

15164 ADDENDUM FOR THE MIRAMAR BEACH RESORT AND BUNGALOWS PROJECT
March 15, 2011

The California Environmental Quality Act (CEQA) requires analysis of environmental impacts which could occur as a result of project development. For the proposed changes to the approved project, an Addendum to the previously adopted focused Environmental Impact Report (08EIR-00000-00003), Mitigated Negative Declaration (00-ND-003) and Addendum to 00-ND-003 dated December 9, 2008, for the approved project can be prepared if the following applicable provisions of Section 15164 CEQA Guidelines can be met:

(b) *An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*

and

(e) *A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*

This addendum has been prepared to reflect proposed changes from the approved Miramar Beach Resort & Bungalows project to the proposed amended Miramar Beach Resort & Bungalows project; none of the applicable conditions of Section 15162 calling for a subsequent EIR or negative declaration have occurred, as indicated by the County analysis and determination provided below.

There are no substantial changes or changed circumstances under which the proposed amended project is to be undertaken. No new significant environmental effects or a substantial increase in the severity of previously identified significant effects assessed in the certified environmental documents (08EIR-00000-00003), (00-ND-003) and Addendum dated December 9, 2008, have been found with respect to the proposed amended project, as analyzed in the following Addendum. Further, there is no new information that the proposed amended project will have one or more significant effects not discussed in the certified environmental documents (08EIR-00000-00003), (00-ND-003) and Addendum dated December 9, 2008.

Each environmental impact section below addresses the proposed amended project in relationship to the approved project, including reference to the previously adopted impact determination, and provides the analysis for the Addendum.

All documents incorporated into this Addendum by reference are on file with P&D and are available upon request.

BACKGROUND

On December 9, 2008, the Board of Supervisors approved the Miramar Beach Resort & Bungalows project (Case Nos. 07RVP-00000-00009, 07CUP-00000-00045, 07CUP-00000-00046, 07CUP-00000-

00047, 08CUP-00000-00005, 08GOV-00000-00014, and 08CDP-00000-00054.) The abbreviated description for the approved project is as follows:

Redevelopment of the Miramar Hotel with all new buildings (all existing buildings to be demolished) totaling approximately 401,541 gross (170,150 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 Club with expanded membership; 192 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.

A Subsequent focused EIR (08EIR-00000-00003), Negative Declaration (00-ND-003) and Addendum dated December 9, 2008 analyzed the project's impacts to the environment and was certified by the Board of Supervisors for the project. 08EIR-00000-00003 was focused on historic resources only whereas 00-ND-003 and its Addendum dated December 9, 2008 analyzed the remainder of environmental impact areas.

Citing financing constraints, the applicant is now seeking an amended Development Plan 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, several reductions would be made to the project including elimination of the Ballroom building and relocation of the Ballroom use into the Main Building, elimination of the Beach & Tennis Club building and relocation of the Beach Club use to the eastern-most unit on the boardwalk, elimination of the tennis courts, reduction in the number of guest rooms from 192 to 186, removal of one level of underground parking and the creation of a new landscaped surface parking lot in the eastern portion of the site, a reduction in the maximum allowable attendance for events from 600 persons to 500 persons, a reduction in the available retail space and a reduction by nearly half in fill material to be placed in the flood plain of Oak Creek.

PROJECT DESCRIPTION

Development Plan (Approved Caruso Plan)

Caruso BSC Miramar LLC is requesting an Amendment to their Development Plan, Case No. 07RVP-00000-00009, to reduce the scope of the project.

The approved project consists of the following components:

- Construction of a new Ballroom over subterranean parking. Portions of the parking garage would be covered by an event lawn, with a new motor court and access ramp to underground parking;
- Construction of a new lobby and administration building on South Jameson Lane;
- Construction of three new restaurants, one on the second floor above the lobby, one near the pool, and the third as a new beach bar/snack house;
- Creation of a central lawn area in front of the Main Building lobby and Main Building guestrooms;
- Creation of additional open space by vacating the north-south segment of Miramar Avenue, and connecting the site via internal meandering paths resulting in additional new landscape areas throughout the site;

- Construction of a new spa and fitness building and treatment rooms for use by guests of the hotel and members of the public and one new building for exclusive use by the Beach and Tennis Club members;
- Increased beach club membership from 140 to 300;
- Construction of two new tennis courts for use by hotel guests and beach club members;
- Removal of all the existing guestroom buildings;
- Construction of a maximum of 192 new guestrooms located in 25 guest room buildings and cottages throughout the site;
- A restored beach boardwalk;
- Sixty-eight new public parking spaces along Eucalyptus and South Jameson to improve public beach access to existing public access points;
- New public access routes along the fire lane on the Miramar property and along the private road between the proposed Main Building and Ballroom;
- Construction of a 10-foot sound barrier along South Jameson Lane west of the main entrance drive;
- Construction of two new swimming pools to replace the two pools that previously existed on the site;
- Landscaping plan would include the removal and relocation of numerous trees and new planting of both native and non-native species throughout the site;
- Four affordable on-site hotel employee housing units;
- Increased number, duration, and attendance of beach events (e.g., weddings) from 12 beach events per year, for a maximum of 50 people for 30 minutes to 30 beach events per year, for a maximum of 100 people for 60 minutes; and
- A request for modifications to the height, parking, and setback requirements of the County's Coastal Zoning Ordinance.

The proposed amended project includes the following changes:

- 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 2-story restaurant building and relocation to the east side of the main pool;
- Elimination of a restaurant from 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 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 throughout the site. i.e., for the approved beach club building, poolside restaurant, ballroom (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.

COMPARISON OF PROPOSED AMENDMENT TO THE APPROVED CARUSO PLAN

The table below provides a comparison of the approved Caruso Plan and the proposed amended Caruso Plan. As with the approved project, the proposed amended project includes 102 total employees onsite at any one time.

Table 2-1
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	38,010 34,745 (incorporating Ballroom function (13,590 SF) and hotel administration offices, eliminated formal dining)
Pool Bar/Restaurant	809 SF	6,485 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 Area¹	164,849 SF	170,575 165,219 SF
Total Net Lot Area	686,977 SF (15.77 acres)	Same as approved Plan
Floor Area Ratio (FAR)	0.2399	0.248 0.2405
Existing Net Floor Area	97,382 SF (diner, lobby, convention center already demolished)	Same as approved Plan

¹ Net Floor Area – Includes interior occupied areas only (no garage parking) minus all circulation areas & mechanical shafts.

Project Component	Approved Caruso Plan	Proposed Amended Caruso 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	170,575 <u>165,219</u> SF
Total Gross Interior Floor Area ²	385,286 SF	263,111 <u>258,860</u> SF
Height modifications requested	46.0' height of Main Building 26.0' height of Beach and Tennis Club building located on 10-feet of fill or greater	Same as approved Plan <u>No longer needed as Beach & Tennis Club building has been eliminated</u>
Setback modifications requested	<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 <u>East:</u> All setbacks are met <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; <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.	Same as approved project <u>with the exception of the Restaurant which now requires a setback modification for a 10' encroachment into the 10' setback from the UPRR property line.</u>
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	68 (84-16 in "No Parking" zone = 68 legitimate public parking spaces)	Same as approved Plan
For Hotel		

² 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
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	7 (35 employees)	11 (55 employees)
Restaurant		
1 space per 300 SF of patron space (indoor + outdoor)	6 (270 SF net indoors + 1461 SF outdoors=1,731 SF)	18 (2,9382.161 SF net indoors + 2,2493.000 SF outdoors) = <u>5,1875.161</u>
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
1 space per 2 employees	21 (42 employees)	eliminated (consolidated into restaurant adjacent to pool)
Beach Club		
1 space per 30 SF of	49	53

Project Component	Approved Caruso Plan	Proposed Amended Caruso Plan
assembly space	(1,482 SF)	(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
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	Same as approved plan

Project Component	Approved Caruso Plan	Proposed Amended Caruso Plan
	of being in addition to these events)	
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
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

Below is a summary of the proposed amended project’s structural development, site improvements, and operations.

PROPOSED STRUCTURAL DEVELOPMENT

The proposed amended project would involve the demolition of all existing structures on the property and the addition of 263,111 gross square feet (170,575 net square feet) of structural development, excluding paved areas. Table 2-1 below summarizes the square footages of the proposed new buildings along with their maximum height (as measured from existing grade).

Pursuant to Section 35-203 of Article II of the County Code, Coastal Zoning Ordinance, in the Montecito Community Plan Overlay District, the maximum floor area ratio (FAR) for projects in the C-V, Resort/Visitor Serving Commercial zone is 0.25. The proposed amended project would result in 170,575 square feet of net floor area for an FAR of 0.2483 (see Table 2-2 below). While Table 2-1 shows project statistics for the proposed amended project, a more detailed comparative summary showing the statistics for both the approved and proposed amended projects is included with Table 2-5 below.

Table 2-2
Project Statistics – Structural Development for the Proposed Amended Project

Building Name	Building No. on Plans	No. of Stories	Max. Height above Existing Grade (ft.)	No. of Guest-rooms	Gross Interior Area ³ (SF)	Net Floor Area ⁴ (used for FAR) (SF)	Gross Exterior Area ⁵ (SF)	Total Site Coverage ⁶ (SF)
Main Building and Ballroom	1	2	46'	57	139,381	66,046 62,781	13,749	51,622
Spa	31	2	26.2'	0	7,003	7,003	7,397	14,572
Retail – R1			27.67'		3,952	3,952	0	4,352
Retail – R2	removed							
Retail – R3	removed							
Retail – R4	removed							
Retail – R5	removed							
Lanai 9 – L9	44	2	31.5'	48	32,599	24,755	10,203	23,359
Lanai 1 – L1	11	2	31.5'	6	5,528	3,614	1,059	3,473
Pool Bar/ Restaurant	9	21	33.529 '		8,090 4,394	6,485 4,394	6,145 4,680	9,438
Cottage – C3Alt	43	1	17.3'	3	4,158 (2,088 for fitness)	3,748	1,397	5,985
Cottage – C3	42	1	17.8'	6	4,158	3,748	1,397	5,985
Cottage 3 – C3	32	1	17.5'	6	4,158	3,748	1,397	5,985
Cottage 3 – C3	34	1	17.5'	6	4,158	3,748	1,397	5,985
Cottage 3 – C3	40	1	17.8'	6	4,158	3,748	1,397	5,985
Cottage 3 – C3	41	1	17.3'	6	4,158	3,748	1,397	5,985
Cottage 4 – C4	36	1	19'	4	3,036	2,844	552	3,965
Cottage 4 – C4	37	1	17.5'	4	3,036	2,844	552	3,965
Bungalow 1 – B1	33	1	17.1'	1	929	811	100	1,245

³ 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.

⁴ Net Floor Area – Includes interior occupied areas only (no garage parking) minus all circulation areas & mechanical shafts.

⁵ Gross Exterior Area – Exterior areas that are covered for weather protection with hard canopies or extended soffits.

⁶ Site Coverage – Area that is covered by the building footprint (to exterior face of exterior walls) plus any Exterior Gross Areas & uncovered patios.

Bungalow 1 – B1	35	1	17'	1	929	811	100	1,245
Bungalow 2 – B4	15	1	18.5'	4	2,762	2,762	776	3,625
Bungalow 2 – B4	16	1	17.5'	4	2,762	2,762	776	3,625
Bungalow 2 – B4	18	1	18'	4	2,762	2,762	776	3,625
Oceanfront West – O1	2	2	24.0'	6	6,364	5,478	2,822	5,738
Oceanfront East - O2	3	2	24.0'	14	13,863	11,309	4,788	11,120
Beach Club	4	2	24.0'		3,656	3,206		1,950
TOTAL				186	263,111	170,575	58,177	183,386

Proposed Architectural Style (Same as Approved Project)

The proposed architectural style for the project shall be described as “Cottage Type Hotel” as defined⁷:

A "Cottage-Type" hotel is a collection of one and two story- structures that vary in size and orientation. Placement and scale of buildings should be in a garden type setting with large canopy trees. Site should be pedestrian friendly.

"Cottage-Type" hotel buildings refer to a quaint architectural style and can be California Cottage and Bungalow or an architectural style reflecting the historical regional California coast. Architectural vernacular should incorporate low-sloped roofs with gables and/or hips, residentially scaled plate heights, overhangs and eaves; casement, double-hung or fixed windows or French doors with divided lights, porches and/or trellis; exterior walls of masonry, plaster, stone and/or wood siding (or other simulated materials).

The Miramar, as it existed in 1992 when the Montecito Community Plan was adopted, along with the Biltmore and the San Ysidro Ranch are the resort visitor-serving hotels in Montecito upon which the existing “Cottage Type Hotel” tradition was based. Both the Biltmore and the then Miramar include both large structures for congregation (restaurants, conference rooms, etc.) with attached guestrooms, and smaller buildings or cottages housing additional guest rooms. Consistent with the historic template of Montecito’s resort visitor serving hotels and similar to the approved project, the proposed amended project includes large structures for congregation (lobby, restaurant, spa), two-story lanai guest room buildings and single story cottage structures with six or fewer keys. Of the total number of 18 structures devoted to guest rooms, 13 are single story cottages with six or fewer rooms and 2 are two story cottages with six or fewer rooms. Of the total number of 186 guest rooms, 61 are located in the cottages. This compares to the approved project where of the total number of 25 structures devoted to guest rooms, 19 are single story cottages with six or fewer rooms and 2 are two story cottages with six or fewer rooms. Of the total number of 192 guest rooms, 74 are located in the cottages in the approved project.

⁷ During the August 28, 2008 hearing, the MPC directed the applicant to return to the MPC for further discussion to ensure the proposed project be consistent with the above “Cottage Style Hotel” definition, including colors, materials and style prior to returning to the MBAR for preliminary approval.

The architectural style of the proposed amended project has not been updated or refined from the approved project. As directed by the Montecito Planning Commission, the applicant would return to the Commission where a discussion would be held to ensure the project is consistent with the definition of “Cottage Type Hotel” as it applies to the Miramar project. The MBAR would not grant the project preliminary approval until the MPC is satisfied the project meets the refined definition.

Generous open spaces are located throughout the project site along with a variety of experiences and building types that reinforce the outdoor temperate lifestyle encouraged by the design. As with the approved project, guestrooms would be located in one-story cottages, two-story lanais, and oceanfront buildings with panoramic window lines, expansive patios and balconies. Awnings, drapes and landscaped trellises would add detail and shade to the outdoor environment.

Ballroom

Under the approved project, the Ballroom was located within a separate, standalone building. In the proposed amended project, the Ballroom building would be eliminated and the Ballroom function would be incorporated into the Main Building. The Ballroom area within the Main Building is intended to be used for events of various sizes. It would be for use both by resort guests and the public. Vehicles would arrive at the Ballroom via the Main Building motor court where cars would be valet parked. Access to the Ballroom is through the Main Building lobby. As with the approved project, the Ballroom can accommodate one large event, or could be subdivided with moveable partitions to accommodate up to three different events simultaneously. A separate Board Room for smaller events, breakout sessions and/or meetings is located within the Main Building near the Ballroom.

Large perimeter hallways would provide adequate circulation for either one large event or three concurrent events. The Ballroom would accommodate a maximum of 500 people under the proposed amended project, a reduction from the 600 included in the approved project.

Affordable Employee Housing

As part of the proposed amended project, four affordable employee housing units would be provided on the ground floor in the northeast corner of the lanai building (building no. 44). They have been moved from their approved location in the approved standalone. As with the approved project, the affordable employee housing units would be rented to moderate income (120% AMI) full-time employees. Income eligibility for affordable rental units would be determined by the County or its designee.

Main Building

Since the Ballroom has been consolidated into the Main Building structure, there is no longer a separate entrance or driveway for the Ballroom and all guests of the hotel would arrive at the Main Building motor court. The first floor of the Main Building includes the lobby and check-in area, a lounge, a pre-function area for the ballroom, a board room for use by members of the community or hotel guests for meetings, and the hotel executive offices. The second floor of the Main Building houses the hotel administrative offices. In the approved project the second floor of the Main Building included a restaurant which has now been moved to the Poolside Restaurant building.

An extension of the Main Building guestrooms has been added as part of the amended project to replace the rooms that were eliminated by the deletion of the two-story guest room building immediately west of the pool (Building No. 9 with 14 guestrooms) in the approved project. There are 18 guest rooms in the new guest room extension and 57 guestrooms total in the Main Building as compared with the approved project which had 28 guest rooms in the Main Building. By adding more rooms to the Main Building structure and consolidating the retail village in the approved project into a single building north of the

Main Building motor court in the proposed amended project, more open space is created within the hotel property.

Poolside Bar/Restaurant, Fine Dining and Beach Bar/Snack House

The ~~2~~ one-story poolside restaurant included with the proposed amended project replaces a previously approved 2-story guestroom building in the approved project (Building No. 9). However, rather than locating the restaurant building on the west side of the pool as was Building No. 9 under the approved project, the amended project would locate the The new restaurant ~~building would remain located~~ directly ~~west-east~~ of the main pool. The ground floor restaurant would include separate areas that host both casual family dining and fine dining. would be casual in nature and designed to have interior and exterior seating. The second floor would house the fine dining restaurant.

Similar to the approved project, a beach bar would be located between the two Oceanfront guestroom buildings in the proposed amended project; it would have patio seating only and include food storage and preparation areas. Unlike the approved project which attached the beach bar to Oceanfront building OF2, the approved project sites the beach bar in the middle of the opening between the two of the Oceanfront buildings OF1 and OF2. The beach bar would be limited to 9 feet in height above the boardwalk surface and has been designed with low roof forms to create architectural diversity with respect to the oceanfront units and to allow for ocean views through the Miramar site. Views from the beach into the property and from the property to the beach would be more obstructed when compared to the approved project due to placing the beach bar in the middle of the opening between OF1 and OF2.

As with the approved project, the total indoor and outdoor seating capacity in the two restaurants and the beach bar/snack house would remain at 258 seats under the proposed amended project.

Spa

As with the approved project, a new spa facility would be constructed in the northwestern portion of the site along South Jameson Lane under the proposed amended project. The spa would include new treatment rooms, men's and women's locker rooms, and relaxation gardens in a one level structure oriented around a courtyard. The building would be located in the northwest corner of the site in close proximity to a second pool (spa pool) on the property. In addition to guest use, there would be allowance for 15 non-guest users per day as was included in the approved project.

Differing from the approved project, fitness facilities have been moved from the spa and are now part of a guestroom building next to the spa in the northeast corner of the property (Building No. 43 at 2,088 square feet on the proposed amended site plan).

Beach Club

The proposed amended project includes a two-story clubhouse building for the Beach Club. The clubhouse would be for the use of Beach Club members only and would include lockers, a sauna and steam rooms, and a lounge area. In the approved project the clubhouse was located in a free-standing building on the eastern portion of the property. This building (which required a height modification) has been eliminated. The proposed amended clubhouse building replaces the Presidential Suite in the approved project and would be located in the easternmost oceanfront location.

As with the approved project, the Beach Club would be limited to a maximum membership of 300. Members would be allowed to bring family and guests. Since most families would travel to the Beach Club in one car, it would not be anticipated that club members would have a significant impact on traffic or parking during normal days. As with the approved project, on days that the surrounding beach area is

anticipated to be busy (i.e. Mother's Day, Memorial Day, July 4th, Labor Day), the hotel would issue parking passes in advance to club members for parking in the private Miramar surface parking lot. The passes would need to be displayed and each membership would be limited to one pass each on the busiest days, thus limiting each membership to one car. This policy would be enforced by Condition No. 52 requiring the applicant to monitor such parking and provide P&D with annual reports. The Beach Club building would be exclusively for beach club members, their families and guests (consistent with above). These provisions were included with the approved project and would continue to apply to the proposed amended project.

Hotel Retail Building

The Main Building would include a small retail boutique within the west wing on the north side of the Main Building parking court featuring convenience type products and services for hotel guests in the location where the administrative buildings were located in the approved project. The number of retail buildings has been reduced from five individual buildings in the approved project to one in the amended plan and overall square footage of the retail space has also been reduced from 5,485 square feet to 3,952 square feet.

As with the approved project, this incidental retail would be geared to satisfy the needs of the hotel guests but could also be a resource to the public for browsing, services and gift item purchases. Examples of possible retail uses include apparel, beach recreation (i.e., beach towels, hats, beach chairs, boogie boards, etc.), magazines and newspapers, candy, sunglasses, specialty food sales (i.e., bakery goods, ice cream, coffee), jewelry, art, gifts, visitor information, gourmet grocery items, and wine, among others. Uses would not include open alcohol sales, fast food meals, dry cleaners, post office, parcel services, or a bank.

New Guestrooms

The approved project includes 192 guestrooms while the amended project has been reduced to 186 guestrooms. As with the approved project, seven types of guestroom buildings are proposed under the amended project: Lanai buildings, Cottages, Bungalows, Oceanfront buildings, and guestrooms attached to the Main Building (as summarized in Table 2-1 above). The Lanai buildings, one 6-key cottage building, Oceanfront buildings, and guestrooms attached to the Main Building would be two-story buildings. All others would be one-story buildings.

Sound Barrier (Same as Approved Project)

As with the approved project, a sound barrier is proposed along South Jameson Lane west of the main entrance drive to reduce noise from the freeway in exterior spaces under the proposed amended project. Along South Jameson Lane, this sound barrier would consist of an approximately 10-foot high (as measured from the South Jameson Lane grade) sound wall with landscaping on both sides, as well as architectural features that would enhance the visual appearance of the wall.

Boardwalk and Seawall Repairs (Same as Approved Project)

An existing timber and concrete seawall retains the soil supporting most of the existing oceanfront units (the existing oceanfront units are not supported by deep foundations). Under the approved and proposed amended project, the new oceanfront units would be supported on deep foundations (approximately 128 driven piles) to comply with requirements in the Coastal High Hazard Zone, however, compacted soil would be placed beneath the foundations between the piles to further protect the structure from collapsing in the event of lateral earth movement during an earthquake. The existing seawall would be retained to support the soil beneath the piles. Many of the timber piles supporting the existing seawall are damaged and may need to be replaced under the approved and proposed amended project (with new driven piles); construction of this element of the project is anticipated to last 13 days. In addition, new shotcrete (concrete

mixture used to strengthen existing vertical surfaces) would be installed on the face of the seawall to further strengthen it from wave forces. No changes have been made to the structural components of the Boardwalk and seawall under the proposed amended project.

The existing easternmost oceanfront unit (proposed Beach Club) is not protected by the seawall, but rather by a timber bulkhead located further seaward than the seawall. No repairs are proposed for the bulkhead.

A 2 x10 foot plank timber boardwalk is framed off the face of the seawall, approximately 9.8 feet above existing grade (sand). The boardwalk is supported by timber piles, 10 x12 foot beams, and 2 x14 foot joists. In addition, a stairway leads to the beach off the boardwalk. Due to extensive wood rot, the deck of the boardwalk would be replaced under the proposed amended project as was contemplated under the approved project. However, the existing piles and the existing beach stairway would be retained.

There is no anticipated need for construction equipment to be parked on the beach, though hoses, cables, etc. may go down onto the beach (i.e., shotcrete application to the seawall) during construction activities.

Additional Fences and Walls

Table 2-2 summarizes the proposed site walls and their heights under the proposed amended project. Note the 10-foot soundwall along Jameson Lane is discussed separately above.

Table 2-3
Project Statistics – Site Walls

Wall Location	Maximum Height of Wall (above existing grade) (ft.)
Between the spa and South Jameson (Section I on Sheet C-2, the preliminary grading and drainage plan)	6'
In the northwest corner of the property by the spa (Section J on Sheet C-2, the preliminary grading and drainage plan)	5'
Along the western property line between All Saints by the Sea (Section B on Sheet C-2, the preliminary grading and drainage plan)	2.9'
Along the western property line between All Saints by the Sea (Section A on Sheet C-2, the preliminary grading and drainage plan)	4.4'
Between the Restaurant and Bar and the residential parcel owned by Miramar to the west (Section C on Sheet C-2, the preliminary grading and drainage plan)	1.8'
On eastern side of parking lot, eastern side of the property (Section G on Sheet C-2, the preliminary grading and drainage plan)	3.2' (reduced from approximately 10-foot retaining wall in the approved project)
Retaining wall between the easternmost guestrooms on the Main Building and the entrance road (Section E, on Sheet C-2, preliminary grading and drainage plan)	8.4'
Retaining wall between the Oceanfront units and the new fire access road and railroad tracks to the north (Section H on Sheet C-2, preliminary grading and drainage plan)	8.4'

Modifications

Section 35-174.8 of Article II, Coastal Zoning Ordinance, stipulates that the decision-maker for a Development Plan (e.g., Board of Supervisors) “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.” The applicant proposes modifications to height limits, setbacks, and parking requirements.

Height Modifications

The height limit in the C-V zone is 35 feet above existing grade, or 38 feet with roof pitches that are 4 in 12 or greater. Unlike the approved project where three buildings required height modifications, all proposed new buildings would meet this height restriction except for the Main Building, where the maximum height is proposed at 46 feet. The height of the Main Building is unchanged from the approved project. ~~Whereas~~ ~~the approved project required an additional height modification for the previous Beach & Tennis Club building built over 10’ of fill. However,~~ the amended plan eliminates the Beach & Tennis Club building ~~and therefore, eliminates the need for this modification and replaces it with a two-story Restaurant building. Because the Restaurant building would be limited to one-story and less than 16 feet in height, no modification to height for the restaurant building would be necessary.~~

Similar to the approved project, a modification to the height limit required in Section 35-208.2(1) of the Montecito Community Plan Overlay District would be necessary for the proposed amended project because none of the 18 buildings which would contain guest rooms would be limited to 16 feet in height above existing grade under the proposed amended project. However, more than two thirds (13 buildings, or 72.2 percent) of the 18 buildings with guestrooms would be one story buildings from finished grade.

Setback Modifications

Within the subject property, there is a required 20-foot setback from the right-of-way line and a 50-foot setback from the centerline of South Jameson Lane, Eucalyptus Lane, and Miramar Avenue. In addition, there is a 50-foot setback from both the western and eastern property lines due to adjacent residentially zoned properties. Finally, there is a 20-foot setback from the northern edge of the Union Pacific Railroad easement (a rear yard setback) and a 10-foot setback from the southern edge of the Union Pacific Railroad easement (a front yard setback for an interior lot).

The proposed amended project includes the same setback modifications as the approved project with the exception of the standalone Ballroom building which has been removed from the proposed amended project. Specifically, all the guestroom buildings along the western property line would encroach 35 feet into the required 50-foot setback to the adjacent residentially zoned properties (for a setback of approximately 15 feet from the western property line); patios for Cottages C3/C3-Alt would be 8 feet from the western property line. In addition, the two C4 cottages, two B2 cottages, and the Governor’s Suite (G1) would be located on the right-of-way line and well within the 50-foot setback from the centerline of Miramar Avenue (to be abandoned). Finally, while a previously approved setback modification for the Ballroom Building is no longer included with the project (only change between the approved and proposed amended projects with respect to setback modifications), the Spa building, Main Building, and oceanfront guestrooms all would slightly encroach into setbacks and continue to require setback modifications as well. Therefore, a modification to the setback requirements would be required for most of the buildings (see Table 2- 4 below as well for more details on encroachment into setbacks) included with the project.

Table 2-4
Setback Modifications Required for the Proposed Amended Project

<u>Location of Encroachment</u>	<u>Building Encroachment</u>	<u>Building Encroachment into Setback Area</u>
Northern property line adjacent to S. Jameson	Main Building, Spa	Approximately 10' into the setback area (Same as Approved Project)
Western property line adjacent to Eucalyptus Lane and the Church property	Spa & Guestrooms	Between 32' & 35' into the 50' setback (Same as Approved Project)
Southern property line adjacent to the east-west portion on Miramar Ave.	Guestrooms	Approximately 20' into the setback area & on the ROW line (Same as Approved Project)
South-western portion of the hotel, which is south of Miramar Ave and north of the railroad track, adjacent to the properties at 50, 56, and 60 Miramar Avenue <u>between the Main Building and the Oceanfront Units</u>	Poolside Restaurant	Approximately 10' into the setback area
Property line north of the Oceanfront Guestrooms and south of the UPRR.	Oceanfront Guestrooms	Approximately 10' into the 10' setback from the UPRR property line (Same as Approved Project)

Parking Modifications

Please see discussion in the “Parking” section below for further details about the parking proposed for the project. 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 which provides support for this modification request. The Shared Parking Analysis is included with the staff report as Attachment K. 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

SITE IMPROVEMENTS

Grading, Drainage, and Utilities

Grading for the project entails excavation of the underground parking garage to be located beneath the Main Building, and re-contouring of the entire site. The eastern portion of the site will be filled in order to level the site for preparation of the surface parking lot. However, the amount of imported fill material required has been reduced in the proposed amended project to 7,500 cubic yards from the 10,000 cubic yards included with the approved project. Fill within the Oak Creek floodplain would constitute a total loss of approximately 4 acre-feet of storm water ponding volume upstream of the railroad tracks as compared to the approved project which lost 7.6 acre-feet. A total of approximately 26,000 cubic yards (cy) of cut and 33,500 cy of fill would be required for the project, which factors in the amount of over excavation and compaction required. As a result, a total of 7,500 cy of import would be required. The approved project included 36,300 cy of cut and 46,100 cy of fill.

The proposed haul period for the import of 7,500 cy of fill is proposed as follows:

Activity	Approved Project	Proposed Amended Project
Import volume	10,000 cy	7,500 cy
Truck capacity	10 cy	10 cy
Truck trips per hour	6 to 10	6 to 10
Duration of import	100 to 170 hours/12 to 21 days	75 to 125 hours/9 to 16 days

Note: It is assumed that import of fill would occur sporadically during early stages of the project

The proposed amended project involves approximately 6.10 acres of paving, (including 1.12 acres of permeable pavement), compared to 5.79 acres in the approved project (none of which was permeable). Drainage for the property would be designed following recommendations contained within the Penfield & Smith drainage study prepared for the proposed amended project.

All existing on-site storm, sanitary and water systems would be removed or properly abandoned and new systems installed per current codes. As with the approved project, the Miramar Hotel would rely exclusively on Montecito Water District service: there would be no private well use associated with the proposed amended project. Existing water facilities in the to-be-vacated northern portion of Miramar Avenue, which serves a portion of the adjacent community, would be maintained in place until a new system is activated as part of the project.

Sanitary service would be provided by Montecito Sanitary District. The project would include, but not be limited to, funding, construction and dedication to the District of a sewer lift station with an emergency backup generator and new sewer force mains. The sewer lift station and backup generator would be located in the northeastern portion of the property, and the wells for the pump station would be located consistent with MSD engineering directives. Sewer force main improvements, as deemed necessary by the District would be constructed in South Jameson Lane heading westerly to connect with existing MSD infrastructure in or near Danielson Road.

All existing overhead electrical lines would be relocated underground.

As with the approved project, the applicant proposes the use of two 100 brake horse power (bhp) boilers, two 3,000 million British thermal units (MMBTu) boilers, and a 500 kilowatt (kW) emergency generator under the proposed amended project.

Vehicular Access to the Hotel (Same as Approved Project)

Access to the site would remain the same under the proposed amended project as it was under the approved project. The site would be accessed primarily at two points along South Jameson Lane: 1) the main entrance road to the lobby; and 2) the private road that would provide access to the surface parking lot and the oceanfront rooms, and continues to provide access for the three private homes to the immediate east of the resort. The private road would be improved from its current condition. Specifically, the private road's elevation would be raised to make it consistent with the new surrounding topography, raise it above the new surface parking lot and to elevate it out of the flood plain (currently, parts of the private road sit more than five feet below the 100-year flood plain elevation). The road would be built in compliance with all required engineering standards and requirements of the Montecito Fire Protection District. The roadway edge would be attractively landscaped.

Pools and Pool Cabanas (Same as Approved Project)

As with the approved project, there would be two pools on the property under the proposed amended project, a smaller pool in the northeast corner of the property near the lanai buildings, and the main pool south of the lobby building. The smaller pool is envisioned as less populated and quiet while the main pool would be the focus of the resort's outdoor activities. Lawn area, large seating areas, the outdoor poolside restaurant, and pool cabanas would surround the main pool. The cabanas would be temporary open-air shade structures for rental use by the hotel guests.

Landscaping, Gardens, and Pathways

Approximately 5.52 acres of the Miramar Beach Resort and Bungalows site would be devoted to landscaping under the proposed amended plan, an increase from the 5.36 acres in the approved project. Many of the existing, mature landscape materials, including many varieties of specimen trees such as sycamores, eucalyptus, Camphor trees, and Canary Island Palms, would remain on the property. It is a goal of the project to save as many trees as possible, relocating as possible and replenishing the property with new trees as well. The remainder of the plant palette would consist of a combination of drought tolerant and non-drought tolerant shrub and ground cover species.

The entrance into the property would be landscaped with a variety of mature trees, providing a planting buffer along the entire frontage of South Jameson Lane. This would set the tone for the Miramar, bringing it once again, back to its destination resort setting established nearly 100 years ago. In conjunction with the proposed sound wall, landscape improvements along South Jameson Lane would also help attenuate noise from Highway 101. The entrance drive off of South Jameson Lane would be planted with a combination of non-drought tolerant and drought tolerant plant materials. The motor court would be appropriately landscaped with decorative paving materials, potted plants, and colorful, flowering shrubs and hedges.

The experience at Miramar Beach Resort and Bungalows would primarily be a walking and strolling experience. Therefore, pathways would be added and carefully placed to appropriately accommodate hotel guests as well as take into consideration cart access to the Main Building, the oceanfront buildings as well as the lanai buildings, cottages and bungalows throughout. Decomposed granite pathways are envisioned for pedestrian use while other materials such as "turf-block" would be used for golf cart access. Pathways have been laid out to avoid disturbing any trees, but to also accommodate fire and maintenance access.

Significant landscaping would be placed within and around the newly proposed surface parking lot. The lot would be surrounded by a combination of landscaped berms, trees, bushes, and hedges to essentially hide the lot from view from hotel guests to the west, from Jameson Avenue to the north and from the residential properties to the east. Internally the parking lot would be broken up by hedges placed on islands, breaking the lot up into smaller sections.

Signs (Same as Approved Project)

A new sign would be installed on South Jameson Avenue at the entrance of the Main Building. The new fire access lane through the property (see “Public Access to the Beach and Public Use of the Site” below), would be marked with directional signs to Miramar Avenue which can be used to access the beach at the end of Eucalyptus Lane, and clearly marking the path as public access. Public beach access signs would also be located along the private road east of the Main Building directing people to the beach through the beach bar area. Finally, signs would also be installed on the exterior of the property directing people to public beach access points at the end of Eucalyptus Lane and the end of Posilipo Lane. No changes from the approved project would be made with respect to signage.

Lighting

As in the approved project, lighting is proposed on the boardwalk and the beach bar, but no lighting is proposed for the beach or sandy area. Lighting along the boardwalk would not be directed onto the sand in front of the resort or on the water. Likewise, lighting at the beach bar would be kept to a minimum and would be extinguished at 10 p.m. each evening.

The proposed amended project adds a surface parking lot in the eastern portion of the site. To prevent light spillage and to eliminate impacts to night sky lighting, lighting of the surface parking lot would be low level and shielded. The approved project did not include a surface parking lot and therefore, did not include associated night lighting of this type in this area. The proposed amended project would include lighting throughout the remainder of the property consistent with the *Concept Lighting Approach* developed for the approved project.

Fire Access Plan

A Fire Access Plan was approved for the approved project and incorporated into the site plans for the current proposed amended project which outlines fire access lanes and turnarounds throughout the property. The east-west segment of Miramar Avenue would be improved to 18 feet in width and a fire-turnaround would be provided where Miramar Avenue intersects the north-south trending fire lane in the western portion of the property. Fire access points to the roof top of each building on the property would be updated and approved by the Montecito Fire Department prior to issuance of a follow-on Land Use Permit.

Solid Waste Management Plan (Same as Approved Project)

No changes would be made to the approved Solid Waste Management Plan as part of the proposed amended project. The applicant proposes to reduce the solid waste volume generated by operation of the proposed amended project by 50 percent. In order to achieve this diversion rate, the following measures would be implemented:

General Solid Waste

1. A County-designated hauler would provide individual bins within centralized enclosure/s on the property for trash and commingled recycling. Commingled recycling containers would be utilized for depositing materials such as aluminum, plastic, glass, newspapers, junk mail, bimetal cans, magazines,

cereal boxes, and cardboard. Trash and recyclables would be picked up at appropriate time intervals determined by the designated waste hauler.

2. Interior spaces of each project area would be provided with storage for smaller recyclable materials such as office paper, cardboard, newspaper, glass and plastic bottles, aluminum and bimetal cans.
3. The designated waste hauler would provide the designated trash/recycling enclosures with commingled recycling containers for materials such as aluminum, plastic, glass, newspapers, junk mail, metal cans, magazines, cereal boxes, and cardboard. Recyclables would be picked up at appropriate time intervals determined by the designated waste hauler.

Gardening Waste

1. The overall project landscape design would consider the following yard waste minimization methods:
 - Trees would be selected for the appropriate size and scale to reduce pruning waste over the long-term.
 - Slow growing, drought tolerant plants would be included in the landscape plan. Drought tolerant plants require less pruning and generate less long-term pruning waste, require less water, and require less fertilizer than plants with higher water and fertilizer needs.
2. The initial landscape contractor and the subsequent landscaping maintenance crew hired by the Property Manager would be responsible for all garden waste management duties for the project area. Both contractor and maintenance crew would be informed through written and verbal information sources regarding this waste plan.
3. Woody waste would be chipped and used as mulch and/or composted on-site, to the maximum extent feasible.
4. All gardening wastes not composted/utilized as mulch on-site shall be hauled offsite by the maintenance crew.

Hazardous Waste

1. The Community Environmental Council (CEC) is a resource for information on non-toxic alternatives. Guests/visitors would be made aware that they may contact the CEC at (805) 963-0583 for additional information on non-toxic or less toxic products.
2. The CEC and University of California, Santa Barbara (UCSB) maintain a permanent facility for the collection of hazardous waste generated by residents and small businesses in the area. The owner would be made aware of this service, which includes the recycling/disposal of solvents, oils, and other chemicals, located at the UCSB Household Hazardous Waste Facility.

During construction, the applicant would employ a combination of local recycling services to reduce demolition and construction waste by 98.5 percent. Recycling of construction materials is provided locally by a number of waste collection companies, such as MarBorg Industries and BFI; Granite Construction, Lash Construction, and Santa Barbara Sand and Topsoil also offer construction waste recycling. For construction, a Solid Waste Management Plan shall be developed and implemented for each phase of construction. The Plan shall identify:

1. Estimated weight, by material type, to be discarded during construction.

2. Estimated weight, by material type, to be recycled or reused during construction.
3. Estimated number of separate bins required for recycling construction materials and cleared brush during grading and construction activities. All demolition and/or excess construction materials shall be separated on-site, as feasible, for reuse/recycling or proper disposal (e.g., separate bins for concrete and asphalt, wood, metal, drywall, and brush) and to take advantage of decreased prices for recycling these materials.
4. Prior to demolition/construction, the contractor would arrange for construction recycling service with a waste collection provider/s. Roll-off bins for the collection of recoverable construction materials would be located onsite. Materials earmarked for recycling include: wood, concrete, drywall, metal, cardboard, asphalt, soil, and land clearing debris (greenwaste). Sorting of general construction debris and materials would be done on-and off-site in coordination with recycling/waste collection provider.
5. The contractor would be referred to the following sources for recycled content, or reusable construction products:
 1. Calmax – California Materials Exchange (916) 255-2369 – a program that facilitates the reuse and recycling of business’ excess products, materials, and discards through a bi-monthly publication listing such materials free of charge;
 2. California Integrated Waste Management Board (800) 553-2962 – a State agency that provides information about recycling and waste reduction.
 3. Hayward Lumber (805) 692-2113 – a local construction materials vendor that provides a wide range of recycled-content products and sustainably harvested lumber.
6. Contractor shall monitor recycling efforts and collect receipts for roll-off bins and/or construction waste recycling. All subcontractors would be informed of the recycling plan, including which materials are to be source-separated and placed in proper bins (see materials earmarked above).
7. These construction waste-recycling measures would be incorporated into the construction specifications for the contractor.
8. Development of a Source Reduction Element (SRE) describing the recommended program(s) and the estimated reduction of the solid waste before it is created. For example, the SRE may include a description of value-engineering building techniques employed to keep excess cutoffs to a minimum (including increased spacing of joists and studs, in-line framing, reduced header sizes, and modular roof designs).

Construction Details (Same as Approved Project)

Demolition, grading, construction and landscaping are estimated to require approximately 18 to 20 months for completion with several activities likely to be occurring onsite simultaneously. It is estimated there would be up to 250 construction workers on site at any one time. Construction vehicles and equipment would be parked within the hotel site during the renovation effort; no construction-related parking would be allowed along Eucalyptus Lane, or on the east-west portion of Miramar Avenue.

As with the approved project, Torque Down 1275 pile installation would occur only in the area of the oceanfront units under the proposed amended project. Torque Down 1275 pile installation activities associated with the oceanfront units is anticipated to be performed in one phase lasting 7 days, eight hours per day (total of approximately 120-170 piles with an installation capability of approximately 25 piles per day).

No changes would be made with respect to construction details or haul routes as part of the proposed amended project. The proposed haul routes are as follows:

To Miramar from US 101

Proposed Northbound Truck Route

1. Travel northbound on US 101.
2. Exit San Ysidro off-ramp.
3. Turn left (south) at top of the off-ramp onto San Ysidro Road.
4. Turn left (east) onto South Jameson Lane.
5. Entrances to Miramar site are located on left (south side of South Jameson Lane) as follows:
 - a. Entrance onto site via vacated Miramar Avenue.
 - b. Entrance onto site via private road (between Main Building and Ballroom).

Proposed Southbound Truck Route

1. Travel southbound on US 101
2. Exit San Ysidro off-ramp.
3. Advance straight at top of off-ramp onto Jameson Lane.
4. Entrances to Miramar site are located on left (south side of South Jameson Lane) as follows:
 - a. Entrance onto site via vacated Miramar Avenue.
 - b. Entrance onto site via private road (between Main Building and Ballroom).

From Miramar to US 101

Proposed Northbound Truck Route

1. Exit the site via vacated Miramar Avenue or private road by turning left (west) onto South Jameson Lane.
2. Turn right (north) onto San Ysidro Road.
3. Cross the US 101 bridge.
4. At the stop sign, turn left (west) onto the northbound on-ramp.

Proposed Southbound Truck Route

1. Exit the site via vacated Miramar Avenue or private road.
2. Turn right (east) onto South Jameson Lane.
3. Head straight to southbound on-ramp to US 101.

PROPOSED OPERATION OF THE HOTEL

Number of Guestrooms (or “Keys”)

The proposed amended project includes a reduction in the number of guest rooms from 192 to 186 but would continue to include 4 affordable employee residences. There would be 18 guestroom buildings and of those buildings, 14 would have six guest room keys or less, while 4 would have more than six room keys.

Events

Under the proposed amended project, a number of events may be held at the hotel and the total maximum attendees at one event or several events occurring simultaneously shall be reduced from the approved project set at 600, to 500 people, individually or collectively. Normal events (“normal events”) would have

an attendee limit of 500 persons. It is anticipated that 4.7 events per day on average per year would occur (no change from approved project).

The Miramar Beach Resort and Bungalows may accommodate events in the Ballroom facility, the outdoor area near the main pool, the meeting rooms in the Main Building, the beach directly in front of the hotel, or any combination thereof. Strict limits were placed on event capacity for the approved project, and those limits have been reduced in the proposed amended plan as described below:

- **Normal events:** As in the approved project, event capacity is limited to 500 people on-site at any given time. This can be one event of 500 people in the Ballroom, or an aggregate number of people at smaller events in the Ballroom, meeting rooms, and/or the beach. Events up to 500 people are referred to as “**Normal Events**” in the approved plan.
 - **Example:** 500 person event in Ballroom (outdoor/indoor) **OR** 200 person event in Ballroom + 200 people gathered in meeting rooms + 100 person beach event = 500 person “Normal Event”.
 - As with the approved project, there would be no limit on the number of “Normal Events”; however, there will be no attendee overlap between events resulting in excess of the general limit of 500 attendees. After each event, there will be a cleanup and set up period before the following event so that attendees of an event will effectively be “cleared out” before attendees to the subsequent event show up. Events will be scheduled so as to avoid overlap and ensure adherence to attendance cap.
 - **Special Events:** In the approved project, event capacity on-site was allowed to exceed 500 people up to a maximum of 600 people 12 times per year. In the proposed amended project, “Special Events” would be eliminated, thus capping the maximum number of event attendees at 500 people.

Beach Events (Same as Approved Project)

Beach events would include, but would not be limited to, wedding ceremonies, commitment ceremonies, cocktail parties, or other small gatherings in the hotel beach use area and would be limited to no more than 30 per year, no more than 60 minutes per event (excluding setup and breakdown times), and no more than 100 people (“beach events”). All beach events would be subject to the 4.7 events per day on average limitation. Beach events would be planned and scheduled in coordination with the use of the Ballroom facilities and would be managed in a fashion whereby the combined use of the Ballroom and beach use area would not exceed the maximum attendance of 500 people. No changes to “beach events” would be made under the proposed amended project.

Restaurant Use (Same as Approved Project)

Capacity for the restaurants would remain the same as permitted under the approved project. A total of 258 seats would be spread out between the two restaurants and the beach bar/snack house.

Spa Use (Same as Approved Project)

As under the approved project, a total of 15 non-guests per day are proposed to be able to use the spa facilities.

Retail Use (Same as Approved Project)

The proposed hours of the retail stores would be from 7:30 a.m. to 10:30 p.m. (No change).

Number of Employees (Same as Approved Project)

There would be approximately 102 full time, part-time, seasonal, and permanent employees on-site at any given time. The total number of people employed by the hotel would be 204. (No change)

Parking

Under the approved project, 551 parking spaces were to be provided on site; 511 spaces would have been provided in a two level underground parking deck and the rest in surface parking near the main entrance, behind the oceanfront buildings and along Miramar Avenue. Additionally, 68 public spaces were to be located along South Jameson Lane and Eucalyptus Lane. All public spaces would be labeled for "Public Use" to ensure exclusive public use and deter hotel guest use.

Parking on the hotel grounds would be shared, with a single space serving several different uses at different times during the day, also referred to as conjunctive uses. In the proposed amended project, the lower level of underground parking would be eliminated and a new surface parking lot would be created on the eastern portion of the property. The overall number of parking spaces would be reduced from 551 under the approved project to 494. Under the proposed amended project, there would be 207 spaces available in the surface parking lot, 247 in the underground parking, 17 at the oceanfront rooms, 13 in the Main Building forecourt, and 10 along Miramar Avenue. Updated parking calculations by ATE in a letter dated November 23, 2010 show that with the reduction in maximum event capacity, the 494 spaces in the proposed amended project would accommodate peak summertime demand, with an excess of 26 spaces at peak demand. A modification to the parking requirement is being requested for the proposed amended project as the proposed number of spaces is short of the ordinance requirement of 632 spaces (see Table 4 below).

The number of public parking spaces would remain the same and in the same locations and alignment in the proposed amended project as under the approved project.

As with the approved project, hotel parking would be provided by valet service only under the proposed amended project. Overnight guests would use the hotel's full valet service, dropping off and picking up their vehicles at the valet stand located at the hotel lobby and would be taken to their rooms by a golf cart or on foot. All guests would be informed that the street parking spaces along South Jameson Lane and Eucalyptus Lane are public and not available for hotel guest use. Public spaces would be labeled as such to ensure public use only. Guests staying in rooms adjacent to the ocean front rooms would have designated surface parking areas and would have the option of parking near their rooms if these spots are available.

Parking associated with Ballroom functions would occur in the parking structure and surface parking lot. The amended Miramar Parking Plan details the event scenarios (300- and 500-person events), each of which uses valet parking. Tandem parking was included in the approved project and would be retained in the proposed amended project to maximize the efficiency of the underground and surface parking lots. In the approved project, Ballroom patrons arrived at the Ballroom forecourt via the private road. With the movement of the Ballroom into the Main Building, Ballroom parking would now also be handled by valet at the main entrance. The surface parking lot would be accessed by valet parkers driving through the underground parking lot, surfacing through a driveway at the private road and then driving into the surface parking lot. Valet will not take cars out onto Jameson Avenue to reach the new surface lot.

Under the proposed amended project, 10 new parking spaces have been created along Miramar Avenue so guests of the bungalows nearest Miramar Avenue may self park their cars.

Additionally, since the Beach Club has been moved to the beachfront, some number of the existing spaces at the oceanfront may be reserved for beach club members, while most beach club guests would have their cars valet parked.

As with the approved project, under the proposed amended project, public patrons of the restaurant, spa, beach-bar or other visitors to the site would have the option of using the lobby valet service. Hotel employees would not be charged for parking.

Public Access to the Beach and Public Use of the Hotel Site (Same as Approved Project)

Under previous ownerships, the Miramar Hotel did not welcome members of the public entering the grounds or using the beach in front of the boardwalk. The approved project as well as the proposed amended project demonstrates a commitment to enhancing the public's interest in visiting the Miramar property which is one of the project objectives. No changes related to public access in the approved project would be made as part of the proposed amended project.

Public access to beaches within the vicinity of the Miramar Hotel is provided through several vertical and lateral access points. The hotel owner provides a 20-foot recorded lateral easement to the public over the hotel's full beach frontage. The southern boundary of the public lateral easement is the water's edge; as a result, the 20 foot lateral easement varies in location with the change in tide line. However, as a matter of State law, the public always maintains the right to access the beach below the mean high-tide line regardless of where the water's edge is located at any moment in time. Existing public vertical access is located at Eucalyptus Lane about 500 feet west of the Miramar stairs to the beach, as well as from Posilipo Lane, located approximately 1,500 feet to the east of the site.

The approved project provides 68 public parking spaces on Eucalyptus Lane and South Jameson Lane which would remain under the proposed amended project. The approved project includes a commitment for the dedication of two public access easements through the site, and this remains the same in the proposed amended project. These easements would provide access across the hotel property along a curving pathway (which would also serve as the fire access lane) replacing the vacated portion of Miramar Avenue and connecting to the remaining portion of Miramar Avenue for easy access to Eucalyptus Lane. Along this fire access lane, coastal access signs would be posted clearly directing people to Miramar Avenue and ultimately to the beach area (see "Signs and Lighting" above). In addition, public access to the beach would be provided down the private road between the Main Building and Ballroom through the property and toward the beach bar area where a stairway to the beach would be located as an additional way to access the beach. Legal descriptions for the proposed easements have been provided to the County.

Maintaining the privacy of hotel guests is a priority and the hotel would reserve areas and amenities for use only by its guests and members of the Beach Club (i.e., swimming pools, and the Beach Club building). However, the public would have access to much more of the property than when it was previously operated. As a commercial, visitor-serving operation, use by the public and the associated business that it generates is viewed as an integral part of the hotel operation. All of the restaurants would be available for use by the public as well as guests. There would be up to 15 non-guest reservations per day available at the spa, and the small retail area at the front of the property would be available for public use.

Under the approved and proposed amended projects, the public would be able to access the boardwalk and the beach bar/snackhouse directly from the beach. There would also be restrooms near the beach that would be available to the public, as well as showers available to the public adjacent to the oceanfront buildings.

Hotel Beach Use (Same as Approved Project)

No changes to hotel beach use would be made as part of the proposed amended project. On a portion of the sandy beach section of the property (“hotel beach use area”), running along the entire width of the Miramar Hotel beach frontage and to a line approximately 60 feet seaward of the existing boardwalk, subject to adjustment in accordance with the public access agreement⁸, the hotel owner would provide a number of services to its hotel guests and visitors. In the hotel beach use area, the hotel may serve limited food and beverages to hotel guests during the hours of operation of the beach bar. Food and beverage service would be available to non-guests by going to the beach bar and snack house on the boardwalk.

The hotel may place non-permanent items such as chairs, umbrellas, and other non-motorized beach-related recreation items (inflatable rafts, boogie boards, etc.) out for hotel guests within the hotel beach use area, outside of the public’s lateral access area. The non-permanent items would be removed nightly and would only be placed out in response to guest requests.

Hotel events in the hotel beach use area would include, but would not limited to, wedding ceremonies, commitment ceremonies, cocktail parties, or other small gatherings and would be limited to no more than 30 per year, for no more than 60 minutes per event, and with no more than 100 people. During hotel events on the beach, non-permanent items such as chairs, small tents, rope barriers, and small signs may be put up immediately before the event and removed promptly afterwards. Non-amplified music would be allowed on the beach during these events, (i.e., guitars, small string trios or quartets, etc.). During a hotel event on the beach, part of the hotel beach use area would be limited to use by the hotel. However, hotel operations would at no time infringe on the lateral public easement as described in the dedication referenced above.

The beach in front of the resort would be kept clean by hotel staff for the enjoyment of hotel guests and the public. The resort and bungalow’s beach area would be kept clean throughout the day by hotel staff, and would be cleaned thoroughly each evening. No changes in beach use would occur under the proposed amended project.

1. AESTHETICS/VISUAL RESOURCES

As with the approved project, the proposed amended project includes a two-story, fairly continuous building mass along South Jameson Lane including the new Main Building and the Lanai building (no. 44). However, the project’s mass along Jameson has been substantially reduced from the approved project by removal of the Ballroom building in the eastern portion of the site (the Ballroom use has been relocated into the Main Building). The Beach & Tennis Club building (28 feet in height) has also been removed from the proposed amended project, further opening views in the eastern portion of the site. A new surface parking lot would replace the Ballroom and Beach & Tennis Club buildings in this location. As such, views into the property, and views over the property to the north would be improved in the proposed amended project. At its northern most point, the parking lot is depressed six feet below the elevation of South Jameson Lane and the lot slopes down to the south. This proposed amended project element would allow for more expansive views into and across the property from the north, south and east. The proposed amended project would continue to include a 10-foot high sound wall running along the front property line in front of the Lanai building. The sound wall is broken into two segments, allowing for a 9-foot high, approximately 480 foot long landscape berm with associated landscape trees and shrubs.

⁸ Described in a dedication by William P. Gawzner and June Outhwaite dated July 21st 1975 (Recorded October 28, 1975, Book 2591, Page 617).

Regarding views through the property from the beach, the approved project included a one-story snack-bar structure to be located on the boardwalk between the oceanfront buildings, thereby providing for a 35-foot wide view northward across the resort grounds and beyond to the Santa Ynez Mountains. Specifically, the approved snack-bar building was attached to the western end of oceanfront building OF2. The proposed amended project has relocated the snack-bar building to the middle of the 35-foot passageway between the two oceanfront buildings. However, the snack-bar building would be limited to 9 feet in height with a finished floor height (19 feet above msl) below the remainder of the site (25 feet above msl and higher), thus affording views over the building from the north toward the ocean and from the beach toward the Santa Ynez Mountains.

The approved project contained limited night lighting throughout the property including lighting for landscape features and pathways and for safety purposes. Mitigation (AES-4) included in the Negative Declaration addressed potential impacts from night lighting, reducing those impacts to less than significant. As with the approved project, the proposed amended project includes a *Concept Lighting Approach Plan*, dated February 26, 2008 that identifies all proposed light features, including downcast fixture type, location and wattage. The proposed amended project adds a new feature that the approved project did not include; a surface parking lot with associated night lighting in the eastern portion of the site. A photometric study of the proposed surface parking lot nighttime lighting design, dated February 18, 2011, was performed by Francis Krahe and Associates, Inc. The conclusions of the study are that glare and spillage from the lights is contained within the lot during periods of full illumination. During the dimmed scenario which is intended to provide safety levels of lighting only, lighting levels within the lot are lowered overall with some areas of darkness. Again, there is no light spillage shown falling outside the lot. To ensure success of the lighting program, the original mitigation regulating night lighting has been modified to include provisions for dimming of the lights throughout the property at 10 p.m. to provide security lighting only. The revised mitigation also includes a provision to minimize lighting on the sides of structures facing public streets.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The mitigation measures contained in the Aesthetic/Visual Resources section of 00-ND-003 and its Addendum dated December 9, 2008, as revised in this Addendum, would be adequate to mitigate potentially significant visual resource impacts associated with the proposed amended project. As with the approved project, the proposed amended project's residual impact and contribution to cumulative impacts would be less than significant.

Mitigation Measure AES-4 of 00-ND-003 has been modified in order to more clearly define restrictions on the night lighting plan for the newly proposed surface parking lot to be located in the eastern portion of the site.

AES-4 All exterior night lighting identified in the *Concept Lighting Approach Plan*, dated February 26, 2008 shall be of low intensity, low glare design, and shall be fully hooded to direct light downward and/or to prevent spillover onto neighboring parcels. In respect to the surface parking lot, night-lighting and its intensity shall be minimized to the extent feasible for security and safety purposes and night-lighting shall be reduced following the close of event activities on-site any given day. The height of night-lighting shall also be minimized to reduce its visibility

from off-site. The applicant shall incorporate these requirements into the *Concept Lighting Approach Plan* and include provisions for dimming lights after 10:00 p.m. except when event activities end at or later than 10:00 p.m. For these exceptions, lighting shall be dimmed to the maximum extent feasible and at the earliest possible time after 10:00 p.m. There shall be no up-lighting of trees. Beach lighting shall only include those depicted in the *Concept Lighting Approach Plan* identified along the boardwalk and there shall be no floodlights directed towards the beach. **Plan Requirements:** The applicant shall incorporate these measures into the final Lighting Plan. The locations and heights of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture shall be depicted on the final Lighting Plan. **Timing:** The final Lighting Plan must be reviewed and approved by P&D and the Montecito BAR prior to issuance of follow-on Land Use Permits. **MONITORING:** P&D and MBAR shall review the final Lighting Plan for compliance with this measure prior to issuance of follow-on Land Use Permits. Permit Compliance shall inspect structures and landscaping upon completion and prior to occupancy clearance to ensure that exterior lighting fixtures have been installed consistent with their depiction on the approved Signage and Lighting Plan.

2. AGRICULTURAL RESOURCES

As with the approved project, the proposed amended project creates no impacts to agricultural resources. The subject property is not zoned for agriculture and no agricultural activities currently take place on the property.

MITIGATION MEASURES AND RESIDUAL IMPACTS

As with the approved project, no mitigation is required and there would be no project-specific or cumulative impacts from the proposed amended project to agricultural resources.

3. AIR QUALITY

The proposed amended project contains several reductions from the approved project including elimination of the Ballroom building and relocation of the Ballroom use into the Main Building, elimination of the Beach & Tennis Club building and relocation of the Beach Club use to the eastern-most unit on the boardwalk, elimination of the tennis courts, reduction in the number of room keys from 192 to 186, removal of one level of underground parking and the creation of a new landscaped surface parking lot in the eastern portion of the site, a reduction in the maximum allowable attendance for events from 600 persons to 500 persons, a reduction in the available retail space and a reduction by nearly half in fill material to be placed in the flood plain of Oak Creek.

With respect to site preparation, a total of approximately 26,000 cubic yards of cut and 33,500 cubic yards of fill would be required for the proposed amended project. This represents a substantial decrease from the 42,200 cubic yards of cut and 40,500 cubic yards of fill required for the approved project. This reduction in grading quantities will result in fewer truck trips to and from the property to remove/deliver cut and fill materials and an overall reduction in the time needed to complete site preparation activities. Therefore, air quality impacts related to dust generation and diesel exhaust from heavy machinery will be decreased from the approved project.

With respect to traffic generation, the applicant has provided an updated “Trip Generation Analysis” prepared by Associated Transportation Engineers dated January 5, 2011. The analysis concludes that the reduced project will generate fewer average daily trips and peak hour trips than the approved project. As such, traffic generated by the project will result in fewer pollutant emissions associated with vehicle trips than the approved project. Because of the proposed reductions in site preparation requirements and in the project’s use levels, impacts related to air quality resulting from the proposed amended project would be less than those impacts generated by the approved project and existing mitigation measures are adequate to reduce impacts to air quality to less than significant levels.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The mitigation measures contained in the Air Quality section of 00-ND-003 and its Addendum dated December 9, 2008, would be adequate to mitigate potentially significant air quality impacts associated with the proposed amended project. As with the approved project, the proposed amended project’s residual impact would be less than significant. Also consistent with the approved project, the proposed amended project’s contribution to cumulative air quality impacts would not be considerable.

4. BIOLOGICAL RESOURCES

Existing biological resources on the project site are limited to mature native and non-native specimen trees. As with the approved project, the proposed amended project would demolish all existing buildings and completely re-contour the site prior to development. As part of these activities, all native trees, and all trees of aesthetic value would be relocated and incorporated into the hotel’s landscape plan.

Environmentally Sensitive Habitat (ESH) containing numerous mature California sycamore trees is located just east of the project site in association with Oak Creek. Along the eastern boundary of the site, the approved project would fill in the flood plain north of the UPRR railroad tracks and contain such material with a series of retaining walls reaching approximately 10 feet in height. Site preparation in this area would necessitate the removal of three mature sycamore trees under the approved plan. Under the proposed plan, the amount of fill material to be placed in the flood plain would be reduced by nearly half and only a single, 3-foot retaining wall would be needed at the eastern property boundary. This reduction in fill material, coupled with the need for significantly fewer retaining walls of lower height and less length, would lessen potential impacts to existing sycamore trees and the ESH associated with Oak Creek.

In summary, impacts related to biological resources resulting from the proposed amended project would be less than those impacts generated by the approved project and existing mitigation measures are adequate to reduce impacts to biological resources to less than significant levels.

MITIGATION MEASURES AND RESIDUAL IMPACT

The mitigation measures contained in the Biological Resource section of 00-ND-003 and its Addendum dated December 9, 2008, would be adequate to mitigate potentially significant biological resource impacts associated with the proposed amended project. As with the approved project, the proposed amended project’s residual impact and contribution to cumulative impacts would be less than significant.

5. CULTURAL RESOURCES

Based on the findings of three archaeological surveys, the previous environmental review found impacts to cultural resources from the approved project to be potentially significant and mitigable. Mitigation measures included Native American and archaeologist monitoring during grading and development in the Railroad right-of-way, historic archaeologist monitoring of grading activities in areas sensitive for the occurrence of historic archaeological features, and a stop-work requirement in the event of the uncovering of potentially significant prehistoric or historic archaeological resources.

As with the approved project, the proposed amended project would demolish all existing buildings and completely re-contour the site prior to development. While the grading quantities included with the proposed amended project are substantially less than those included with the approved project, such activities would similarly disturb the entire site in terms of footprint. As such, impacts related to cultural resources resulting from the proposed amended project would be equal to those impacts generated by the approved project and existing mitigation measures are adequate to reduce impacts to cultural resources to less than significant levels.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The mitigation measures contained in the Cultural Resources section of 00-ND-003 and its Addendum dated December 9, 2008, would be adequate to mitigate potentially significant impacts to cultural resources from the proposed amended project. As with the approved project, the proposed amended project's residual impact and contribution to cumulative impacts would be less than significant.

6. ENERGY

Environmental review of the approved project found no significant impacts associated with the demand for existing sources of energy or the need to develop or extend new energy sources to the site. Because the proposed amended project represents a substantial reduction in gross floor area from the approved project (approximately 110,000 gross square feet) and the number of guest rooms has been reduced from 192 to 186, the proposed amended project would result in demand for energy that is equal to, or lesser than, the demand generated under the approved project. Consistent with the approved plan, impacts associated with the proposed amended project would not be considered significant.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The proposed amended project would not result in project-specific or cumulative energy impacts. No mitigation is required.

7. FIRE PROTECTION

As with the approved project, the proposed amended project would demolish all existing structures on the property and completely redevelop the site with a new luxury resort. The pool bar included with the approved project would be replaced by a one-story restaurant building under the proposed amended project. Emergency access to this building would be provided by the entrance driveway which also serves the

surface parking lot, the hotel loading/receiving area and the beachfront units. While several previously approved buildings would be removed and some ~~minor~~ reorganization of buildings would occur under the proposed amended project, the underlying infrastructure (fire access lanes, fire sprinklers in all buildings, turning radii on all roadways, placement and number of hydrants, etc.) needed for fire protection would remain in the proposed amended project. The east-west segment of Miramar Avenue would be improved to 18 feet in width and a fire-turnaround would be provided where Miramar Avenue intersects the north-south trending fire lane in the western portion of the property. As such, impacts related to fire protection would remain the same in the proposed amended project as they were under the approved project.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The mitigation measures contained in the Fire Protection section of 00-ND-003 and its Addendum dated December 9, 2008, would be adequate to mitigate potentially significant impacts from the proposed amended project. As with the approved project, the proposed amended project's residual impact and contribution to cumulative impacts would be less than significant.

8. GEOLOGIC PROCESSES

00-ND-003 and its Addendum dated December 9, 2008, found no potentially significant impacts relating to geologic processes from the proposed amended project, including risks from fault rupture, ground shaking, ground lurching and amplification, liquefaction, sea cliff retreat, tsunamis or settlement and differential compaction. Grading quantities have been substantially reduced under the proposed amended project (36,300 cy of cut and 46,100 cy of fill in the approved project reduced to 26,000 cubic yards of cut and 33,500 cy of fill under the proposed amended project), and impacts associated with site preparation activities would not be significant. The proposed amended project would result in the same or lesser impacts than those created by the approved project with respect to geologic processes.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The mitigation measures contained in the Geologic Processes section of 00-ND-003 and its Addendum dated December 9, 2008, would be adequate to mitigate potentially significant impacts to geologic processes from the proposed amended project. As with the approved project, the proposed amended project's residual impact and contribution to cumulative impacts would be less than significant.

9. HAZARDOUS MATERIALS/RISK OF UPSET

00-ND-003 and its Addendum dated December 9, 2008, analyzed the approved project and identified potentially significant and mitigable impacts associated with public safety hazards from the occurrence of approximately 1,000 linear feet of train tracks within the hotel site. Mitigation included installation of warning device improvements for the pedestrian railroad crossing where the eastern access roadway leading to the beachfront units intersects the UPRR tracks.

The mitigation measure requiring warning device improvements would continue to apply to the proposed amended project. Because the proposed amended project would include the same development patterns in

close proximity to the railroad tracks as those included with the approved project, no change in impacts related to public safety hazards would occur.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The mitigation measures contained in the Hazardous Materials/Risk of Upset section of 00-ND-003 and its Addendum dated December 9, 2008, would be adequate to mitigate potentially significant impacts from the proposed amended project. As with the approved project, the proposed amended project's residual impact and contribution to cumulative impacts would be less than significant.

10. HISTORIC RESOURCES

All of the existing cottages (except for Matilija), several storage and maintenance buildings and the Poolside Rooms have been determined to be locally historically significant structures; additionally, the Poolside Rooms are eligible to be a Santa Barbara County Historic Landmark and are eligible to be included on the California Register of Historic Resources and on the National Register of Historic Places. The "Miramar" neon roof sign, neon pole sign, and sandstone caps that previously existed at the Miramar during its operation are also considered locally historically significant features.

The approved project included demolition and removal of all buildings onsite. As such, the final SEIR (08EIR-00000-00003) prepared for the approved project, identified Class I, significant impacts to historic resources. Because all the existing buildings onsite would be demolished under the proposed amended project as they would have been under the approved project, impacts to historic resources would remain unchanged, significant and unavoidable. Several mitigation measures including photo-documentation of the existing buildings having historic value and retention of several existing historic features ("Miramar" neon roof sign, neon pole sign, and sandstone caps) would reduce impacts to historic resources to the extent feasible.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The Historic Resources section of 08EIR-00000-00003 found that the approved project would result in significant impacts to historic resources and contained mitigation measures intended to reduce impacts to historic resources to the extent feasible. As with the approved project, the proposed amended project's residual impact and contribution to cumulative impacts would be significant and unavoidable.

11. LAND USE

The currently proposed amended project is similar to the approved project in terms of layout, amenities and intensity of use with a slight reduction in the number of guest rooms from 192 to 186 and a reduction in the maximum number of guests allowed onsite during events from 600 to 500. As a result, impact levels associated with issues related to land use are substantially the same as in the approved plan with a slight decrease in severity.

No impacts to Land Use were identified for the approved project and none are expected in association with the proposed amended project. In sum, impacts associated with the proposed amended project relating to land use would be similar to the approved plan.

MITIGATION MEASURES AND RESIDUAL IMPACTS

Because the proposed amended project creates no impacts related to Land Use, no mitigation is required. As with the approved project, the proposed amended project's residual impact and contribution to cumulative impacts would be less than significant.

12. NOISE

Similar to the approved project, the proposed amended project includes demolition of all existing structures onsite and complete redevelopment of the property with a new luxury hotel/resort. While the scope of proposed development has been reduced by the elimination of several previously approved buildings and lower grading quantities, construction activities associated with the project would continue to produce noise in excess of 65dBA at nearby sensitive receptors. Also, the proposed amended project would continue to include the need to replace the existing support piles underneath the boardwalk with new piles. Construction techniques would continue to include the Torque Down 1275 pile equipment for the proposed amended project. As such, noise impacts to sensitive receptors generated during construction activities for the proposed amended project is anticipated to be substantially the same as those generated under the approved project.

On a long-term basis, the buildings included with the proposed amended project would continue to include the same features intended to attenuate interior noise as those included with the approved project. Also, the proposed amended project would include similar noise-generating uses (i.e. events, beach events, use of the onsite pools and other outdoor amenities, etc.) affecting surrounding properties as those included with the approved project. Specifically, the pool bar included with the approved project would be replaced by a one-story restaurant building under the proposed amended project. As with the approved project, the pool/restaurant area would be a gathering place for patrons, and thus, a point source for noise generation. However, as was the pool bar, the restaurant would be located in the center portion of the site, away from the surrounding residential neighborhood. As such, operational impacts related to noise would be substantially the same or less than those generated under the approved project.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The mitigation measures contained in the Noise section of 00-ND-003 and its Addendum dated December 9, 2008, would be adequate to mitigate potentially significant impacts from the proposed amended project. As with the approved project, the proposed amended project's residual impact and contribution to cumulative impacts would be less than significant.

13. PUBLIC FACILITIES

The proposed amended project would operate at essentially the same occupancy (186 guest rooms reduced from 192) and employment levels (204 total employees with approximately 102 onsite at any

given time) as the approved project. Implementation of the proposed amended project is not expected to result in a significant increase in demand for police or health care services or add students to the Unified School District beyond County student-generation thresholds and hence, impacts would be substantially the same as the approved project.

Because the proposed amended project is slightly reduced from the approved project in terms of physical development and level of use, its demand for services including water supply, sewage disposal (a new sanitary lift station and upgraded infrastructure would be required under both the approved and proposed amended projects) and solid waste disposal are expected to be equal to, or less than, that for the approved project.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The mitigation measures contained in the Public Facilities section of 00-ND-003 and its Addendum dated December 9, 2008, would be adequate to mitigate potentially significant impacts to public facilities from the proposed amended project. As with the approved project, the proposed amended project's residual impact and contribution to cumulative impacts would be less than significant.

14. RECREATION

The proposed amended project maintains all the elements for coastal access and recreation included with the approved project, i.e., elimination of "No Trespassing" signs, commitment to the existing lateral public access easement across the sandy beach in front of the property, provision of two vertical public access routes through the site to the beach, coastal access signage directing the public to the beach through the project site, encouraging public use of certain hotel facilities and the payment of mitigation fees to the County to fund off site, low-cost accommodations for visitors in the Coastal Zone.

Abandonment of Miramar Avenue would result in the elimination of existing public parking (24 spaces) and public access through the project site. However, the proposed amended project would provide an easement along a portion of Miramar Avenue to allow uninterrupted pedestrian access throughout the property. The project would also provide 68 new public parking spaces along South Jameson Lane to replace the 24 spaces lost by abandonment of Miramar Avenue. These newly created parking spaces would be reserved for members of the public for beach access and the Miramar would actively discourage use of the spaces by hotel guests and employees.

Because the proposed amended project includes identical public access and recreation features as the approved project, no changes in impacts to recreation would occur.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The mitigation measures contained in the Recreation section of 00-ND-003 and its Addendum dated December 9, 2008, would be adequate to mitigate potentially significant impacts to recreation from the proposed amended project. As with the approved project, the proposed amended project's residual impact and contribution to cumulative impacts would be less than significant.

15. TRANSPORTATION/CIRCULATION

The proposed amended project contains several reductions from the approved project including fewer guest rooms (192 to 186) and a reduction in the maximum allowable attendance for events from 600 persons to 500 persons. According to the *Trip Generation Analysis for the Revised Miramar Hotel Project* prepared by Associated Transportation Engineers and dated January 5, 2011 (on file with P&D and available upon request), “the revised (i.e., proposed amended) project would result in a reduction of 54 average daily trips, 4 a.m. peak hour trips and 4 p.m. peak hour trips when compared to the approved project.” Therefore, the proposed amended project would generate less traffic than the approved project.

The approved project included a modification to reduce the required number of parking spaces to be provided onsite (639 required and 551 provided). The proposed amended project would also include a modification to reduce the number of parking spaces (632 required and 494 to be provided) from that required by ordinance. The applicant provided an updated “Shared Parking Analysis” prepared by Associated Transportation Engineers dated January 5, 2011 (on file with P&D and available upon request). The analysis uses the parking demand rates contained within the Urban Land Institute Shared Parking Report which considers conjunctive use of the onsite spaces by the various hotel functions (hotel guests, restaurants, beach use, events, etc.) throughout the day, This analysis provides support for the proposed reduction in spaces provided by the project. Because the proposed amended project represents a reduction from the approved project in the number of 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 project from 523 under the approved project. 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 Caruso	632	494	136	464	30

In summary, the proposed amended project would generate fewer traffic trips and require fewer parking spaces than the approved project and operational impacts related to traffic/circulation and parking would be substantially the same or less than those generated under the approved project.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The mitigation measures contained in the Traffic/Circulation section of 00-ND-003 and its Addendum dated December 9, 2008, would be adequate to mitigate potentially significant impacts to

traffic/circulation from the proposed amended project. As with the approved project, the proposed amended project's residual impact and contribution to cumulative impacts would be less than significant.

16. WATER RESOURCES/FLOODING

The approved project would be provided water service by the Montecito Water District (Water Service Letter dated July 29, 2008) with an allotment of 45 acre-feet per year. The proposed amended project also has a service commitment from the Montecito Water District (letter confirming their commitment to serve the proposed amended project by Tom Mosby, General Manager, dated February 15, 2011). Because the proposed amended project represents a decrease in the site's intensity of use (reduction in guest rooms from 192 to 186, a reduction in the maximum number of attendees at events from 600 to 500, an overall reduction in project gross square footage by approximately 110,000 square feet, elimination of the Ballroom and Beach & Tennis Club buildings, etc.), the proposed amended project is anticipated to have a reduced demand for water.

With respect to stormwater runoff, the proposed amended project includes more landscaped areas than the approved project (approximately 5.52 acres up from 5.33 acres) and a reduction in the amount of impervious surfaces on the site (approximately 4.61 acres down from 5.79 acres). These factors would reduce the amount of stormwater runoff generated onsite. Because less stormwater runoff would be generated under the proposed amended project, impacts related to drainage would be reduced from the approved project.

Because development of the oceanfront units and reconstruction of the existing seawall are identical under the proposed amended project as in the approved project, no change to wave run-up and coastal hazards would occur.

The approved project included filling of the Oak Creek floodplain in the eastern portion of the site in order to develop the previously approved Ballroom building. Such filling would have resulted in the loss of approximately 7.6 acre-feet of storm water ponding volume upstream of the railroad tracks. The proposed amended project would remove the Ballroom building and includes a reduction in the amount of fill in the eastern portion of the site (approximately 12,500 cubic yards less than the approved project) resulting in a reduction of lost stormwater ponding volume in the Oak Creek floodplain to approximately 4.0 acre-feet. According to the *Drainage Evaluation of Revised Miramar Grading Plan Compared to Approved Miramar Grading Plan* prepared by Craig Steward, P.E., CFM and dated December 22, 2010, "Because of the lowered site profile at the easterly end of the property next to Oak Creek, there will be more storage volume available for Oak Creek peak flows upstream of the UPRR Railroad." Because more stormwater could be stored in the floodplain of Oak Creek onsite during flood events, impacts associated with proposed amended project development in the floodplain would be less than the approved project.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The mitigation measures contained in the Water Resources/Flooding section of 00-ND-003 and its Addendum dated December 9, 2008, would be adequate to mitigate potentially significant water resource and flooding impacts associated with the proposed amended project. As with the approved

project, the proposed amended project's residual impact and contribution to cumulative impacts would be less than significant.

PLANNING AND DEVELOPMENT DEPARTMENT FINDINGS

It is the finding of the Planning and Development Department that the previous environmental document as herein amended may be used to fulfill the environmental review requirements of the proposed amended project. Because the proposed amended project meets the conditions for the application of State CEQA Guidelines Section 15164, preparation of a subsequent EIR or Negative Declaration is not required for the issue areas discussed above.

Discretionary processing of the Miramar Beach Resort & Bungalows Amended Project, Case Nos. 10AMD-00000-00010, 11CDH-00000-00001, 11AMD-00000-00002, 11AMD-00000-00003, 11AMD-00000-00004, 11AMD-00000-00005 may now proceed with the understanding that any substantial changes in the proposal may be subject to further environmental review.

Note: Studies provided for the proposed amended project are on file with Planning & Development and available upon request