



# COUNTY OF SANTA BARBARA

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## MONTECITO PLANNING COMMISSION MARKED AGENDA

Hearing of January 16, 2008  
9:00 a.m.

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BOB BIERIG, Chair  
CLAIRE GOTTSDANKER, 2<sup>nd</sup> Vice Chair  
MICHAEL PHILLIPS, 1<sup>st</sup> Vice Chair  
SUE BURROWS  
JACK OVERALL

Santa Barbara County  
Engineering Building, Room 17  
123 East Anapamu Street  
Santa Barbara, CA 93101  
(805) 568-2000 (Planning & Development)

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**TV COVERAGE ANNOUNCEMENT:** *Montecito Planning Commission Hearings are televised live on County of Santa Barbara Television (CSBTV) Channel 20 at 9:00 A.M. in the South Coast, Lompoc, Santa Ynez Valley, Santa Maria and Orcutt areas. Rebroadcast of Montecito Planning Commission Hearings are on Fridays at 5:00 P.M. on CSBTV Channel 20.*

### ADMINISTRATIVE AGENDA:

- I. **HEARING CALLED TO ORDER:** by, Chair Bob Bierig.
- II. **PLEDGE OF ALLEGIANCE**
- III. **TV COVERAGE ANNOUNCEMENT:** by Jessica Opland.
- IV. **ROLL CALL:** All Commissioners were present.
- V. **AGENDA STATUS REPORT:** by Dianne M. Black.
- VI. **PROJECTION REPORT:** by Dianne M. Black.
- VII. **APPOINTMENT OF THE 2008 MONTECITO PLANNING COMMISSION CHAIR AND FIRST VICE CHAIR AND SECOND VICE CHAIR**

**ACTION:** Nominated Bob Bierig as the 2008 Montecito Planning Commission Chair.

**Overall/Burrows**                      **Vote: 5-0**

**ACTION:** Nominated Michael Phillips as the 2008 Montecito Planning Commission 1st Vice Chair.

**Overall/Burrows**                      **Vote: 5-0**

**ACTION:** Nominated Clair Gottsdanker as the 2008 Montecito Planning Commission 2<sup>nd</sup> Vice Chair.

**Overall/Burrows**                      **Vote: 5-0**

- VIII. **APPOINTMENT OF THE 2008 MONTECITO PLANNING COMMISSION SECRETARY AND RECORDING SECRETARY**

**ACTION:** Nominated Dianne M. Black as the 2008 Montecito Planning Commission Secretary.

**Phillips/Overall**                      **Vote: 5-0**

**ACTION:**    **Nominated David Villalobos as the 2008 Montecito Planning Commission Recording Secretary.**

**Phillips/Overall**                      **Vote: 5-0**

IX.    **DIRECTOR'S REPORT AND BOARD OF SUPERVISORS HEARING SUMMARY:** by Director, John Baker.

X.    **PUBLIC COMMENT:** None.

XI.    **PLANNING COMMISSIONER'S INFORMATIONAL REPORTS:** Commissioner Phillips made an inquiry concerning the quiet zone surrounding the Biltmore Hotel.

XII.    **PLANNING & DEVELOPMENT DIVISIONAL BRIEFINGS:** County Counsel, Shane Stark gave the Montecito Planning Commission a brief Ethics training.

XIII.    **MINUTES:** The Minutes of December 19, 2007 will be considered.

**ACTION:**    **Approved the Minutes of December 19, 2007.**

**Gottsdanker/Phillips**                      **Vote: 5-0**

XIV.    **CONCEPTUAL REVIEW:**

**07RVP-00000-00009**  
**07CUP-00000-00045**  
**07CUP-00000-00046**

**CR-1. 07CUP-00000-00047**                      **Miramar Beach Resort and Bungalows Project**                      **1555 S. Jameson Lane**

Anne Almy, Supervising Planner (805) 568-2053  
Michelle Gibbs, Planner (805) 568-3508

Hearing on the request of Caruso BSC Miramar LLC for Conceptual Review of the following:

- a)    **07RVP-00000-00009** [application filed on June 7, 2007], a revised Development Plan in compliance with Section 35-174 of the Article II Coastal Zoning Ordinance, on property zoned C-V (Resort/Visitor Serving Commercial), to redevelop the Miramar Hotel with all new buildings of approximately 397,925 gross (169,293 net) square feet, including a main building with a lobby, meeting rooms and conference facilities, back-of-house areas, and underground parking; a ballroom; a spa, a Beach and Tennis Club with expanded membership; 202 guest rooms; two restaurants and a beach bar; two pools and two tennis courts; new landscaping; new 10-foot high sound wall; four employee dwellings; and abandonment of the north-south segment of Miramar Avenue with approximately 36,300 cubic yards of cut and 46,100 cubic yard of fill with 10,000 cubic yards to be imported (all existing buildings to be demolished). A total of 551 onsite parking spaces and 84 public offsite parking spaces are proposed as well;
- b)    **07CUP-00000-00045** [application filed on June 7, 2007], a Conditional Use Permit for hotel improvements in the Transportation Corridor Zone District (within the Union Pacific railroad right-of-way) in compliance with Section 35-172 of the Article II Coastal Zoning Ordinance, on property zoned C-V (Resort/Visitor Serving Commercial);
- c)    **07CUP-00000-00046** [application filed on June 7, 2007], a Minor Conditional Use Permit for a 10 feet high sound wall along South Jameson Lane in compliance with Section 35-172 of the Article II Coastal Zoning Ordinance, on property zoned C-V (Resort/Visitor Serving Commercial); and

- d) **07CUP-00000-00046** [application filed on June 7, 2007], a Minor Conditional Use Permit for four affordable employee dwellings in compliance with Section 35-172 of the Article II Coastal Zoning Ordinance, on property zoned C-V (Resort/Visitor Serving Commercial).

In addition, a Conditional Use Permit will also be required for proposed repairs to a seawall protecting the existing oceanfront units. Finally, staff will also simultaneously be processing a 65402 determination for the abandonment of the north-south segment of Miramar Avenue by the County Roads Division.

**ACTION: Conceptual Review only, therefore no action was taken. The Commission made the following comments on the project:**

- Each Commissioner expressed that they generally appreciate the proposed project and are impressed with the Caruso Team's extensive public outreach.
- **Commissioner Overall:**
  1. Would like clarification on what is attributing to the increase in total square footage from the Schrager Plan to the Caruso Plan.
  2. Would like better clarification of the County's requirements and the proposed number of rooms (or keys) per cottage and the heights of the buildings.
  3. Treatment of surface water runoff, potential impacts of site drainage on flooding of Oak Creek, potential impacts on groundwater (in terms of saltwater intrusion, contamination with nitrates, and water usage), potential impacts associated with the expansion of Highway 101, and potential noise reflection off the soundwall, all could affect the overall design of the project and must be investigated and addressed if need be, as quickly as possible.
  4. The impact on historic resources is not a major concern.
  5. Supports underground parking.
  6. Highway 101 is a scenic highway and the buildings along South Jameson appear to hang over and encroach on the highway corridor.
  7. The scale of the buildings along South Jameson are different than the adjacent buildings in the area.
  8. The concentration of public facilities and open space on the east side appears to limit the ability to move guestrooms around on the site. Consider realigning some of the guestrooms along South Jameson.
  9. The scale of the Main Building is too large and requests that Caruso restudy to try to reduce the scale by possibly putting some of the underground parking somewhere else, such as under the tennis courts?
  10. Overall, a modification to the front yard setback along South Jameson could be an issue.
  11. The extent of grading necessary to make the site flat is of concern. Restudy working with the natural contours of the site.
  12. The increased beach events and Beach and Tennis Club membership and night lighting of the tennis courts and beach are of concern. What is the logic behind each of these changes from the Schrager Plan?
  13. If the site could not be landscaped as lushly as currently proposed, would that affect the site design?
  14. County staff should look into whether the proposed diagonal parking spaces along South Jameson are acceptable.
  15. Construction traffic should be addressed.
- **Commissioner Burrows:**
  1. Concerned with safety issues associated with drainage and potential impacts on flooding of Oak Creek.

2. Not concerned with the potential for historic impacts.
  3. Concerned with potential sound reflection off the proposed 10-foot sound wall.
  4. Concerned with night lighting of the tennis courts and beach.
  5. Supports underground parking.
  6. Appreciates the lush landscaping and would like more details on the landscape screening that would be used along South Jameson.
  7. Would like clear signage for public access on the property and would like the following public access issues brought up by Susan Keller today during the public comment period to be addressed:
    - Closure of Miramar Avenue and its effect on the convenience of public access to the beach.
    - The increase of the number and duration of beach events and potential impacts on lateral access along the beach, especially if all events are concentrated during the summer.
  8. Concerned with the height of the Main Building.
- **Commissioner Phillips:**
    1. Please bring the height of the Main Building down.
    2. Concerned with treatment of storm water runoff and drainage issues.
    3. The large amount of public support helps the Commission make findings for neighborhood compatibility.
    4. Concerned with the potential impacts on traffic and circulation in the area associated with the proposed increased usage of the site.
  - **Commissioner Gottsdanker:**
    1. The traffic study must include an analysis of construction traffic, and impacts on traffic and circulation associated with an increase in the number and attendance of beach events and the increase in membership to the Beach and Tennis Club. Regarding construction traffic, for example, construction workers should not be parking along North Jameson.
    2. Concerned with night lighting of the tennis courts, although this issue may be able to be addressed by incorporation of down lighting and timers.
    3. Also, concerned with night lighting of the beach area and would like more details on this use.
    4. Committed to understanding staff's findings regarding how the project complies with the ordinance requirements and policy requirements for 6 keys per cottage for all cottages and a height limit of 16 feet for two-thirds of the buildings.
    5. The size of the Main Building (height and square footage) is too large and is not residential in scale. Consider moving some of the underground parking under the tennis courts where there is proposed fill already.
    6. Agrees with the Montecito Board of Architectural Review's comments to modify the roof eaves to help reduce the apparent mass and linearity of the buildings along South Jameson.
  - **Commissioner Bierig:**
    1. The comparisons between the Caruso Plan and Schragger Plan provided in the project description are hard to tease out. Please break the comparison up by issue area (e.g., parking, height etc.).
    2. Supports the proposed plantation style architecture.
    3. No issues with elimination of the historic cottages.
    4. The drainage and groundwater issues are engineering issues that he expects staff to fully address and resolve.
    5. Supports abandonment of the north-south segment of Miramar Avenue.

6. Requests more details on the lighting plan and requests that the lighting for the site be toned down. Concerned with night lighting of the tennis courts.
7. Heights, setbacks, and grading are all interrelated. Not concerned with the grading on its own and the maximum height of the Main Building is not a problem. However, concerned with the "wall effect" of the buildings along the entire South Jameson frontage; these buildings appear too linear and bulky. Consider articulating the buildings along this frontage to break up the massing by varying the height of the buildings and staggering the building sections back and forth horizontally off of the South Jameson frontage. Specifically, consider incorporating one-story buildings along the frontage, lowering the eastern side of the Main Building, and lowering the Ballroom further.

**XIII. STANDARD AGENDA:**

**Peterson Appeal of Land**

- 1. 07APL-00000-00031 Use Permit Approval of the Largura  
07APL-00000-00035 New Residence, Guesthouse and Grading 2480 Bella Vista Drive  
Exempt, CEQA Section 15303(a) Peter Imhof, Supervising Planner (805) 568-2518  
Nicole Mashore, Planner (805) 568-8068**

Hearing on the request of Dave and Kay Peterson to consider the Appeals, Case Nos. 07APL-00000-00031 and 07APL-00000-00035 [appeals filed October 4, 2007 and October 18, 2007] of the Montecito Board of Architectural Review's decision to approve 07BAR-00000-00129, and the Planning and Development Department's decision to approve a Land Use Permit, Case No. 07LUP-00000-00336 for construction of a single-family dwelling, basement, garage, guesthouse, pool, spa, retaining walls, fire safety support system (water tanks and pump) and associated grading, landscaping, fire clearance and biological restoration in the RMZ-40 zone under Section 35.492 of the Montecito Land Use and Development Code; and to accept the Exemption pursuant to Section 15303(a) of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP No. 007-040-022, located at 2480 Bella Vista Drive, in the Montecito area, First Supervisorial District. (Continued from 12/19/07)

**ACTION: Approved the project and denied the appeal.**

**Gottsdanker/Overall**

**Vote: 4-1 (Phillips no)  
10 day appeal period; fee required.**

- 2. 07CDH-00000-00030 Damron Coastal Development Permit 1076 The Fairway Rd.  
Exempt, CEQA Section 15301(e) Peter Imhof, Supervising Planner (805) 568-2518  
Eric Gage, Planner (805) 568-2002**

Hearing on the request of Bob Easton, architect for the owners, to consider Case No. 07CDH-00000-00030, [application filed on September 21, 2007] for a Coastal Development Permit in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned 1-E-1 to allow remodel and addition to an existing single-family residence including new exterior upper terrace stair, enclosure of a portion of upper south terrace of approximately 113 square feet, new outdoor fireplace at lower terrace, expansion of existing lower terrace, rework of lower exterior stair, and expansion of existing yard storage; and to accept the Exemption pursuant to Section 15301(e) of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP No. 009-282-032, located at 1076 The Fairway Road, in the Montecito area, First Supervisorial District.

**ACTION: Approved the project.**

**Gottsdanker/Overall**

**Vote: 5-0  
10 day appeal period; no fee required.  
(Coastal Commission)**

3. **07CUP-00000-00074** Clearwire CA-SBR-022 @ Mountain Drive Major Conditional Use Permit Mountain Drive  
**Exempt, CEQA Section 15303** Doug Anthony, Energy Deputy Director (805) 568-2046  
Heather Allen, Planner (805) 568-2043

Hearing on the request of Clearwire US, LLC to consider Case No. 07CUP-00000-00074, [application filed on October 3, 2007] for a Conditional Use Permit allowing for the construction, operation, and maintenance of an unmanned wireless telecommunications facility in compliance with Section 35.472.050 of the Montecito Land Use and Development Code, on a property zoned 3-E-1; and to accept the Exemption pursuant to Section 15303 of the State Guidelines for Implementation of the California Environmental Quality Act. The facility would encompass two panel antennas and two microwave dish antennas mounted on an existing transmission tower owned by Southern California Edison and placing an equipment cabinet underneath the transmission tower. One GPS antenna will be mounted on the proposed equipment cabinet. The application involves AP No. 013-020-003, located on Mountain Drive, in the Montecito area, First Supervisorial District.

**ACTION: Continued the item to the February 20, 2008 hearing.**

**Bierig/Overall**

**Vote: 5-0  
Appeal process not applicable.**

4. **08ORD-00000-00002** Resource Management Zone Development Plan Requirement Ordinance Amendment First District  
**CEQA Guidelines Section 15061(b)(3)** Dianne Black, Director, Development Services (805) 568-2000  
Noel Langle, Planner (805) 568-2067

Hearing on the request of the Planning and Development Department that the Montecito Planning Commission consider and adopt a recommendation to the Board of Supervisors that they adopt an ordinance (Case No. 08ORD-00000-00002) amending the text of Section 35.422.030 (Resource Protection Zone Allowable Land Uses), Section 35.472.080 (Development Plans) and Section 35.472.110 (Land Use Permits), of Section 35-2, the Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code as set forth in Attachment C that would require a Development Plan for proposed development located in the Resource Management Zone.

**ACTION: Adopted staff's recommendations.**

**Phillips/Gottsdanker**

**Vote: 5-0  
Appeal period not applicable.**

**The Planning Commission's recommendation will automatically be forwarded to the Board of Supervisors for final action; therefore the appeal process is not applicable.**

**The Montecito Planning Commission Agenda, Marked Agenda and Staff Reports are available on the  
Planning and Development Web Site at  
[www.sbcountyplanning.org](http://www.sbcountyplanning.org)**

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Dianne M. Black  
Secretary to the Montecito Planning Commission

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