



# COUNTY OF SANTA BARBARA

## MONTECITO PLANNING COMMISSION MARKED AGENDA

Special Hearing of August 28, 2008  
9:00 a.m.

BOB BIERIG, Chair  
CLAIRE GOTTSBANKER, 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)

**TV COVERAGE ANNOUNCEMENT:** *This special hearing of August 28, 2008 will be 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 this Montecito Planning Commission Hearing will be on Saturday, August 30th and Sunday, August 31st 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. **PUBLIC COMMENT:** Parker Montgomery commented on the role the Montecito Planning Commission should follow.
- VI. **PLANNING & DEVELOPMENT DIVISIONAL BRIEFINGS:** The Zoning Enforcement Briefing was continued to the September 17, 2008 hearing.
- VII. **CONSENT AGENDA ITEMS AND PROCEDURE:**

<b>C-1.</b>	<b>07CDH-00000-00015</b> Exempt, CEQA Section 15301(e)	<b>Grassini Single-Family Dwelling Additions</b>	<b>1775 Fernald Point Lane</b> Peter Imhof, Supervising Planner (805) 568-2518 Jim Heaton, Planner (805) 568-2516
-------------	---	--	---

Hearing on the request of Ken Mineau, agent for the owner, to consider Case No. 07CDH-00000-00015, [application filed on May 8, 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 a first floor addition of approximately 238 square feet and second story addition of approximately 1,388 square feet to the existing residence; and wine cellar of 86 square feet below existing guest house; 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 APN 007-380-007, located at 1775 Fernald Point Lane, in the Montecito area, First Supervisorial District. (Continued from 6/18/08)

**ACTION:** Continued the item to the hearing of October 8, 2008, at the request of the applicant.

**Overall/Phillips**

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

VIII. **STANDARD AGENDA:**

**07RVP-00000-00009**  
**07CUP-00000-00045**  
**07CUP-00000-00046**  
**07CUP-00000-00047**  
**08CUP-00000-00005**  
**08GOV-00000-00017**  
**08CDP-00000-00054**

<b>1.</b>	<b>Miramar Hotel</b>	<b>1555 South Jameson Lane</b>
<b>Addendum to 00-ND-003</b>	Anne Almy, Supervising Planner (805) 568-2053	
<b>08EIR-00000-00003</b>	Errin Briggs, Planner (805) 568-2047	

Hearing on the request of Caruso BSC Miramar LLC, owner, to consider the approval of the following:

- a) **Case No. 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 (all existing buildings to be demolished) totaling approximately 401,205 gross (169,937 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 300 person membership; 204 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; abandonment of the north-south segment of Miramar Avenue; and approximately 36,300 cubic yards of cut and 46,100 cubic yard of fill with 10,000 cubic yards to be imported;
- b) Modifications to the following height, parking, and setback ordinance requirements of Article II, Coastal Zoning Ordinance, including development standards in the Montecito Community Plan Overlay District, listed below pursuant to Section 35-174.8 of Article II which stipulates that the decision-maker of a Development Plan “may modify the building height limit, distance between buildings, setback, yard, parking, building coverage, or screening requirements specified in the applicable zone district when the decision-maker finds that the project justifies such modifications”:
  - A modification to the 38 foot height limit (35 feet + 3 more feet for buildings with 4 in 12 roof pitches) for the Main Building is being requested. The proposed height for this building is 49 feet.
  - A modification to the 16 foot height limit required in Section 35-204(1) of the Montecito Overlay in Article II, the County’s Coastal Zoning Ordinance for the Beach and Tennis Club such that the structure can reach up to 38 feet in height.
  - A modification to the front, rear, and side yard setbacks for a number of buildings as described below:
    - Along the western side of the property, guestrooms would encroach 40’ into the 50’ setback from the right of way and the Spa would encroach 10’ into the 50’ setback from the centerline of Eucalyptus Lane.
    - Along the northern side of the property the Main Building would encroach 10’ into the 20’ setback from the property line and 20’ into the 50’ setback from the centerline of South Jameson and all other buildings encroach 10’ into the 50’ setback from centerline of South Jameson Lane.
    - Along the southern portion of the property, guestrooms along east-west segment of Miramar Avenue would encroach up to 50’ into the 50’ setback from the right of way and 30’ into the 50’ setback from the centerline of Miramar Ave and oceanfront

guestrooms would encroach <10' into the 10' setback from the Union Pacific Rail Road property line.

- A modification to the number of parking spaces required for the project. The County's parking standards contained in Article II, Coastal Zoning Ordinance, require a total of 671 parking spaces onsite to accommodate the proposed project. However, only a total of 551 parking spaces would be provided, for a total of 120 spaces fewer than ordinance requirements.
- c) **Case No. 07CUP-00000-00045** [application filed on June 7, 2007], a revised Major 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);
- d) **Case No. 07CUP-00000-00046** [application filed on June 7, 2007], a revised Minor Conditional Use Permit for a 10-ft. 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);
- e) **Case No. 07CUP-00000-00047** [application filed on June 7, 2007], a new Minor Conditional Use Permit for four employee dwellings in compliance with Section 35-172 of the Article II Coastal Zoning Ordinance, on property zoned C-V (Resort/Visitor Serving Commercial);
- f) **Case No. 08CUP-00000-00005** [application filed on December 13, 2007], a new Major Conditional Use Permit for repairs to an existing seawall in compliance with Section 35-172.5(2)(o) of the Article II Coastal Zoning Ordinance;
- g) **Case No. 08GOV-00000-00017** [application filed on June 25, 2008], for a determination that the abandonment of an easement over the north-south segment of Miramar Avenue by the County Roads Division is consistent with the Comprehensive Plan and Coastal Land Use Plan of the County of Santa Barbara, pursuant to Government Code Section 65402;
- h) **Case No. 08CDP-00000-00054** [application filed on May 1, 2008], a follow-on Coastal Development Permit for buildout of 07RVP-00000-00009, 07CUP-00000-00045, 07CUP-00000-00046, 07CUP-00000-00047, and 08CUP-00000-00005 pursuant to Section 35-169.4(3)(a) of Article II Coastal Zoning Ordinance; and to;
- i) Certify the Subsequent Environmental Impact Report (SEIR) (08EIR-00000-00003), including an Addendum to Negative Declaration 00-ND-003 pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant effects on the environment are anticipated in the following categories: aesthetics/visual resources, air quality, biological resources, cultural resources, fire protection, geologic processes, hazardous materials/risk of upset, historic resources, land use, noise, public facilities, recreation, transportation/circulation, and water resources/flooding.

The SEIR and all documents referenced therein may be reviewed at the Planning and Development Department, 123 E. Anapamu Street, Santa Barbara. The SEIR is also available for review at the Montecito Public Library, 1469 East Valley Road, Montecito, CA, 93108 and the Santa Barbara Public Library, 40 E Anapamu St, Santa Barbara, CA, 93101. The application involves Assessor Parcel Numbers 009-371-004, 009-371-003, 009-372-001, 009-333-010, and 009-010-002 (owned by UPRR), located at 1555 South Jameson Lane, Montecito, First Supervisorial District. The nearest intersection is San Ysidro Road/Eucalyptus Lane.  
(Continued from 07/16/08 and 8/06/08)

**ACTION:** Accepted late submittal letters from Jane Gray, Dudek (email), dated August 22, 2008 (2:33pm); Robert Collector, dated August 22, 2008; Jean Harfenist, dated August 22, 2008; Ron Pulice (email), dated August 22, 2008 (12:53pm); Stan Harfenist (email), dated August 22, 2008 (12:07pm); Jane Gray, Dudek (email), dated August 22, 2008 (3:40pm); Michael McManus (email), dated August 22, 2008 (4:51pm); Larry Archibald (fax), dated August 22, 2008; California State Lands Commission to County Surveyor Mike Emmons, dated August 27, 2008; Coast Law Group, dated August 26, 2008; Amy Nefouse, DLA Piper, dated August 27, 2008; Bill Jones (email), dated August 28, 2008; Stacy Pulice (email), dated August 28, 2008; Tom Wright (email), dated August 26, 2008; Raymond Stefani (email), dated August 26, 2008; Jane Gray, Dudek (email), dated August 27, 2008; Transmittal with letter from Jane Gray, Dudek, dated August 26, 2008; and Responses to Comments in the Coast Law Group Letter from Jane Gray, Dudek, dated August 28, 2008 into the record.

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

**ACTION:** Not require a SEIR on water supply, based on substantial evidence in the whole record that there is not a new significant effect that was not discussed in the previous negative declaration.

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

**ACTION:** Include all parcels in the Development Plan, including all of Lots 6 and 11, for the purpose of calculating FAR.

**Bierig/ Phillips**                      **Vote: 4-1 (Gottsdanker no)**

**ACTION:** Conceptually approved the project, as revised at the hearing of August 28, 2008 and August 6, 2008, with direction to staff to incorporate condition changes as discussed at the August 6, 2008 and August 28, 2008 hearings related to the changes in the project description and phasing in of uses; and to revise findings and environmental documentation to support the Commission's approval of the project; and continue to the hearing of October 8, 2008 for final action.

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

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)

---

Dianne M. Black  
Secretary to the Montecito Planning Commission