicant to fully address the Montecito Fire District's concerns outlined in their February 18, 2011 letter (included as Attachment 7), the applicant has relocated the Restaurant building to the east side of the pool and reduced it to one story in height. Its previous location on the west side of the pool made accommodation of a fire turnaround behind the building difficult due to site planning constraints. With the restaurant located on the east side of the pool, emergency access can be taken directly from the main driveway which provides access from South Jameson Lane to the surface parking lot and beachfront units. Relocation of the restaurant to the east side of the pool also moves the building farther from adjacent residential properties, thus reducing potential noise impacts generated by the restaurant use.

The Montecito Fire District has provided a letter dated March 3, 2011 included with this Board Report as Attachment 8 stating that all concerns identified in the February 18, 2011 letter have been resolved.

Project Description:

The amended project was reduced from the approved project by elimination of one level of underground parking (approximately 100,000 square feet), elimination of the Ballroom (13,590 square feet) and Beach & Tennis Club buildings (1,482 square feet), reduction of the retail space (1,026 square feet) and changes to several guest room buildings throughout the site. While the project's overall gross square footage has been reduced by these changes, the proposed project Floor Area Ratio (FAR²), which is a calculation based on net floor area, has increased slightly as compared to the approved project from 0.2399 to 0.2405. However, the proposed FAR remains below the 0.25 maximum identified in the Montecito Community Plan. Commensurate with the reduction in physical development and use levels, the number of parking spaces to be provided has also been reduced from 551 to 494.

The proposed amended project includes the following changes from the approved project:

- Elimination of the stand-alone Ballroom building on the eastern portion of the site. The Ballroom function and space has been consolidated into the Main Building;
- Reduction in number of hotel rooms from 192 to 186;
- Conversion of the 2-story poolside guestroom building to a 1-story restaurant building and relocation to the east side of the main pool;
- Elimination of a restaurant from the Main Building, consolidating it into the Poolside restaurant (total number of hotel restaurant seats remains the same as approved project);
- Elimination of the previously approved tennis courts;
- Reduction in the maximum number of guests allowed on-site for events from 600 to 500;
- Consolidation of the retail village into the Main Building and overall reduction in the amount of retail space on site;
- Reduction in the number of parking spaces on site from 551 to 494;
- Creation of a landscaped surface parking lot on the eastern portion of the site containing 207 parking spaces. The parking lot would be constructed with permeable surfaces and would be broken up into smaller sections by landscaping so it is not one continuous parking field. Surface parking lot would also be built near existing grade approximately six feet lower than the adjacent public roadway, South Jameson Lane, to minimize visual impacts. The project continues to include one level of underground parking with 247 stalls;
- Elimination of the need for three height modifications. i.e., for the approved beach club building, poolside restaurant building and ballroom building (height modification to the Main Building remains the same as under the approved project);
- Increased amount of open space and permeable surfaces on site; and
- Approximately 25 percent reduction in the amount of fill to be imported to the site.

² Floor Area Ratio = Net Floor Area/Net Lot Area

Comparison of the Approved Caruso Plan and the Proposed Amended Caruso Plan

Project Component	Approved Caruso Plan	Proposed Amended Caruso Plan
STRUCTURAL DEVELOPMENT (EXCLUDING PAVING) (NET FLOOR AREAS IN SQUARE FEET [SF])		
Ballroom	13,590 SF	Amended Ballroom Net Floor Area Included Below in Main Building (Approved building eliminated and employee dwellings relocated to first floor of Lanai Building No. 44)
Main Building/Restaurant	26,756 SF	34,745 (incorporating Ballroom function (13,590 SF) and hotel administration offices, eliminated formal dining)
Pool Bar/Restaurant	809 SF	4,394 SF (consolidates all hotel formal dining)
Beach Bar	Square footage included in Oceanfront Building 02	643 SF
Spa	7,270 SF	7,003 SF
Beach Club	1,482 SF	3,206 SF (Approved building eliminated, now occupying Beachfront OF3)
Retail	4,978 SF (5 buildings)	3,952 SF (now included with Main Building)
Guestrooms	109,964 SF	111,276 SF
Misc. Buildings	None	None
Total Net Floor Area³	164,849 SF	165,219 SF
Total Net Lot Area	686,977 SF (15.77 acres)	Same as approved Plan
Floor Area Ratio (FAR)	0.2399	0.2405
Existing Net Floor Area	97,382 SF (diner, lobby, convention center already demolished)	Same as approved Plan
Net Floor Area to be Demolished	97,382 SF	Same as approved Plan
New Net Floor Area to be Constructed (not counting renovation of existing structures)	164,849 SF	165,219 SF
Total Gross Interior Floor Area⁴	385,286 SF	258,860 SF

³ Net Floor Area – Includes interior occupied areas only (no garage parking) minus all circulation areas & mechanical shafts.

⁴ Gross Interior Area – Includes all interior areas only, occupied or unoccupied, measured from the interior face of the exterior walls Exclusive of the vent shafts.

Project Component	Approved Caruso Plan	Proposed Amended Caruso Plan
Height modifications requested	<p>46.0' height of Main Building</p> <p>26.0' height of Beach and Tennis Club building located on 10-feet of fill or greater</p>	<p>Same as approved Plan</p> <p>No longer needed as Beach & Tennis Club building has been eliminated</p>
Setback modifications requested	<p><u>West:</u> All guestrooms encroach approx. 35' into the 50' setback from the property line; Spa encroaches approx. 10' into the 50' setback from the centerline of Eucalyptus</p> <p><u>East:</u> All setbacks are met</p> <p><u>North:</u> Main Bldg. encroaches approx. 10' into 20' setback from the right-of-way & 20' into 50' setback from the centerline of South Jameson;</p> <p><u>South:</u> Guestrooms along east-west segment of Miramar Avenue encroach up to 20' into the 20' setback from the property line and 30' into the 50' setback from the centerline of Miramar Ave.; Oceanfront guestrooms encroach <10' into the 10' setback from the UPRR property line.</p>	<p>Same as approved project and the restaurant building would encroach into the 10' setback from the UPRR property line by 10'</p>
PARKING SUPPLY		
Public		
South side of South Jameson	58	Same as approved Plan
North side of South Jameson	16*	Same as approved Plan
North-south segment of Miramar Avenue	0	Same as approved Plan
Eucalyptus Lane	10	Same as approved Plan
Total	<p>68</p> <p>(84-16 in "No Parking" zone = 68 legitimate public parking spaces)</p>	Same as approved Plan
For Hotel		
Parking structure	511	247
Onsite	40	247
Overflow on tennis courts	28	0
Total	551 + 28 overflow spaces	494 (No overflow spaces provided due to removal of the tennis courts)
PARKING DEMAND Spaces Required by Ordinance		
Hotels/Motels		
1 space per guest room	192	186
1 space per 5 employees	<p>7</p> <p>(35 employees)</p>	<p>11</p> <p>(55 employees)</p>
Restaurant		
1 space per 300 SF of	6	18

Project Component	Approved Caruso Plan	Proposed Amended Caruso Plan
patron space (indoor + outdoor)	(270 SF net indoors + 1461 SF outdoors=1,731 SF)	(2,161 SF net indoors + 3,000 SF outdoors) = 5,161
1 space per 2 employees	10 (20 employees)	21 (42 employees)
Beach bar		
1 space per 300 SF of patron space (indoor + outdoor)	2 (108 SF net indoors + 361 SF outdoors = 469 SF)	3 (252 SF net indoors + 494 SF outdoors = 745 SF)
1 space per 2 employees	2 (3 employees)	Same as approved Plan
Spa facility		
1 space per 300 SF of gross area	35 (10,546 SF gross)	24 (7,003 SF gross)
Tennis Courts (1.5 per court)	3 (2 courts)	eliminated
Assembly space (for events + library)		
1 space per 30 SF of assembly space	282 (8,467 SF, no library proposed)	302 (9,087 SF, Ballroom, Pre-function & Boardroom)
Employee Dwellings		
1 per each dwelling unit (for one-bedroom units)	4	Same as approved Plan
Restaurant in Main Building		
1 space per 300 SF of patron space (indoor + outdoor)	16 (3,965 SF net indoors + 947 SF outdoors = 4,912 SF)	Eliminated (consolidated into restaurant adjacent to pool)
1 space per 2 employees	21 (42 employees)	eliminated
Beach Club		
1 space per 30 SF of assembly space	49 (1,482 SF)	53 (1,603 SF)
Retail		
1 space per 500 SF of gross floor area	10 (4,978 SF)	8 (3,952 SF)
Total no. of required spaces	639	632
No. of spaces short of ordinance requirements	88 (not counting overflow parking)	138
SITE IMPROVEMENTS		
Utilities replaced	Replace sewer, water, & electrical lines	Same as approved Plan
Repairs to seawall proposed	Yes	Same as approved Plan
Lighting	Night lighting of the boardwalk.	Night lighting of the boardwalk & parking lot
Tree removal or relocation	Removed: 40 non-natives Relocated: 3 sycamores, 9 oaks, & 41 non-natives Total: 12 natives & 81 non-natives	Same as approved Plan

Project Component	Approved Caruso Plan	Proposed Amended Caruso Plan
Landscaping (acres)	5.33	5.52
Paving (acres)	5.79 (1.78 acres asphalt + 4.01 acres of hardscape such as pathways)	5.81 (Including 1.2 acres of permeable pavement)
Grading	36,300 cy of cut; 46,100 cy of fill; & 10,000 cy of import	26,000 cy of cut; 33,500 cy of fill; & 7,500 cy of import
Duration of construction	18 to 22 months	18 to 20 months
No. of truck trips	1,000 (over a haul period of 12 to 21 days) + truck trips for equipment delivery etc. during entire duration of construction	750 (over a haul period of 9 to 16 days) + truck trips for equipment delivery etc. during entire duration of construction
No. of construction workers	250	Same as approved Plan
OPERATION		
No. of guestrooms (“keys”)	192	186
No. of employees (full time, part-time, temporary & permanent)	102 (approximate no. of employees on site at any given time)	Same as approved Plan
No. of employee dwellings	4	Same as approved Plan
Assembly area for events (SF) (Ballroom)	8,467 SF	9,087
No. of assembly seats (indoors and outdoors)	600	500
No. of onsite events	Beach events count towards the size limit of 500 for one event	Beach events count towards the size limit of 500 for one event. (600 person events have been eliminated)
No. of beach events	30 weddings on the beach per year of 100 people for 60 minutes (beach events now count towards the size limits events instead of being in addition to these events)	Same as approved plan
Event hours	7 am to 1 am (outdoor activities to conclude by 10:30 pm)	Same as approved Plan
Total no. of restaurant seats (indoors)	258	Same as approved Plan
Hours of operation of restaurant	6:30 am to 11 pm (bar closes at 2 am)	Same as approved Plan
Hours of operation of beach bar/snack house	9:30 am to 12 am (midnight)	Same as approved Plan
Beach Club membership	300	Same as approved Plan
Spa use by non-guests	15 non-guests/day	Same as approved Plan
Hours of operation of spa	9 am to 9 pm	Same as approved Plan
Public access through Miramar to the beach	Dedicated public access easements to east-west segment of Miramar Avenue and ultimately to the beach at the end of Eucalyptus Lane to offset the abandonment of the north-south segment of Miramar Avenue, and on the private road through the property to the beach bar opening to the beach.	Same as approved Plan

Project Component	Approved Caruso Plan	Proposed Amended Caruso Plan
Public access signs	“No Trespassing” signs removed; new signs installed on the boundaries of the Miramar property and dedicated public access easements along the fire access lane directing the public to the beach, and along the private road through the property directing the public to the beach through the beach bar area.	Same as approved plan

Parking

The approved plan included a modification to the required number of parking spaces to be provided onsite (639 required and 551 provided). The proposed amended project would also need a modification to the number of required parking spaces (632 required and 494 to be provided). The applicant has provided an updated “Shared Parking Analysis” prepared by Associated Transportation Engineers dated January 5, 2011 (included as Attachment K of the Montecito Planning Commission staff report dated February 4, 2011) which provides support for this modification request. Because the proposed amended project includes a reduction in guest rooms from 192 to 186 and a reduction in the maximum number of event attendees from 600 to 500, the analysis concludes the peak demand for parking spaces during a 500-person event would be reduced to 464 spaces under the proposed amended plan. Therefore, 494 spaces would be adequate to serve peak demands at the site.

Project	Article II Requirement	Actual Spaces Provided	Difference in Article II Requirement & Actual Spaces Provided	Peak Demand per ATE Analysis	Difference in Spaces Provided vs. Peak Demand
Approved Caruso	639	551	88	523	28
Proposed Amended Caruso	632	494	138	464	30

The complete project description can be found in the project conditions of approval included as Attachment 2 of this Board Report.

Fiscal and Facilities Impacts:

Budgeted: Yes

The cost of processing the amended project request to the Board of Supervisors is borne completely by the applicant. The estimated staff cost to process the project is approximately \$36,458 (200 planner hours). Permit revenues are budgeted in the Development Review Permits section within the Development Review South Division, on page D-330 of the adopted 2010-2011 fiscal year budget.

Noticing Instructions:

Noticing instructions were included with the Miramar Beach Resort & Bungalows Project set hearing letter dated March 1, 2011. 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. Findings dated March 15, 2011
2. Conditions of Approval for the Amended Project, Case Nos. 10AMD-00000-00010, 11CDH-00000-00001, 11AMD-00000-00002, 11AMD-00000-00003, 11AMD-00000-00004, 11AMD-00000-00005
3. Addendum to the Environmental Review Package dated March 15, 2011
4. Montecito Planning Commission Staff Report dated February 4, 2011
5. Montecito Planning Commission Action Letter dated February 23, 2011
6. Environmental Review Package for the approved project, Case No. 08CDP-00000-00054 (08EIR-00000-00003, 00-ND-003 and the Addendum dated December 9, 2008)
7. Montecito Fire District Letter dated February 18, 2011
8. Montecito Fire District Letter dated March 3, 2011
9. Updated Project Plans

Authored by:

Errin Briggs, Planner III
Development Review Division, South
568-2047

cc:

Anne Almy, Supervising Planner
Alice McCurdy, Deputy Director, Development Review South
Dianne Black, Director of Development Services
Glenn Russell, Ph.D., Director of Planning & Development