

## CALIFORNIA COASTAL COMMISSION

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*W86*  
6/18/97



Item  
Number

**W86**

Filed: 5/6/97  
49th day: Waived  
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Staff: DC-SC  
Staff report: 6/18/97  
Hearing date: 7/8-11/97

Note: this hearing item was postponed from the Coastal Commission's June meeting in San Rafael.

**STAFF REPORT: APPEAL  
SUBSTANTIAL ISSUE DETERMINATION**

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Appeal number..... A-3-MCO-97-037  
Applicant..... Pebble Beach Company  
Appellants..... James Miller, Carl Nielsen, Jody Bunn, Nathalie Bunn, Ted Hunter, and Paul Byrne  
Local government..... Monterey County  
Local decision..... Approved with conditions  
Project location..... 1518 Cypress Drive near the intersection of Cypress Drive with Palmero Way in Pebble Beach; Del Monte Forest area of Monterey County (APNs: 008-423-32, 008-423-35, 008-423-36).  
Project description ..... Partial demolition, reconstruction, and addition to an existing single family dwelling to create a 24 unit inn and 24 room spa ("Casa Palmero"). Project includes a lot recombination and the replacement of an existing parking area with a development of a three level parking garage with two levels below grade requiring 31,000 cubic yards of excavation.  
File documents..... Monterey County Permit File PC96024 (Casa Palmero); Monterey County Local Coastal Program (Del Monte Forest Area Land Use Plan and LCP Implementation Plan); Monterey County Local Coastal Program Major Amendment 2-94.  
Staff Recommendation... No Substantial Issue

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## 1. SUMMARY OF STAFF RECOMMENDATION

Though the appellants raise a variety of issues, the proposed Casa Palmero project as approved and conditioned by Monterey County adequately conforms with Monterey County's certified Local Coastal Program (LCP). Staff recommends that the Commission, after public hearing, determine that no substantial issue exists with respect to the grounds on which the appeal has been filed for the following reasons:

**Procedural Issues:** Appellants contend that the proposed project should be considered in tandem with the Pebble Beach Lot Program; however there is no LCP requirement that these two separate projects be combined. Appellants' also contend that an Environmental Impact Report (EIR) is required for the proposed project pursuant to the California Environmental Quality Act (CEQA). However, Monterey County conducted an extensive public review of this project pursuant to CEQA and adopted a mitigated negative declaration negating the need for an EIR and thus this process raises no substantial issues with respect to the LCP. The appellants' contention that Monterey County governing agencies did not consider project opponents' recommendations is difficult to accept given the extensive Casa Palmero permitting process, CEQA process, and public debate at three public hearings before Monterey County decision makers.

**Community Character Issues:** The appellants' contention that the proposed project will significantly impact the residential character of the community can be answered by recognizing: 1) the visitor serving commercial zoning of the subject parcels and the surrounding parcels; and 2) its location generally within the only commercial enclave in the Del Monte Forest area (the area surrounding the Pebble Beach Lodge).

**Parking Supply Issues:** The appellants' contention that the proposed project does not provide enough parking is adequately addressed by the Casa Palmero Traffic Study which quantified the on-site parking requirements based upon the unique use and employee characteristics of the proposed spa and inn. The appellants' competing contention that the proposed project provides an excess of parking appears unsupportable given that the project includes shifting 100 off-site employee parking spaces into the proposed parking facility to allow for additional visitor serving parking on 17 Mile Drive in the Pebble Beach Lodge area.

**Traffic Congestion Issues:** The appellants' primary contention that the proposed project will result in inadequately mitigated traffic impacts is refuted by: 1) the Casa Palmero Traffic Study and mitigated negative declaration which determined that the majority of traffic impacts were negligible; 2) Monterey County's conditions of approval (i.e., 17 Mile Drive/Palmero Way intersection improvements, 17 Mile Drive parking and pedestrian improvements, fair-share contribution towards the upgrade of the Highway 1/Highway 68 interchange); and 3) the traffic and visitor serving benefits associated with redistributing employee traffic away from 17 Mile Drive to Palmero Way. Furthermore, the appellants' contention that the project is contrary to traffic demand management requirements is offset by the applicant's intent to expand its shuttle program to include the Casa Palmero project. Finally, while the appellants contend that the Casa Palmero Traffic Study is deficient, the evidence supports the opposite conclusion. The subject report was developed by experts in the field of transportation, it had peer review and was deemed adequate, it was scrutinized and clarified throughout the Monterey County permitting and public hearing process, and it appears to be based upon an adequate and reasonable factual foundation resulting in reasonable conclusions.

**Construction Impact Issues:** The appellants' contention that the proposed project will result in inadequately mitigated construction-related impacts is adequately addressed by the conditions of approval required by Monterey County to minimize construction noise, traffic, and related impacts.

**Affordability Issues:** The appellants' contention that the proposed project lacks an affordability element is refuted because the proposed project will result in new and improved no-cost access facilities along 17 Mile Drive in the Pebble Beach Lodge area. Along with Monterey County's conditions of approval requiring parking and pedestrian improvements, the proposed project will result in enhanced no-cost access to the no/low-cost visitor serving facilities in the Lodge area (e.g., food services, picnic areas, Stillwater Cove access, etc.).

**Conclusion:** While the appellants raise a number of issues understandably of concern to nearby residents, these issues do not raise a substantial issue in terms of the proposed project's conformance with the certified LCP. The issues associated with this project are essentially local issues that have had extensive local public review in an open public forum through the CEQA process, the permitting process, and three public hearings before Monterey County decision makers. Though these issues have divided the community, they have also been openly discussed and a final decision rendered by the appropriate locally elected body (the Monterey County Board of Supervisors).

## **2. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE**

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The staff recommends that the Commission determine that **no substantial issue** exists with respect to the grounds on which the appeal was filed, pursuant to Coastal Act section 30603.

**MOTION:** Staff recommends a **YES** vote on the following motion:

I move that the Commission determine that appeal number A-3-MCO-97-037 raises  
**NO** substantial issue with respect to the grounds on which the appeal has been filed.

A majority of the Commissioners present is required to pass the motion.

## **3. SUMMARY OF APPELLANTS' CONTENTIONS**

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There were three separate appeals filed in the Coastal Commission's Central Coast Area Office regarding the Casa Palmero project. A number of issues were raised by the appellants with the primary contention being that the proposed project will adversely affect traffic congestion in and around the Pebble Beach Lodge area and 17 Mile Drive in the vicinity of the project and that Monterey County's approval did not adequately mitigate those impacts as required by Monterey County's certified Local Coastal Program (LCP). The appeal issues are paraphrased below (please see Exhibits 1, 2, and 3 for the complete text of the appeals).

**James A. Miller** (see Exhibit 1 for the full text) contends that the proposed project:

- should be considered in tandem with the Pebble Beach Lot Program currently going through preliminary environmental review at the local level.
- will have significant adverse traffic impacts in the Pebble Beach Lodge vicinity, particularly when considered in tandem with the Pebble Beach Lot Program, that have not been mitigated as mandated by LCP Policy 101.
- does not provide adequate parking, as required under LCP Policy 71 and LCP Implementation Plan (IP) Section 20.58.040, and should not have been granted a reduction in the required number of parking spaces per IP Section 20.58.050.C.
- is inconsistent with B-8 zoning requirements.
- does not include an affordability element as required by IP Section 20.147.090(A)(5).
- does not include a trip reduction plan as required by IP Section 20.64.250(C)(2)(C).

**Carl E. Nielsen** (see Exhibit 2 for the full text) contends that the proposed project:

- will have significant adverse traffic impacts on 17 Mile Drive that have not been mitigated as mandated by LCP Policy 101 including:
  - (1) potentially reducing the 'level of service' rating from D to E
  - (2) impacting visitor and resident enjoyment of the area
  - (3) reducing bicycle safety and enjoyment
- is contrary to the trip reduction objectives of the Monterey County Transportation Agency by concentrating employee parking in the Pebble Beach Lodge area as opposed to focusing on remote park and ride facilities.
- does not adequately assess traffic impacts on 17 Mile Drive because the traffic analysis focuses on the immediate project vicinity and does not take into account potential future improvements associated with the General Development Plan for Casa Palmero.

Jody Bunn, Nathalie Bunn, Ted R. Hunter, and Paul Byrne (see Exhibit 3 for the full text) contend that the proposed project:

- will have significant residential, traffic, parking, construction, noise, and long-term development impacts that have not been sufficiently mitigated as required pursuant to LCP Policy 70; such impacts include those associated with:
  - (1) increased commercial activity and traffic in a prime residential area
  - (2) creation of additional parking spaces (including the 100 additional visitor serving spaces and those associated with the 315 space parking structure)
  - (3) provision of parking in excess of the requirements for the proposed use at the site because employee parking should be planned separately
  - (4) construction-related noise, heavy truck traffic, workers' parking, and workers' vehicle traffic
  - (5) long-term development impacts when viewed in tandem with the Pebble Beach Lot Program
- has a deficient traffic study that: 1) relies on urban trip generation rates; 2) disregards remote employee parking; 3) does not deal with addition of 100 visitor-serving spaces along 17 Mile Drive; and 4) is not adequately integrated with the traffic plans and studies for the Pebble Beach Lot Program.
- was reviewed by Monterey County governing agencies without considering project opponent recommendations despite the substantial public controversy engendered by the project at the local level (Note: a lengthy volume of petitions and letters were submitted with this appeal to substantiate the 'public controversy' assertion; while Exhibit 3 contains only a representative sampling of these letters and petitions, the full file is available for review at the Commission's Central Coast Area office in Santa Cruz).
- should require a Environmental Impact Report (EIR) with an analysis of alternatives that also takes into account the effects due to the potential Pebble Beach Lot Program.

#### **4. LOCAL GOVERNMENT ACTION**

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The Pebble Beach Company applied to the Monterey County Planning and Building Inspection Department for a combined development permit (coastal development permit, general development plan, major lot line adjustment, and design approval) for the "Casa Palmero" project on April 15, 1996. Pursuant to the California Environmental Quality Act (CEQA), an initial study conducted by Monterey County determined that the proposed project, with the addition of mitigation measures, would not have a significant effect on the environment and a negative declaration with mitigation measures was filed for public review on October 17, 1996. The proposed project was analyzed by the Del Monte Forest Land Use Advisory Committee on December 5, 1996. This non-binding review board deadlocked on the proposed project and therefore no official recommendation came from this advisory panel. The lot line adjustment portion of the proposed project was then considered by the Monterey County Minor Subdivision Committee on December 12, 1996 where it was unanimously recommended for approval. The Monterey County Planning Commission conducted a site visit on December 4, 1996 and considered the project at two public hearings on January 8, 1997 and January 29, 1997. On January 29, 1997 the Planning Commission adopted the mitigated negative declaration and approved the proposed project by a vote of 7-3. On February 24, 1997, the Planning Commission's approval was appealed by 13 persons, including three of the appellants currently before the Coastal Commission, to the Monterey County Board of Supervisors. The Board of Supervisors considered the appeal on April 15, 1997 and voted 4-1 to approve the proposed project and mitigated negative declaration. The notice of final local action with respect to the Board's decision on the proposed project was received in the

Coastal Commission's Central Coast office on May 5, 1997 and three appeals were filed during the 10 working day appeal period running from May 6, 1997 through 5 PM on May 19, 1997.

***Decision Timeline***

10/17/96 Negative declaration with mitigation measures filed pursuant to CEQA  
12/5/96 No recommendation (3-3) by the Del Monte Forest Land Use Advisory Committee  
12/12/96 Lot line adjustment approved (6-0) by the Monterey County Minor Subdivision Committee  
1/29/97 Project approved (7-3) by the Monterey County Planning Commission  
2/24/97 Project appealed to the Monterey County Board of Supervisors  
4/15/97 Project approved (4-1) by the Monterey County Board of Supervisors  
5/6/97 Project appealed to the California Coastal Commission

**5. APPEAL PROCEDURES**

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After certification of Local Coastal Programs (LCPs), the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits. Developments approved by cities or counties may be appealed if they are located within the mapped appealable areas, such as those located between the sea and the first public road paralleling the sea. Furthermore, developments approved by counties may be appealed if they are not the designated "principal permitted use" under the certified LCP. Finally, developments which constitute major public works or major energy facilities may be appealed, whether approved or denied by a city or county (Coastal Act Section 30603(a)).

For projects not located between the sea and the first public road paralleling the sea, the grounds for an appeal shall be limited to an allegation that the development does not conform to the certified LCP (Coastal Act Section 30603(b)(1)). Since this project is appealed on the basis of its location between the sea and the first public road paralleling the sea, the potential grounds for an appeal to the Coastal Commission include not only the allegation that the development does not conform to the standards set forth in the certified local coastal program but also the allegation that the development does not conform to the public access policies of the Coastal Act.

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue is raised by the appeal. If the staff recommends "substantial issue," and no Commissioner objects, the substantial issue question will be considered moot, and the Commission will proceed directly to a de novo public hearing on the merits of the project.

If the staff recommends "no substantial issue" or the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have 3 minutes per side to address whether the appeal raises a substantial issue. It takes a majority of Commissioners present to find that no substantial issue is raised. If substantial issue is found, the Commission will proceed to a full public hearing on the merits of the project. If the Commission conducts a de novo hearing on the permit application, the applicable test for the Commission to consider is whether the proposed development is in conformity with the certified Local Coastal Program.

In addition, for projects located between the sea and the first public road paralleling the sea, Section 30604(c) of the Coastal Act requires that a finding must be made by the approving agency, whether the local government or the Coastal Commission on appeal, that the development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act. In other words, in regard

to public access questions, the Commission is required to consider not only the certified LCP, but also Chapter 3 policies when reviewing a project on appeal.

The only persons qualified to testify before the Commission on the substantial issue question are the applicant, persons who made their views known before the local government (or their representatives), and the local government. Testimony from other persons regarding substantial issue must be submitted in writing. Any person may testify during the de novo stage of an appeal.

## **6. RECOMMENDED FINDINGS AND DECLARATIONS**

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### **A. Project Description**

The proposed project is located within the Pebble Beach area of the Del Monte Forest between the Cities of Pacific Grove and Monterey to the north and the City of Carmel to the south. The subject site is bordered to the north and east by the first and second holes of the Pebble Beach Golf Course, directly to the east by a Pebble Beach Company employee parking lot, to the west by the Lodge at Pebble Beach, and to the south, across Cypress Drive and Palmero Way, by a single family dwelling and the Pebble Beach Beach and Tennis Club (see Exhibit 4). The project site is located in the vicinity of the only commercial area in the Del Monte Forest (the Pebble Beach Lodge area). The project site is subject specifically to the provisions of the Monterey County LCP's Del Monte Forest Area Land Use Plan (LUP) in tandem with the LCP's Implementation Plan (IP).

The Casa Palmero project consists of the Pebble Beach Company's proposal to develop a 24 unit inn and a 24 room treatment spa at the site of the existing Casa Palmero residence in Pebble Beach. The development of the proposed new facilities would require partial demolition, extensive reconstruction, and new additions to the existing residential structure at the site that is currently used by the applicant for meetings, private parties, and residential accommodations. Though a pantry kitchen is planned to allow for the assembly of food that has been prepared off-site, no restaurant facilities are proposed with the project. The structural footprint at the site is proposed to increase from the 6,363 square feet associated with the existing residential footprint to 31,212 square feet with the total inn and spa square footage proposed at 50,360 square feet (see Exhibit 4).

The project also proposes the development of a three level, 315 space parking garage with two levels proposed below grade. This parking garage would be constructed on the site of an existing 130 space parking area used by Pebble Beach Company employees. The construction of the underground parking facility would require approximately 31,000 cubic yards of soil excavation. Of the 31,000 cubic yards, approximately 5,000 cubic yards is proposed to be placed along the second and third fairways of the Pebble Beach Golf Course with the remainder proposed to be deposited in the old spyglass quarry pit, also owned by the applicant, located approximately 1.75 miles northwest of the Casa Palmero site. The structural footprint of the parking garage is proposed at 41,527 square feet (see Exhibit 4).

In tandem with the physical development proposed at the project site, the project also proposes a parcel line adjustment and recombination to create a 5.1 acre parcel consisting of the 1.98 acre parcel currently occupied by the residential structures, the 1.99 acre parcel currently occupied by the Pebble Beach Company employee parking lot, and the addition of a 1.13 acre section of the adjoining property east of the parking lot site that is currently a part of the Pebble Beach Golf Course. All of the subject parcels, including the proposed new 5.1 acre parcel, are subject to visitor serving commercial zoning requirements (see Exhibit 4). The 1.98 acre parcel containing the existing Casa Palmero structure was



the subject of an LCP amendment (Monterey County LCP Major Amendment 2-94) adopted by the Commission on January 11, 1995 which redesignated the parcel from "Low Density Residential" to "Visitor Serving Commercial."

Construction of the proposed project would also require the removal of 106 trees including 19 oaks, 33 pines, and 51 cypress in the form of a planted hedge. The applicant proposes to replace these trees at a 1:1 ratio. Though Monterey Cypress are considered environmentally sensitive habitat in their indigenous range, the proposed project is not located within this mapped area as defined in the Del Monte Forest Area LUP.

## **B. Issue Discussion**

Appellants' claims fall into six categories discussed below: procedure, community character, parking supply, traffic congestion, construction impacts, and affordability concerns.

### **Procedure**

Appellants contend that the Casa Palmero project should be considered in tandem with the Pebble Beach Company's Lot Program (currently going through the California Environmental Quality Act (CEQA) process at the local level) because many of the impacts associated with the two projects are similar. Though still in a preliminary stage, the Pebble Beach Lot Program consists of several applications that would create 350 lots and a golf course on the remainder of the Pebble Beach Company's major holdings within the Del Monte Forest. The two projects, while related by virtue of the same applicant (the Pebble Beach Company), are two separate projects for which there is no LCP requirement that they be combined. Despite the appellants' contention, the applicant has the right to pursue the Casa Palmero project independently of the Pebble Beach Lot Program and has exercised that right. More important though, the cumulative impacts associated with the two projects were considered in the Casa Palmero negative declaration and mitigation measures were required to address those cumulative impacts. While combining the two projects into one application might represent a more thoughtful approach, this is not required by the LCP and the lack of combined analysis does not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

The appellants also contend that Monterey County did not follow CEQA policies and that an Environmental Impact Report (EIR) with an analysis of project alternatives should be required for the Casa Palmero project. Monterey County was the lead agency in the CEQA review and completed an initial study whereupon it was determined that the proposed project, with the addition of mitigation measures, would not have a significant effect on the environment. A mitigated negative declaration was filed for public review on October 17, 1996. This negative declaration was supplemented by additional analyses, studies, and reports including a Forest Management Plan, a Traffic Study, an Acoustical Analysis, a Geologic Investigation, a Geotechnical Investigation, an Archaeological Reconnaissance, and an Erosion Control Plan. Further clarification of potential environmental effects associated with the proposed Casa Palmero project included comments received on the negative declaration, public hearing testimony, staff reports, and expert opinion. The mitigated negative declaration was adopted after public hearings by both the Monterey County Planning Commission (1/29/97) and the Monterey County Board of Supervisors (4/15/97). Through the implementation of this CEQA process, all potential environmental impacts were extensively studied and publicly discussed and mitigations designed to reduce any impacts to a level of insignificance therefore negating the need for an EIR or for the analysis of alternatives to the project (including no project) required by an EIR. In light of the extensive administrative record regarding the CEQA determination, the CEQA process has been adequate and



the lack of an EIR does not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

Appellants Bunn, Bunn, Hunter, and Byrne further contend that the Casa Palmero project should not be approved because opponents' recommendations, as evidenced by the substantial public controversy engendered by the proposed project, have not been adequately considered. While the extensive amount of public participation at the local level is a testimony to the active citizenry in the Del Monte Forest area, it is also an indication that there has been substantial public airing of issues and recommendations. As the appellants and applicants have both highlighted with examples of letters of support and opposition for this project as presented to both the Monterey County Planning Commission and the Board of Supervisors, this project has been the subject of substantial public debate. Through the CEQA process, the permitting process, and three public hearings before Monterey County decision makers, the issues associated with this project have been addressed, as they should be, in an open public forum. Though these issues, many of which are at the center of this appeal, have divided the community, they have also been openly discussed and a final decision rendered by the appropriate elected body (the Monterey County Board of Supervisors). The extensive public record for the proposed Casa Palmero project shows a conscientious commitment to the public decision making process, but it does not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

#### Community Character

Appellants Bunn, Bunn, Hunter, and Byrne claim that the proposed *commercial* expansion at Casa Palmero will have a significant negative impact on the residential character of the community. The contention is disputed by the fact that the Casa Palmero site is surrounded by commercial land uses: to the north and east by holes one and two of the Pebble Beach Golf Course, a Pebble Beach Company employee parking lot directly adjacent on its eastern boundary, the Pebble Beach Lodge located immediately to the west, and the Pebble Beach Beach and Tennis Club located immediately across Cypress Drive and Palmero Way to the south; there is one residential home in this immediate area located directly across Cypress Drive from Casa Palmero. The Pebble Beach Lodge area represents the only commercial area in the Del Monte Forest with various businesses and services clustered in the nearby vicinity. The subject site is zoned 'Visitor Serving Commercial' as are all land uses surrounding the subject site (see Exhibit 4). Given the commercial nature of the overall surrounding area, and further given that the project as proposed is consistent with the on-site visitor serving zoning, the appellants concerns regarding visitor serving compatibility with residential uses do not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

Appellant Miller further contends that the B-8 zoning designation appears to apply to this project. The purpose of the B-8 zoning district is to restrict development in areas where additional development or intensification of land use would be detrimental to the residents of the area, or the county as a whole, due to public facility type constraints (e.g., water supply, water quality, sewage disposal, traffic impacts, etc.). However, as discussed above, each of the subject parcels associated with the proposed Casa Palmero project is zoned 'Visitor Serving Commercial' and thus the B-8 zoning designation does not apply. Because the subject site is not subject to any restrictions associated with the B-8 zoning designation, this zoning contention does not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

### Parking Supply

The Casa Palmero project proposes to replace an existing 130 space employee parking lot with a 315 space parking garage with two levels proposed below grade, an increase of 185 parking spaces at the project site. In addition to acting as the parking facility for the new inn and spa complex, the new parking structure would act as a general Pebble Beach Company employee parking facility. The new garage would supply 230 general employee spaces: a) 130 spaces to replace the existing on-site spaces to be removed in order to construct the parking facility; and b) 100 spaces to relocate 100 existing employee parking spaces from along 17 Mile Drive adjacent to Peter Hay Golf Course just north of the project site. The 100 spaces freed along 17 Mile Drive would then be available to the general public. The 85 spaces remaining in the new garage facility (315 total spaces minus 230 employee spaces equals 85 spaces) would be used by employees and guests of the Casa Palmero complex.

The 85 spaces remaining for Casa Palmero users and employees is a reduction in the number of parking spaces required by Section 20.58.040 of the certified LCP's Implementation Plan (IP). According to IP Section 20.58.040, the proposed Casa Palmero Inn and Spa would require 228 parking spaces as follows:

1 space per hotel room @ 24 hotel rooms .....	24 spaces
2 spaces per 3 hotel employees @ 12 hotel employees .....	8 spaces
1 space per 50 sq. ft. of spa @ 9,280 sq. ft. of spa.....	185.6 spaces
1 space per 250 sq. ft. of (spa) office @ 2,380 sq. ft. of (spa) office .....	9.52 spaces
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Total parking spaces required by IP Section 20.58.040 .....	227.12 (228) spaces

Pursuant to IP Section 20.58.050.C, Monterey County's approval of the project reduced the required number of Casa Palmero parking spaces. IP Section 20.58.050.C states:

*The standards indicated herein may be modified by a Coastal Development Permit from the Zoning Administrator, Planning Commission, or Board of Supervisors, where appropriate, in cases which, due to the unusual characteristics of a use or its immediate vicinity, do not necessitate the number of parking spaces, type of design, or improvements required by this Chapter. In such cases, it shall be determined that reduced parking will be adequate to accommodate all parking needs generated by the use, or that additional parking is not necessary because of the specific features of the use, site, or site vicinity.*

Monterey County's approval of a reduced number of parking spaces (from 228 down to 85) was based upon the parking analysis contained within the Casa Palmero Traffic Study (by Fehr & Peers Associates Inc.). According to the Fehr & Peers parking analysis as clarified before the Monterey County Board of Supervisors on April 15, 1997, full occupancy of the proposed Casa Palmero Inn and Spa would require a maximum of 72 parking spaces based upon the following requirements:

1 space per guest unit @ 24 guest units.....	24 spaces
1 space per treatment room @ 24 treatment rooms .....	24 spaces
1 space per employee @ 24 employees (12 spa and 12 inn employees) .....	24 spaces
<hr/>	
Total parking spaces calculated by Fehr & Peers Associates, Inc. ....	72 spaces

Given that the 36 parking spaces allotted by the Traffic Study to the inn portion of the proposed project (24 guest and 12 employee spaces) represent four more spaces than required by the IP for this component (see above), the reduction in overall Casa Palmero parking spaces was based on reducing

the maximum number of spaces required by the spa portion of the project from the 196 spaces required by IP Section 20.58.040 down to 36 spaces as well. The reduction in spa-required parking was based upon the following qualifying factors:

1. The nature of the spa component of the proposed facility would be different than that found at typical spa facilities which have exercise classes, weight machines, and free weights. The proposed Casa Palmero Spa would have no organized fitness facilities, aerobics classes, or weights but rather would provide pampering in "treatment rooms" via skin care, massage, sauna, etc.. While typical exercise facilities may generate intensive use (in the order of 30-60 minutes per user per visit), it is anticipated that the Casa Palmero spa user would typically stay for 2-3 hours of treatments.
2. The majority of the spa users would be guests of Pebble Beach Lodge or the Casa Palmero Inn who have walked to the spa; other Pebble Beach Company guests arriving from the Inn at Spanish Bay can use the Pebble Beach Company shuttle.
3. The grouping of Pebble Beach Company facilities in the general vicinity (i.e., the Pebble Beach Lodge, Casa Palmero, and the Pebble Beach Beach and Tennis Club) implies that there would be some Pebble Beach Company employee overlap.

The appellants disagree with the parking analysis for contrary reasons. Appellant Miller claims that the proposed project does not provide enough parking, while appellants Bunn, Bunn, Hunter, and Byrne claim that the proposed project provides an excess of parking. According to appellant Miller, the proposed project does not allow adequate parking to satisfy the requirements of LCP policy 71 and IP Section 20.58.040 and the parking analysis fails to explain why it should be allowed a reduction in required parking pursuant to IP Section 20.58.050.C. According to LCP policy 71 for the Del Monte Forest area:

*Transportation improvements should include consideration of non-automobile facilities, including public transit stops and shelters. Expansion of existing commercial facilities or development of new facilities shall be approved only where requirement for adequate parking can be fully satisfied. Adequate parking shall include all uses on the subject site (e.g., hotel units, restaurant, employees, day use facilities.)*

The County's approval of the proposed project allowing a reduction in required parking spaces pursuant to IP Section 20.58.050.C came to the reasonable conclusion that the unique parking characteristics associated with the Casa Palmero project justified this reduction as discussed above in terms of the nature of the spa services to be provided and the grouping of affiliated Pebble Beach Company services in the vicinity. The parking analysis made a site specific recommendation regarding the number of spaces that would be required because of the specific features of the use, site, and site vicinity. Given that the LCP allows for a reduction in the required amount of parking spaces based upon site specific circumstances, and further given that the parking analysis for the proposed project provides evidence to that effect, the parking supply has been shown to be adequate as per LCP policy 71 and the reduction in the required number of parking spaces for the proposed project does not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

Appellants Bunn, Bunn, Hunter, and Byrne claim that the 315 space parking facility associated with the proposed project provides an excess of parking (beyond that required for the proposed spa and inn). On-site requirements for parking include 72 spaces for the spa and inn (as reduced per the above discussion) and 130 spaces to account for the existing on-site parking to be replaced. When subtracted from the 315 space total for the proposed parking structure, there is an excess of 113 parking spaces

$(315 - (72 + 130) = 113)$  when all on-site uses are accounted for. However, 100 of these 113 spaces are accounted for by the proposed project given that the applicant also proposes to shift 100 off-site employee parking spaces from along 17 Mile Drive adjacent to Peter Hay Golf Course, just north of the project site, to the proposed parking facility. The remaining 13 spaces represent an excess provided to minimize internal parking and traffic congestion when maximum demand occurs on-site.

The additional 100 spaces included in the project to account for existing off-site employee parking will allow for enhanced public parking access in the Pebble Beach Lodge area by freeing 100 additional visitor serving parking spaces in a prime parking area. Each of these 100 spaces along 17 Mile Drive are currently typically occupied throughout the day by a single employee vehicle, making the space unavailable for the short term parking needs of residents and visitors frequenting Pebble Beach Lodge area businesses and services. The effect of shifting these 100 off-site spaces into the proposed parking facility would be to free up 100 additional visitor serving parking spaces that should provide greater parking opportunities for residents and visitors frequenting the Pebble Beach Lodge area. As part of Monterey County's approval, these 100 spaces to be vacated along 17 Mile Drive were also conditioned for parking and pedestrian enhancements that should further enhance public parking and access in the area (conditions 24 and 25; see Exhibit 5). Given that the parking being provided in excess of on-site requirements is accounted for through the proposed reallocation of off-site spaces to allow for greater public access in the Pebble Beach Lodge area, the supply of parking associated with the proposed project does not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

### **Traffic Congestion**

Appellants' concerns about traffic impacts fall into three categories as discussed below: general traffic congestion issues, employee trip reduction, and adequacy of the Casa Palmero traffic study.

#### ***General Traffic Congestion Issues***

The bulk of the issues raised by the appellants focus on the traffic impacts associated with the proposed Casa Palmero project. In analyzing these potential traffic impacts it is important to conceptually separate the existing traffic in the area from the additional traffic that would be generated due to the proposed project. Existing traffic in the Casa Palmero area, traffic that will continue whether or not this proposed project proceeds, includes existing residential and visitor traffic as well as traffic associated with Pebble Beach Company employees utilizing the existing 130 space parking lot adjacent to Casa Palmero. Given that this existing traffic is not due to the proposed project, there is no nexus for requiring traffic mitigations through the Casa Palmero project based upon traffic impacts associated with existing traffic.

Existing traffic also includes the traffic associated with the 100 parking spaces along 17 Mile Drive adjacent to Peter Hay Golf Course. However, given that the Casa Palmero project proposes to redirect this employee traffic to the proposed parking structure at the Casa Palmero site, the impacts, beneficial and otherwise, associated with shifting this existing traffic must also be analyzed. Given that the Casa Palmero Traffic Study found that approximately 80% of this employee traffic arrives and departs via the Highway 1 and Carmel Gates, traveling along 17 Mile Drive through the Palmero Way intersection, the primary effect of this redistribution will be to intercept employee trips at Palmero Way, and through to the Casa Palmero parking structure (see Exhibit 4), thus reducing employee generated traffic that had previously moved through to the Pebble Beach Lodge area along 17 Mile Drive. The trade-off associated with reducing existing employee traffic on 17 Mile Drive will be to redirect this employee traffic to Palmero Way and the Palmero Way/17 Mile Drive intersection (see vehicle trip figure below).

In terms of the additional traffic associated with the proposed Casa Palmero spa and inn facilities, the Casa Palmero Traffic Study determined that employees and guests of the proposed Casa Palmero complex would add an additional 260 vehicle trips per 24 hours (210 for the inn and 50 for the spa). Though the inn component of the project would have less facilities than a typical hotel (e.g., no restaurant), the additional traffic attributed to the 24-unit inn was estimated using trip generation rates for hotels. As a result, the additional inn traffic likely shows a worst-case scenario at the high end of the potential traffic spectrum. Additional traffic associated with the spa component of the project was based upon full occupancy of all 24 spa treatment rooms with an anticipated staying time of two to three hours. Given that potential spa patrons are primarily assumed to be Casa Palmero Inn and Pebble Beach Lodge guests who will walk to the spa, the additional traffic attributed to the spa component of the project was based upon the one-third of spa users who were Del Monte Forest residents or visitors who would drive to the facility. Assuming full occupancy at the peak PM commuting hour, the Casa Palmero complex would result in an additional 24 peak hour vehicle trips (18 attributed to the hotel and 8 attributed to the inn) (see vehicle trip figure below).

According to the Casa Palmero Traffic Study, traffic characteristics of Palmero Way before (existing) and after (existing + additional traffic) the proposed Casa Palmero project can be summarized as follows:

Source of traffic	Vehicle Trips PM Peak Hour	Vehicle Trips Daily Average
Existing traffic on Palmero Way	360 (79%)	3,800 (87%)
Additional traffic from shifting 100 employee parking spaces	70 (16%)	300 (7%)
Additional traffic from Casa Palmero operations (inn and spa)	24 (5%)	260 (6%)
<b>Total traffic on Palmero Way after the Casa Palmero project:</b>	<b>454 (100%)</b>	<b>4,360 (100%)</b>

The appellants contend that there will be significant adverse traffic impacts due to the proposed project that have not been adequately mitigated per LCP policies 70 and 101. In addition to overall increased traffic congestion in the Pebble Beach Lodge vicinity, appellants describe the potential for specific adverse impacts including: 1) reduced 'level of service' rating for 17 Mile Drive from D to E; 2) reduced bicycle safety and enjoyment on 17 Mile Drive; 3) reduced visitor and resident enjoyment on 17 Mile Drive; and 4) increased traffic from converting the 100 spaces along 17 Mile Drive from employee to visitor serving.

LCP policy 70 states:

*New development shall incorporate mitigation measures to minimize potential adverse environmental impacts.*

LCP policy 101 states:

*In order to preserve both visual and physical access to the coast, the impacts on the road system of the Forest and on Highways 68 and One from incremental development of the Forest shall be mitigated in conjunction with or as a function of new development.*

Though the appellants contend that potential adverse traffic impacts have not been adequately mitigated, this assertion is disputed by: 1) the Casa Palmero Traffic Study and the mitigated negative declaration which determined that the majority of the Casa Palmero traffic impacts were negligible; 2) the conditions of approval adopted by Monterey County; and 3) the visitor serving and traffic benefits associated with providing an additional 100 parking spaces in the Pebble Beach Lodge area and removing employee traffic from 17 Mile Drive.

The mitigated negative declaration and the Casa Palmero Traffic Study came to the reasonable conclusion that a 7% daily increase in new traffic (260 new trips every 24 hours solely due to new Casa Palmero spa and inn operations) and an 8% daily shift in employee traffic (300 trips every 24 hours shifted from 17 Mile Drive to Palmero Way) would have negligible impacts on the Casa Palmero area, the Palmero Way/17 Mile Drive intersection, 17 Mile Drive from the Highway 1 Gate to Palmero Way, and the Highway 1/Highway 68 interchange. The majority of traffic impacts would be concentrated on the Palmero Way/17 Mile Drive intersection which is currently stop controlled on Palmero Way and allows unimpeded through access along 17 Mile Drive. According to the traffic analysis, the current level of service (level of service "C") of the Palmero Way/17 Mile Drive intersection would not be changed by the traffic generated by the proposed Casa Palmero complex. Nevertheless, Monterey County's approval of the project required the addition of a dedicated left turn lane at the intersection of 17 Mile Drive and Palmero Way (condition 21; see Exhibit 5) to mitigate for any potential traffic impacts due to traffic attributable to abridged employee trip patterns as well as Casa Palmero inn and spa operations.

The mitigated negative declaration and the Casa Palmero Traffic Study also concluded that any traffic impacts attributable to the Casa Palmero project between the Highway 1/Highway 68 interchange and Palmero Way would also be negligible. The current level of service for 17 Mile Drive between the Highway 1 Gate and Palmero Way (level of service "D") would not be changed due to the Casa Palmero project; the level of service would also stay the same when impacts are analyzed cumulatively along with the proposed Pebble Beach Lot Program. Given that the Highway 1/Highway 68 interchange is already operating at the impacted level of service "F", and based on the assertion that the Casa Palmero project would add an estimated eight additional peak hour trips to this interchange, Monterey County's conditions of approval required a fair share contribution towards the upgrade of the Highway 1/Highway 68 interchange (condition 26; see Exhibit 5).

In addition, though shifting the 100 employee spaces to the proposed parking facility would result in increased traffic on Palmero Way (300 additional vehicle trips per 24 hours) and the Palmero Way/17 Mile Drive intersection, it would lead to a corresponding decline in traffic on 17 Mile Drive (300 fewer vehicle trips per 24 hours) in the Pebble Beach Lodge area by curtailing employee trips at Palmero Way. With 80% of these employees arriving via the Highway 1 and Carmel Gates, the effect of this shift is to remove 80% of employee traffic on 17 Mile Drive between Palmero Way and the central commercial area of the Lodge thereby improving resident and visitor traffic flows in the Lodge area. Furthermore, by freeing 100 visitor serving parking spaces in the Lodge area, parking opportunities for residents and visitors should increase thereby decreasing traffic associated with those seeking parking who are currently forced to cycle through the Lodge area looking for scarce parking spaces. Given that the increase in short term parking spaces will also likely increase both parking turnover and associated pedestrian activity, and further given that this area along 17 Mile Drive is currently lacking pedestrian facilities and parking is not well defined, Monterey County's approval required parking and pedestrian improvements along 17 Mile Drive where the 100 spaces would convert to visitor serving uses (conditions 24 and 25; see Exhibit 5). By reducing traffic on 17 Mile Drive and providing public access improvements in the Lodge area, resident, visitor, and bicycle enjoyment and safety on 17 Mile Drive should be enhanced and visitor serving access in the Pebble Beach Lodge area improved.

Given that the Casa Palmero project: 1) does not impact the level of service ratings for the Palmero Way/17 Mile Drive intersection or for 17 Mile Drive between the Highway 1 Gate and Palmero Way; 2) has been conditioned with mitigations to address any potential traffic impacts at the Palmero Way/17 Mile Drive intersection; 3) conditioned with mitigations to improve pedestrian and parking access along 17 Mile Drive adjacent to Peter Hay Golf Course; 4) conditioned with mitigations to improve the



Highway 1/Highway 68 interchange; 5) removes employee traffic from 17 Mile Drive in the Pebble Beach Lodge area; and 6) provides visitor serving benefits in the form of parking and pedestrian access improvements on 17 Mile Drive in the Lodge area where these improvements are specifically lacking, the potential traffic impacts associated with the proposed project have been adequately mitigated pursuant to LCP policies 70 and 101 and the appellants' general traffic contentions do not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

### ***Employee Trip Reduction***

In addition to general traffic impacts, the appellants further contend that the proposed parking facility associated with the Casa Palmero project concentrates employee parking in the Pebble Beach Lodge area contrary to the concept of remote employee parking and the trip reduction objectives of the Monterey County Transportation Agency. Appellant Miller specifically cites IP section 20.64.250(C)(2)(C) which requires a trip reduction checklist (i.e., a description of methods to be used by the developers to reduce vehicular trips) for commercial development in excess of 25,000 square feet (such as the proposed project).

Contrary to the appellants' contentions, these vehicular trip reduction concerns have been specifically addressed through the Monterey County permitting process. First, given that the applicants submitted a traffic analysis which contained a section describing the traffic demand management techniques that would be used to minimize vehicular trips associated with the project, the applicants complied with IP section 20.64.250(C)(2)(C). Second, this 'traffic demand management' component of the Casa Palmero Traffic Study specifically describes the applicant's intent to expand its existing trip reduction program to include the proposed Casa Palmero complex. The Pebble Beach Company's existing program for its Pebble Beach Lodge and Spanish Bay resorts involves a shuttle operation which: 1) transports guests between the airport and the resorts; 2) transports guests between the resorts and other Pebble Beach Company facilities (i.e., golf, equestrian, and meeting facilities) within the Del Monte Forest; and 3) transports Pebble Beach Company employees between the Lodge area and the remote employee parking lot near the Highway 1 gate. Given that this shuttle program will be expanded to include the Casa Palmero complex, and further given that the Casa Palmero traffic study was reviewed by the Monterey County Transportation Agency and deemed acceptable, the project is consistent with LCP trip reduction policies and the appellants' contentions do not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

A parallel contention of the appellants is that the parking structure should be separated from the proposed project with all employee parking planned separately from this project (Appellants Bunn, Bunn, Hunter, and Byrne). However, by incorporating existing, off-site employee parking (i.e., along 17 Mile Drive adjacent to Peter Hay Golf Course) with the Casa Palmero project, visitor serving access will be enhanced through parking and pedestrian improvements and traffic should be improved on 17 Mile Drive in the Lodge area. Given: 1) that there is no LCP requirement for making the parking structure a separate project; 2) there are visitor serving benefits associated with including the off-site parking spaces into the Casa Palmero project; and 3) that the Pebble Beach Company will expand its shuttle program to include the Casa Palmero complex, the contention that employee parking and the parking structure should be planned separately does not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

### ***Adequacy of Traffic Study***

Finally, the appellants contend that the Casa Palmero Traffic Study by Fehr & Peers Associates Inc. is deficient because it: 1) does not adequately assess traffic impacts on 17 Mile Drive given its focus on the immediate project vicinity; 2) does not take into account potential future improvements associated



with the General Development Plan for Casa Palmero; 3) relies on urban trip generation rates; 4) disregards remote employee parking; 5) does not deal with addition of 100 visitor-serving spaces along 17 Mile Drive; and 6) is not adequately integrated with the traffic plans and studies for the Pebble Beach Lot Program. That the Casa Palmero Traffic Study is deficient is repudiated given that it was developed by experts in the field of transportation, it has had peer review (i.e., by Monterey County Transportation Agency staff and Monterey County Public Works Department staff) and been deemed adequate, it has been scrutinized and clarified throughout the Monterey County permitting and public hearing process, and it appears to be based upon an adequate and reasonable factual foundation resulting in reasonable conclusions.

In terms of the specific deficiencies noted by the appellants, each of these has been adequately addressed through the proposed project's traffic study and negative declaration. In terms of deficiency (1) above, the negative declaration made findings based upon potential traffic impacts extending outward from the project vicinity between Palmero Way and the Highway 1 gate as well as the Highway 1/Highway 68 interchange and required appropriate mitigations. For (2) above, any potential traffic impacts associated with potential future improvements will be addressed when those potential future projects are permitted. For (3), the trip generation rates were taken from the Institute of Transportation Engineers manual, *Trip Generation 5th Edition*, that is accepted by Monterey County and most other municipalities for calculating trip generation rates. As discussed earlier, the rates used to calculate inn-related trips were based upon hotel uses and likely over-estimate the extent of trips due to the lack of hotel-like facilities in the proposed Casa Palmero inn. Trips generated by the spa component of the project are based upon reasonable use assumptions and conclusions. The traffic analysis adequately portrays the unique characteristics of the Del Monte Forest road system. In terms of (4) above, as discussed previously, the traffic study describes that the Pebble Beach Company will expand its existing traffic demand management shuttle program, which includes remote employee parking, to also encompass the Casa Palmero complex. For (5), the traffic impacts associated with the additional 100 visitor serving spaces were specifically clarified by the April 15, 1997 addendum to the traffic study as presented to the Monterey County Board of Supervisors. As discussed above, the effect of redirecting employee parking and providing additional visitor serving spaces should be to reduce traffic on 17 Mile Drive in the Pebble Beach Lodge area. And finally for number (6) above, the negative declaration specifically described the potential traffic impact of the Casa Palmero project when analyzed in tandem with the Pebble Beach Lot Program and included appropriate mitigations to address these cumulative traffic impacts. Given that the potential traffic impacts associated with the proposed Casa Palmero project have been effectively scrutinized, and mitigations required where appropriate, by: 1) the Casa Palmero Traffic Study by Fehr & Peers Associates Inc.; 2) through the Casa Palmero negative declaration; and 3) through the permitting and public hearing process, the traffic analysis associated with the proposed project has been adequate and the appellants' contention that the traffic study is deficient does not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

There is no question that the proposed project will generate additional traffic. However, the traffic issues and benefits associated with the proposed Casa Palmero project have been adequately characterized and any potential impacts adequately mitigated through Monterey County's approval. In addition, by incorporating the 100 off-site employee spaces into this project, traffic improvements along 17 Mile Drive in the Pebble Beach Lodge area should be expected. Furthermore, given that the certified LCP specifically gives priority to visitor serving land uses where public service capacities are limited, additional traffic generated by the proposed Casa Palmero project represents such a priority use.

LCP policy 72 states:

*New coastal-dependent land use, public and commercial recreation, and visitor-serving land uses shall have priority over other uses where public service capacities are limited.*

Given that appropriate mitigations have been required to alleviate any potential traffic impacts and that traffic and visitor serving access benefits are incorporated into the project, the appellants' traffic contentions do not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

### **Construction Impacts**

Appellants Bunn, Bunn, Hunter, and Byrne contend that potential adverse impacts related to the construction of the Casa Palmero project have not been properly mitigated including impacts from noise, heavy truck traffic, and worker parking and traffic. However, the impacts from construction were specifically addressed by the conditions of approval adopted by Monterey County which: 1) required a construction traffic management plan (condition 23) to detail truck and traffic control procedures during construction; 2) limited truck and construction equipment operation to Monday through Saturday from the hours of 8 AM to 6 PM with no operations on Sunday or Holidays and a maximum allowable truck speed of 15 miles per hour (conditions 29 and 32); 3) required an employee parking shuttle (condition 22) from the Pebble Beach Lodge area to a remote parking lot along Portola Road at the Equestrian Center and Collins field frontage with overflow parking provided at the adjacent Pebble Beach Driving Range; 4) required residential mufflers on all construction equipment with excessively noisy equipment specifically disallowed (condition 30); and 5) required the use of temporary berms, specific noise-reducing construction techniques, and noise barriers (as detailed in the project's acoustical analysis by Brown-Buntin Associates) to reduce noise during excavation (condition 31) (see Exhibit 5 for Monterey County's conditions of approval). Given that the Casa Palmero project has been conditioned to adequately mitigate any potential construction-related impacts, the appellants' construction contentions do not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

### **Affordability Concerns**

Appellant Miller contends that the proposed Casa Palmero project does not contain an affordability element as mandated by IP Section 20.147.090(A)(5) which states:

*New coastal-dependent land use, public and commercial recreation and visitor-serving land uses shall have priority over other uses where public service capacities are limited. New visitor serving and commercial recreation facilities shall afford the maximum use of facilities by the public and offer a range of visitor serving facilities. Free, low-cost, and/or moderate cost facilities, such as public trails, picnic areas, viewing areas, and moderate-price food services, shall be required to be provided as a part of new visitor-serving and commercial recreation development. Plans for such facilities shall be included within and considered as part of the development proposal. Deed restrictions, required as a condition of approval pursuant to the requirements of Section 20.142.130, shall stipulate that the facilities shall be reserved at free, low or moderate cost to the public. (Ref. Policies 72 and 89 Del Monte Forest Area Land Use Plan).*

By redistributing the 100 employee parking spaces from along 17 Mile Drive adjacent to Peter Hay Golf Course to the proposed Casa Palmero parking facility, 100 additional visitor serving parking spaces are freed in the Pebble Beach Lodge area. In addition to providing increased short-term parking for

residents and visitors frequenting Lodge area businesses and services, these free parking spaces will provide enhanced no-cost access to the no/low-cost visitor serving facilities in the Lodge area (e.g., food services, picnic areas, Stillwater Cove access, etc.). Furthermore, the proposed project has been conditioned to include parking and pedestrian access improvements along 17 Mile Drive where the 100 parking spaces are to be opened to visitor serving use (conditions 24 and 25; see Exhibit 5). Given that this area along 17 Mile Drive is currently lacking pedestrian facilities and parking is not well defined, these visitor serving access improvements represent new public access facilities along 17 Mile Drive and as such represent an enhancement of free public access opportunities in the key area in and around the Pebble Beach Lodge. Since the proposed Casa Palmero project includes the development of new and improved no-cost access facilities along 17 Mile Drive in the Lodge area enhancing coastal public access, the proposed project is in conformance with IP Section 20.147.090(A)(5) and appellant Miller's affordability contention does not raise a substantial issue in terms of the proposed project's conformance with the certified LCP.

### **C. Conclusion**

While the appellants raise a number of procedural, community, parking, traffic, construction, and affordability issues understandably of concern to nearby residents, these issues do not raise a substantial issue in terms of the proposed project's conformance with the certified LCP. The issues associated with this project are essentially local issues that have had extensive local public review in an open public forum through the CEQA process, the permitting process, and three public hearings before Monterey County decision makers. Though these issues have divided the community, they have also been openly discussed and a final decision rendered by the appropriate locally elected body (the Monterey County Board of Supervisors). The standard of review for the Commission's substantial issue determination is not specifically the overall merits of the proposed project, but rather whether or not the project conforms to LCP policies. As discussed above, the Casa Palmero project, as proposed and conditioned, adequately conforms to the policies of Monterey County's certified LCP.

STATE OF CALIFORNIA—THE RESOURCES AGENCY

PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE  
725 FRONT STREET, STE. 300  
SANTA CRUZ, CA 95060  
(408) 427-4863  
HEARING IMPAIRED: (415) 904-5200

APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENT



Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

JAMES A. MILLER  
1003 BRANCHO ROAD  
PEBBLE BEACH, CA 93953 (408) 375-2361  
Zip Area Code Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port government: MONTEREY COUNTY BOARD OF SUPERVISORS
2. Brief description of development being appealed: CASA PALMERO/500' PARKING STRUCTURE  
24 UNIT HOTEL, 24 UNIT SPA AND 315 SPACE  
TRI-LEVEL PARKING STRUCTURE
3. Development's location (street address, assessor's parcel no., cross street, etc.): INTERSECTION OF PALMERO WAY  
& CYPRESS DRIVE; APN 008-423-032-035-036-000
4. Description of decision being appealed:
  - a. Approval; no special conditions: \_\_\_\_\_
  - ☒ b. Approval with special conditions: \_\_\_\_\_
  - c. Denial: \_\_\_\_\_

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-3-MCO-97-037

DATE FILED: 5/4/97

DISTRICT: Central Coast

H5: 4/88

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CENTRAL  
COAST AREA

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- a. Planning Director/Zoning Administrator      c. Planning Commission  
b. ☒ City Council/Board of Supervisors      d. Other

6. Date of local government's decision: 15 APRIL 1997

7. Local government's file number (if any): PC 96024 (RESOLUTION 97009)

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

PEBBLE BEACH COMPANY  
Box 1767  
PEBBLE BEACH, CA 93953

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) E. J. KETH  
Box 770  
PEBBLE BEACH, CA 93953
- (2) JODY BUNN  
1535 PALMERO WAY  
PEBBLE BEACH, CA 93953
- (3) CARL NIELSEN  
1106 SPYGLASS WOODS DRIVE  
PEBBLE BEACH, CA 93953
- (4) LOUIS DI GRAZI  
1552 CYPRESS DRIVE  
PEBBLE BEACH, CA 93953

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

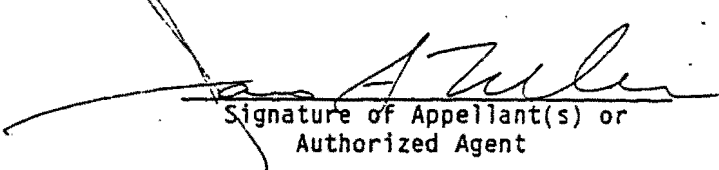
State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

SEE ATTACHED STATEMENT OF  
REASONS FOR APPEAL

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

  
Signature of Appellant(s) or  
Authorized Agent

Date 27 APRIL 1997

NOTE: If signed by agent, appellant(s)  
must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

\_\_\_\_\_  
Date

## STATEMENT OF REASONS FOR APPEAL

Subject application constitutes a "piecemeal" submission and should be merged with applicants 360 lot and golf course application currently in the review process to allow an overall assessment of the cumulative impacts, especially of traffic flow. At present no decision appears to have been established with respect to the location of the proposed new golf course and, if a location in the immediate vicinity of the Lodge is adopted, ("Alternative 2"), significant additional adverse traffic impacts will be created on an already overstressed road system. The current proposal cannot but exacerbate that impact. No traffic plan has been presented which recognizes these cumulative impacts or proposes mitigation measures for such impacts, as is mandated by Policy 101 of the Local Coastal Plan.



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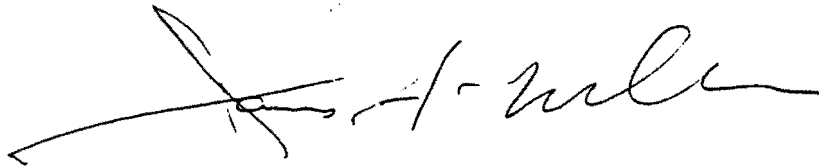
Mr. Lee Otter, District Chief planner  
California coastal Commission  
Central Coast Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

May 12, 1997

Dear Mr. Otter,

Kindly add the enclosed Parking Analysis to the Reasons for Appeal of my currently pending appeal of the Casa Palmero/Spa/Parking Facility application, (Commission Appeal No. A-3-MCO-97-037).

Very truly yours,

A handwritten signature in black ink, appearing to read "James A. Miller", with a long horizontal line extending to the left.

James A. Miller  
1003 Broncho Road  
Pebble Beach, CA 93953

Re:Appeal No. A-3-MCO-97-037

## PARKING ANALYSIS

Section 20.58.040 of the Coastal Implementation Plan requires "hotels" to provide one parking space per room and 2 spaces for each 3 employees. "Spas" are required to provide one parking space for each 50 sq. ft. of useable area and one space for each 250 sq. ft. is required for the office space contained within the spa. The parking requirement for the of the proposed Casa Palmero Project is thus 228 spaces, (based on 24 hotel rooms, 12 employees, 9280 sq. ft. of useable spa area and 2380 sq. ft. of office space).

Applicant proposes to increase parking facilities from the existing 130 spaces to 315 spaces, an increase of 185. The proposed parking structure is also planned to accommodate the existing 130 spaces for Lodge employees and relocate an additional 100 spaces of employee parking from Peter Hay hill. Thus, in total, the required number of parking spaces is 458,  $(228+130+100)$ . Applicant proposes to provide only 69 per cent of the parking spaces required by the Coastal Implementation Plan.

Although Section 20.58.050.C of the Coastal Implementation Plan allows the Planning Commission to modify the standards of Section 20.58.040, "in cases which, due to unusual characteristics of a use or its immediate vicinity, do not necessitate the number of parking spaces, type of design, or improvements required by the Chapter", the traffic and parking study prepared by Fehr and Peers Associates for this project fails to explain why the proposed spa is different from the spa contemplated by the drafters of Section 20.58.040. A reasonable estimate of the actual parking needs of the spa, based on applicants description of the proposed use, is 2 spaces for each treatment room, based on an occupancy of each room by one client and one operator, rather than a requirement of only one space per room suggested by the Fehr and Peers study. (A requirement of 2 spaces per treatment room would be consistent with requirements for physicians treatment rooms similar in size to the spa facility). On this basis a reasonable requirement for the hotel and spa would be 94, (vice 69 suggested by Fehr and Peer), and leads to a parking facility requirement of 324,  $(94+130+100)$ , significantly greater than the proposed 315 spaces. In fact the original Parking Demand Analysis, (Appendix K of Planning Commission Negative Declaration), suggests a need for between 329 and 344 spaces including a Parking Circulation Component of 10 to 15 per cent. If this requirement is added to the above estimate of 324, at least 356 would be required,  $(324+32)$ .

The proposed parking element of the Casa Palmero Project provides significantly less than the "adequate parking" mandated by Policy 71 of the Local Coastal Plan.

Mr. Dan Carl, Coastal Planner  
California Coastal Commission  
Central Coast Area Office  
725 Front Street, Suite 300  
Santa Cruz, California 95060

June 10, 1997

Dear Mr. Carl,

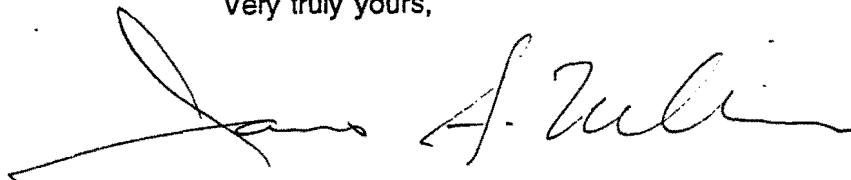
Kindly add the following points of issue to the file of Appeal Number A-3-MCO-97-037, the Casa Palmero Project:

1. It would appear that B-8 Resource Conservation Zone Overlay applies to this project. If so, a project involving multiple hot tubs, treated as swimming pools by planners and utilities, would be inconsistent with the zoning.

2. Section 20.147.090, Paragraph A-5 of the Coastal Implementation Plan mandates an affordability element in the visitor serving goals of the General Standards. This project include no such element.

3. The project encompasses more than 25,000 square feet and is therefore subject to Section 20.64.25 Paragraph C-2-C of the Coastal Implementation Plan. No Trip Reduction Plan, as is mandated, (Trip Reduction Checklist), is apparently present. Although mitigation is not mandatory, the traffic and parking issues, which are the central issue of this appeal, would clearly benefit from a condition to limit employee traffic through the provision of remote parking, already available near the Carmel Hill Gate, and the busing of employees.

Very truly yours,



James A. Miller  
1003 Broncho Road  
Pebble Beach, CA 93953

RECEIVED  
JUN 10 1997

CALIFORNIA  
COASTAL COMMISSION

STATE OF CALIFORNIA—THE RESOURCES AGENCY

PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

725 FRONT STREET, STE. 300

SANTA CRUZ, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200

APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENT



Please Review Attached Appeal Information Sheet Prior to Completing This Form

Section I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

Carl E. Nielsen P.O. Box 255, Pebble Beach, CA 93953, Telephone (408) 375-2321

Section II. Decision Being Appealed

1. Name of local/port government:

Monterey County Board of Supervisors Resolution No. 97-138

2. Brief description of development being appealed:

Pebble Beach Company's Application PC 96024 - Commercial expansion of Casa Palmero home. Remodel & additions. New 24 unit Inn/Hotel, 2 story 24 treatment room Spa and a 315 space tri-level parking garage, 2 levels underground.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

1518 Cypress Drive at Palmero Way, Pebble Beach. Portions of Lot 11 and 12, Block 136B El Pescadero Ranch, Del Monte Forest. Assessor's Parcels. No. 008-032, 0d35, 036. Includes parking lot)

4. Description of decision being appealed:

a. Approval; no special conditions:

b. Approval with special conditions: Monterey County Board of Supervisors' Resolution No. 97-138

c. Denial:

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-3-MCO-97-037

DATE FILED: 5/6/97

DISTRICT: Central Coast

H5: 4/88

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MAY 13 1997

CALIFORNIA  
COASTAL COMMISSION

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):
- a. ☐ Planning Director/Zoning Administrator      c. ☒ Planning Commission Resolution 97009
- b. ☒ Board of Supervisors      d. ☐ Other  
Resolution 97-138
6. Date of local government's decision: Board of Supervisors, April 15, 1997
7. Local government's file number (if any): Pebble Beach Company application PC96024  
Board of Supervisors Resolution 97-138

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties (Use additional paper as necessary)

- a. Name and mailing address of permit applicant:  
Pebble Beach Company, P.O. Box 1767, Pebble Beach, CA 93953
- b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) See attached list

(2) -

(3)

(4)

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

**REASON FOR APPEAL: ADVERSE IMPACT DUE TO TRAFFIC GENERATED BY PROJECT**

The September 24, 1984, Del Monte Forest Area Land Use Plan, Monterey County Local Coastal Program Policy No. 101 states: "In order to preserve both visual and physical access to the coast, the impacts on the road system of the Forest and on Highways 68 and One from incremental development of the Forest shall be mitigated in conjunction with or as a function of new development". The Monterey County October 17, 1996 Negative Declaration for the commercial expansion of the Casa Palmero home with a 315-space parking structure does not describe any mitigation measures, except the construction of a left turn lane from 17-Mile Drive to Palmero Way, to reduce the impact of traffic on the "Level of Service" D 17-Mile Drive from the vicinity of Peter Hay Golf Course to the Carmel Gate turn-off. The build-up of traffic on this segment of the 17-Mile Drive will reduce the ability of visitors (in vehicles, bicycles or tour busses) to enjoy the experience of the 17-Mile Drive, one of the few affordable activities available to visitors to the Del Monte Forest.

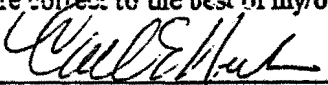
The Transportation agency of Monterey County (TAMC) has adopted a Facilities Trip Reduction Program which has as one of its trip reduction measures the use of park-and-ride facilities. The 315 space parking structure will provide space for 210 employees. The concentration of employee parking in the Pebble Beach Lodge area is inconsistent with TAMC objectives.

See detail attached

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

  
\_\_\_\_\_  
Signature of Appellant(s) or  
Authorized Agent

Date: 5/12/97

Note: If signed by agent, appellant(s)  
must also sign below.

**SECTION VI. Agent Authorization**

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date: \_\_\_\_\_

SECTION III Identification of Other Interested Persons

Carl Nielsen *	P.O. Box 255 Pebble Beach, CA 93953
Ed Keith *	P.O. Box 770 Pebble Beach, CA 93953
Nancy Phillips *	2928 Congress Rd. Pebble Beach, CA 93953
Lori di Grazia	P.O. Box 1237 1552 Cypress Dr. Pebble Beach, CA 93953
Mr. & Mrs. J. Tagg*	P.O. Box 754 Pebble Beach, CA 93953
Mr. & Mrs. R. Gault*	395 Del Monte Center #306, Monterey, CA 93940
Mrs. M. Burnett*	207 Atherton Rd., Atherton, CA 94027
Mr. & Mrs. K. Harris	P.O. Box 975 Pebble Beach, CA 93953
Dr. Frank Smith	P.O. Box 367 Pebble Beach, CA 93953
Thomas Taylor	P.O. Box 936 1548 Cypress Dr. Pebble Beach, CA 93953
Wheeler Farish	P.O. Box 27 1557 Cypress Dr. Pebble Beach, CA 93953
Glenn Stinson	P.O. Box 1645 3310 - 17 Mile Dr. Pebble Beach, CA 93953
Richard Zham	P.O. Box 556 Pebble Beach, CA 93953
Ron Read	4060 Ronda Rd. Pebble Beach, CA 93953
Jim Miller *	P.O. Box 58989 Pebble Beach, CA 93953
Mr. & Mrs. R. Freschi*	P.O. Box 64 Pebble Beach, CA 93953
Mr. & Mrs. H. Mauz	1608 Viscaino Rd. Pebble Beach, CA 93953
Mr. & Mrs. W. Smith	2930 Lupin Ln. Pebble Beach, CA 93953
Janice O'Brien	P.O. Box 1037 Pebble Beach, CA 93953
Ray Singer *	2939 Stevenson Dr. Pebble Beach, CA 93953
Mr. & Mrs. L. List *	4172 Sunset Ln. Pebble Beach, CA 93953
Mr. & Mrs. P. Herman*	1008 Rodeo Rd. Pebble Beach, CA 93953
Mr. & Mrs. F. Straface	3208 Stillwater Ln. Pebble Beach, CA 93953
Mr. & Mrs. J. Lehr	P.O. Box 1262 Pebble Beach, CA 93953
Mr. & Mrs. J. Reding	P.O. Box 45 Pebble Beach, CA 93953
Mrs. M. Chiodosh	P.O. Box 977 Pebble Beach, CA 93953
Mrs. M. Hartwell	3310 Ondulato Rd. Pebble Beach, CA 93953
Mr. & Mrs. L. Arnese	P.O. Box 151 Pebble Beach, CA 93953
Russ Donald *	P.O. Box 1789 Pebble Beach, CA 93953

\*Individuals spoke at County Public Hearings



**APPEAL TO THE COASTAL COMMISSION  
PEBBLE BEACH COMPANY APPLICATION - MONTEREY COUNTY PC96024  
MONTEREY COUNTY BOARD OF SUPERVISOR'S RESOLUTION 97-138,  
APRIL 15, 1997**

**TRAFFIC**

The Pebble Beach Company's application for the "Casa Palmero" project represents an incremental development that further exacerbates an already marginally acceptable "Level of Service" for the 17-Mile Drive from the vicinity of Peter Hay Golf Course to the Carmel Gate.

This project is contrary to Policy 101 of the Local Coastal Program for the Del Monte Forest Area Land Use Plan, certified by the Coastal Commission on September 24, 1984.

Policy 101 states: "In order to preserve both visual and physical access to the coast, the impacts on the road system of the Forest and on Highways 68 and One from incremental development of the Forest shall be mitigated in conjunction with or as a function of new development".

No mitigation measures are proposed for this section of the 17-Mile Drive except that of a left turn lane from 17-Mile Drive on to Palmero Way. This proposal will not improve the "Level of Service" (LOS) D rating of the roadway. While LOS D rating is described as the "lowest level of acceptable traffic flow" it is important to point out that the 17-Mile Drive traffic is in the upper half of the LOS D range. This project along with increasing visitor traffic could easily push traffic to the limit of LOS D or even into an unacceptable LOS E. The Pebble Beach Company's Casa Palmero project's 315-space parking structure and concentration of employee parking in the structure is moving in the wrong direction.

This project moves employee parking from the section of 17-Mile Drive next to Peter Hay Golf Course and concentrates in an area of where ingress and egress are restricted to one intersection that feeds all traffic onto a highly congested section of 17-Mile Drive.

The Transportation Agency of Monterey County (TAMC) has adopted a Facilities Trip Reduction Program which has as one of its trip reduction measures the use of park-and-ride facilities. The Pebble Beach Company's proposed 315-space parking structure will provide space for 210 employees. The concentration of employee parking in the Pebble Beach Lodge area is inconsistent with TAMC objectives. The Pebble Beach Company should be required to increase its park-and-ride facilities, thus eliminating the need for the 315-space parking structure (130 spaces currently exist in surface parking adjacent to the proposed inn and spa, sufficient for inn and spa guests and tennis club users) and making a significant reduction of traffic on the LOS D section of the 17-Mile Drive.

Hundreds of thousands of visitors to enjoy the experience of the 17-Mile Drive, one of the few affordable activities available to visitors to the Del Monte Forest. This project will increase traffic and make visitor enjoyment more difficult.

The section of 17-Mile Drive between Peter Hay Golf Course and the Carmel Gate is a "Level of Service" (LOS) D. It is now, it will be with the Casa Palmero project and it will be with the Pebble Beach Company's pending 350 Lot/Golf Course proposal. Level of Service is bound to decrease over time as more visitors seek to enjoy the 17-Mile Drive. There are no significant mitigation measures proposed in the Casa Palmero project or in the 350 Lot/Golf Course proposal Draft Environmental Impact Report to improve this section of 17-Mile Drive. Rather, with the Pebble Beach Company's drive for further commercial activity in the Del Monte Forest, the traffic will inevitably increase beyond current projections.

This section of 17-Mile Drive serves visitors, bicyclists, commercial vehicles and residents as a major arterial roadway within the Del Monte Forest. It is heavily congested during peak PM times and during holidays and summer months when visitor traffic is the greatest.

Two traffic analyses have been funded by the Pebble Beach Company. No independent, non-company funded study exists.

1. The November 1995 Draft Environmental Impact Report for the Pebble Beach Company's proposed 350 Lot/Golf Course. Traffic/Circulation portion by Korve Engineering.
2. The October 5, 1996 traffic study for the Pebble Beach Company's proposed Casa Palmero project, performed by Fehr & Peers Associates, Inc.

The traffic study by Fehr & Peers Associates, Inc., covered only the intersection of 17-Mile Drive and Palmero Way and did not assess the impact on the affected 17-Mile Drive that has a LOS rating of D. This resulted in the Monterey County Planning Commission and the Board of Supervisors not getting a full disclosure of the full impact of the Casa Palmero project nor did it give these two bodies an opportunity to require mitigation measures to lessen the impact.

The attached Schedule I, is a summary of the relevant data from the 350 Lot program DEIR and the Casa Palmero project traffic studies. It clearly shows the significant impact the Casa Palmero project will have on the ability of this section of 17-Mile Drive to serve the visitors to the Del Monte Forest and the present and future residents.

The Pebble Beach Company's General Development Plan for the Casa Palmero project states that "Potential Future Improvements" may include "Providing for additional parking spaces dedicated solely to Tennis Club members by removal of lawn area at the east end of the tennis facilities (approximately 20 spaces". This was never factored into the traffic study. In addition, the development plan may involve "Construction of a manned gatehouse near tennis club parking lot to provide directional assistance so as to remove unnecessary traffic from the back of The Lodge complex". This represents a further potential restriction on visitors to the Lodge area.

It is important to point out that this section of the 17-Mile Drive also serves as a bicycle path. It is classified as a "Class III, Unimproved Bike Route - Narrow Roadways, Heavy Traffic" (see attached Pebble Beach Bike Route map, Figure 4.7-3 from the DEIR). Adding more vehicular traffic on 17-Mile Drive will further reduce the safety and enjoyment of bicyclists in the Del Monte Forest.

#### SUMMARY

1. The proposed 315-space parking structure will concentrate employee parking in the congested Lodge area.
2. This proposal is inconsistent with the Transportation Agency of Monterey County's adopted Facilities Trip Reduction Program of park-and-ride.
3. The proposed Casa Palmero project will further increase traffic on the only section of the 17-Mile Drive with a Level of Service (LOS) of D.
4. The proposed Casa Palmero project is inconsistent with Policy 101 of the Local Coastal Program in that it is an incremental development with no mitigation measures proposed to reduce the impact on the visitor-serving 17-Mile Drive.
5. Because of the increase traffic generated by this project, there will be an impact the safety of bicyclists attempting to enjoy the 17-Mile Drive.
6. There exists, according to the DEIR, a "Lodge Development Plan, which no resident of the Del Monte Forest has seen. Does this plan involve further concentration of commercial activity in the Lodge area and, therefore, more traffic. Does this mean there is more incremental development not yet made public?
6. A new, comprehensive, independent traffic study needs to be done before any further expansion of commercial or residential development takes place. All studies have been funded by the Pebble Beach Company; Monterey County should take control and carefully supervise the traffic consultant. No Pebble Beach Company participation should be permitted except under close control by the County. The Pebble Beach Company should be required to pay for the study.

COMPARISON OF THE DRAFT ENVIRONMENTAL IMPACT REPORT TRAFFIC ANALYSIS WITH THE TRAFFIC ANALYSIS FOR THE CASA PALMERO PROJECT

		17-Mile Drive Southbound North of Palmero Way Location 213** Existing Plus Cumulative Lot Program			17-Mile Drive Southbound South of Palmero Way Location 233** Existing Plus Cumulative Lot Program			17-Mile Drive Northwest of Carmel Way Location 215** Existing Plus Cumulative Lot Program		
		Existing	Existing Plus Lot Program	Cumulative	Existing	Existing Plus Lot Program	Cumulative	Existing	Existing Plus Lot Program	Cumulative
Draft Environmental Impact Report Dated November 1995	350 Lot/Golf Course Proposal *									
	PM Peak Hour Volume (VPH) *	552	568	584	497	526	540	620	649	668
	Level of Service Rating *	D	D	D	D	D	D	D	D	E

Fehr & Peers Associates, Inc  
 Dated October 5, 1996

Casa Palmero Project

PM Peak Hour Volume Vehicles per Hour (VPH)	Entering 17-Mile Drive & Palmero Way Intersection	Leaving 17-Mile Drive & Palmero Way Intersection
Before Project	569	592 ***
After Project	543	597 ***

Level of Service (LOS) Criteria From Lot Program DEIR	Classification	Vehicles Per Hour (VPH)
	A/B	0-300
	C	300-480
	D-Lowest level of acceptable traffic	480-650
	E/F	>650

\* - See attached Table 4.7-28

\*\* - See attached map Figure 4.7-5

\*\*\* - Far exceeds existing levels shown in the DEIR even after implementation of  
 DEIR recommended Mitigation Measure 4.7-15, 72 space off site employee park-and-ride

TABLE 4.7-28  
INTERNAL ROADWAY LINKS LEVEL OF SERVICE  
EXISTING, EXISTING PLUS LOT PROGRAM AND CUMULATIVE  
PEAK DIRECTION PM PEAK HOUR

Check Point	Classification	Existing		Existing Plus Lot Program		Cumulative	
		Volume	LOS	Volume	LOS	Volume	LOS
201	Collector	327	C	376	C	386	C
202	Collector	173	A/B	176	A/B	181	A/B
203	Collector	235	A/B	276	A/B	284	A/B
204	Collector	69	A/B	88	A/B	90	A/B
205	Collector	222	A/B	255	A/B	262	A/B
206	Collector	312	C	349	C	359	C
207	Collector	400	C	437	C	449	C
208	Collector	346	C	377	C	387	C
209	Arterial	400	C	407	C	419	C
210	Arterial	392	C	399	C	410	C
211	Collector	150	A/B	163	A/B	167	A/B
212	Arterial	363	C	370	C	380	C
213	Arterial	552	D	568	D	584	D
214	Collector	208	A/B	212	A/B	218	A/B
215	Arterial	620	D	649	D	668	E
216	Collector	137	A/B	148	A/B	152	A/B
217	Collector	106	A/B	122	A/B	126	A/B
218	Collector	23	A/B	41	A/B	42	A/B
219	Collector	12	A/B	38	A/B	39	A/B
220	Collector	101	A/B	120	A/B	123	A/B
221	Collector	91	A/B	95	A/B	97	A/B
222	Collector	24	A/B	36	A/B	37	A/B
223	Collector	74	A/B	88	A/B	90	A/B

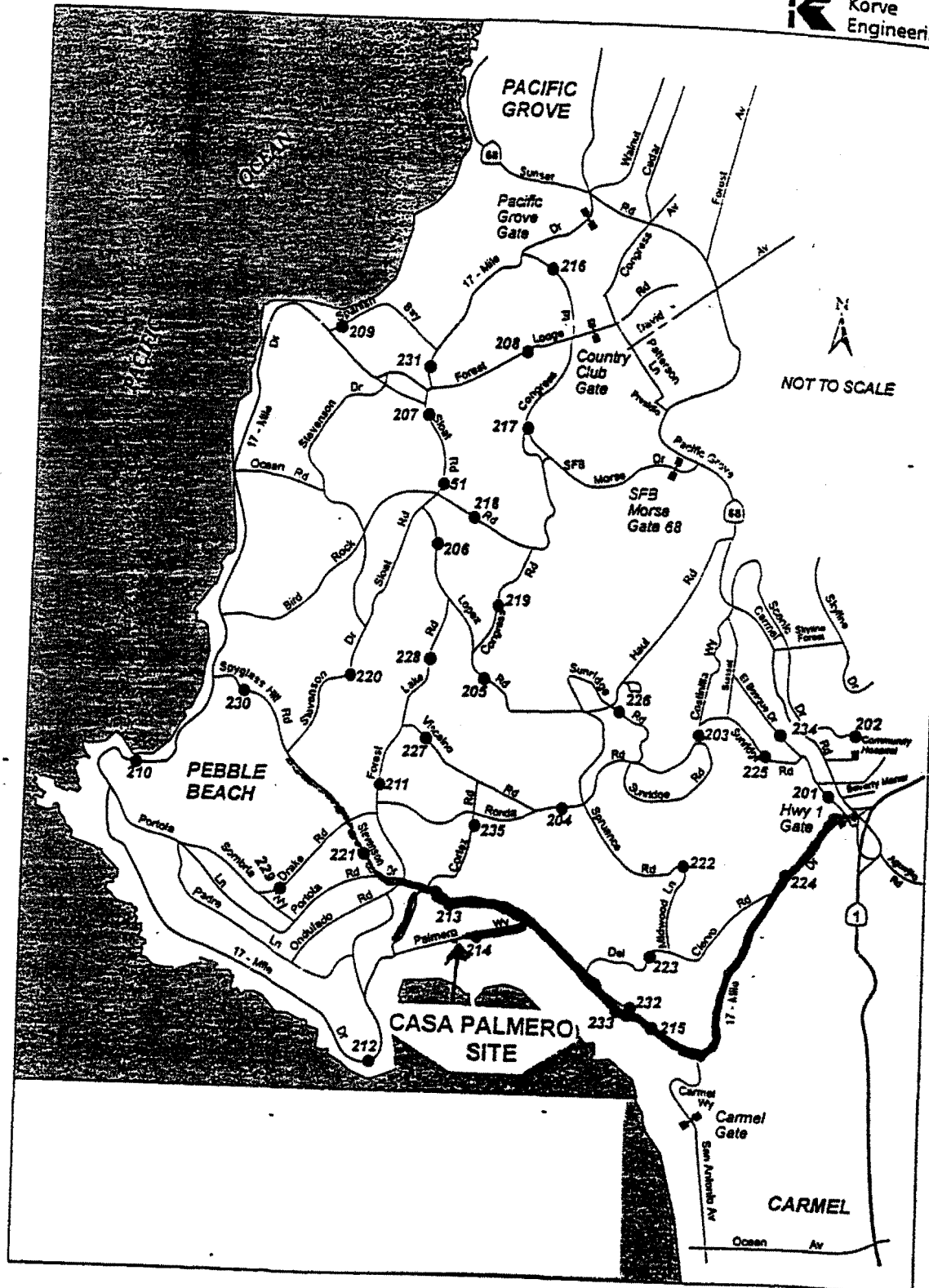
*Pebble Beach Lot Program RDEIR  
4.7 Traffic and Circulation*

TABLE 4.7-28 (CONTINUED)

Check Point	Classification	Existing		Existing Plus Lot Program		Cumulative	
		Volume	LOS	Volume	LOS	Volume	LOS
224	Arterial	533	D	551	D	566	D
225	Collector	178	A/B	225	A/B	231	A/B
226	Collector	208	A/B	250	A/B	256	A/B
227	Collector	29	A/B	36	A/B	37	A/B
228	Collector	143	A/B	166	A/B	171	A/B
229	Collector	9	A/B	14	A/B	15	A/B
230	Arterial	40	A/B	41	A/B	42	A/B
231	Collector	313	C	332	C	341	C
232	Local	215	A/B	219	A/B	225	A/B
233	Arterial	497	D	526	D	540	D
234	Local	32	A/B	33	A/B	34	A/B
235	Collector	49	A/B	51	A/B	52	A/B
51	Collector	384	C	430	C	442	C

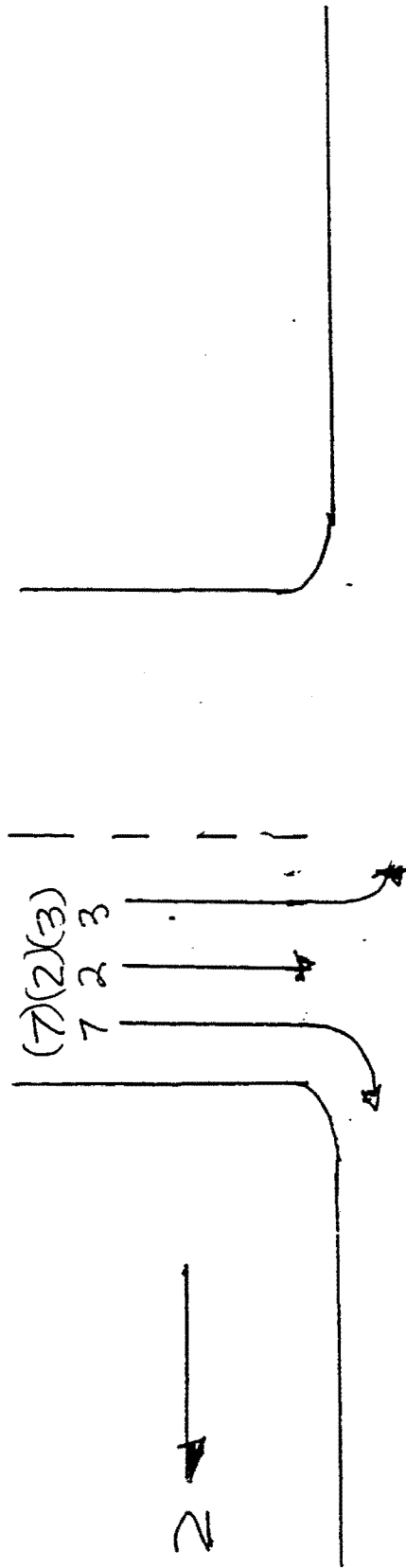
Source: Kolve Engineering, 1993.

**Korve Engineering**

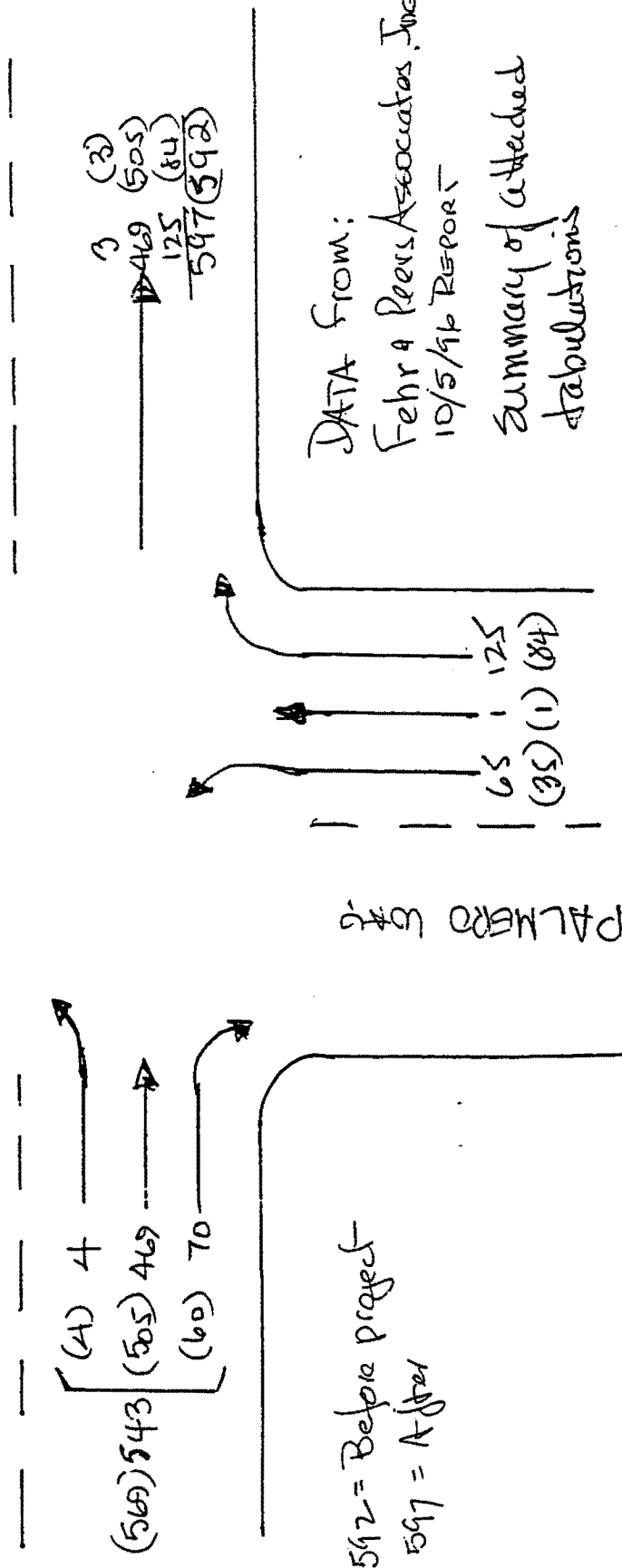


PEBBLE BEACH EIR  
**Figure 4.7- 5**  
**ANALYSIS LOCATION MAP**





17-MILE DRIVE



592 = Before Project  
597 = After

DATA FROM:  
Fehr & Peers Associates, Inc.  
10/5/96 Report  
Summary of Attached  
Calculations

# ATTACHMENT "B"

HCS: Unsignalized Intersections Release 2.1c EXISTING.HCO Page 1

Center for Microcomputers in Transportation  
University of Florida

512 Weil Hall

Gainesville, FL 32611-2043

Ph: (904) 392-0378

Streets: (H-S) 17 MILE DRIVE

(E-W) PALMERO WAY

Major Street Direction... NS

Length of Time Analyzed... 15 (min)

Analyst..... TJP - NDM

Date of Analysis..... 7.30/96

Other Information..... EXISTING (1996) - PM PEAK HOUR (3:45-4:45)

Two-way Stop-controlled Intersection

	Northbound			Southbound			Eastbound			Westbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	0	1	0	0	1	0	0	1	1	0	1	0
Stop/Yield			N			N						
Volumes	82	228	4	4	505	60	35	1	84	7	2	3
PHF	.95	.95	.95	.95	.95	.95	.95	.95	.95	.95	.95	.95
Grade		0			0			0			0	
HC's (s)												
SU/RV's (s)												
CV's (s)												
PCE's	1.10			1.13			1.10	1.10	1.10	1.10	1.10	1.10

## Adjustment Factors

Vehicle Maneuver	Critical Gap (tg)	Follow-up Time (tf)
Left Turn Major Road	5.00	2.10
Right Turn Minor Road	5.50	2.60
Through Traffic Minor Road	6.00	1.30
Left Turn Minor Road	6.50	1.40

HCS: Unsignalized Intersections Release 2.1c EXISTING.HCO Page 2

## Worksheet for TWSC Intersection

Step 1: RT from Minor Street	NB	EB
Conflicting Flows: (vph)	263	564
Potential Capacity: (pcph)	1044	717
Movement Capacity: (pcph)	1044	717
Prob. of Queue-Free State:	1.00	0.06

Step 2: LT from Major Street	SB	NB
Conflicting Flows: (vph)	266	595
Potential Capacity: (pcph)	1312	892
Movement Capacity: (pcph)	1312	892
Prob. of Queue-Free State:	1.00	0.89
TH Saturation Flow Rate: (pcphpl)	1700	1700
RT Saturation Flow Rate: (pcphpl)	1700	1700
Major LT Shared Lane Prob. of Queue-Free State:	1.00	0.89

Step 3: TH from Minor Street	NB	EB
Conflicting Flows: (vph)	927	898
Potential Capacity: (pcph)	356	369
Capacity Adjustment Factor due to Impeding Movements	0.87	0.87
Movement Capacity: (pcph)	310	322
Prob. of Queue-Free State:	0.99	1.00

Step 4: LT from Minor Street	NB	EB
Conflicting Flows: (vph)	940	898
Potential Capacity: (pcph)	302	320
Major LT, Minor TH Impedance Factor:	0.87	0.87
Adjusted Impedance Factor:	0.90	0.90
Capacity Adjustment Factor due to Impeding Movements	0.78	0.89
Movement Capacity: (pcph)	235	284

Center For Microcomputers In Transportation  
University of Florida

512 Well Hall  
Gainesville, FL 32611-2083

Phi: (904) 392-0378

Streets: (N-S) 17 MILE DRIVE (E-W) PALMERO WAY

Major Street Direction.... NS

Length of Time Analyzed... 15 (min)

Analyst..... FLP - MDH

Date of Analysis..... 7/30/96

Other Information..... EXISTING WITH PROJECT W/RECOMMENDED - P  
M PEAK HOUR (3:45-4:45)

Two-way Stop-controlled Intersection

	Northbound			Southbound			Eastbound			Westbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	1	< 0	0	> 1	< 0	0	> 1	1	0	> 1	< 0
Stop/Yield	N			N								
Volumes	95	222	4	4	469	70	65	1	125	7	2	3
PHF	.95	.95	.95	.95	.95	.95	.95	.95	.95	.95	.95	.95
Grade	0			0			0			0		
HC's (s)												
SU/RV's (s)												
CV's (s)												
PCE's	1.10			1.10			1.10	1.10	1.10	1.10	1.10	1.10

Adjustment Factors

Vehicle Maneuver	Critical Gap (t/g)	Follow-up Time (t/f)
Left Turn Major Road	5.00	2.10
Right Turn Minor Road	5.50	2.60
Through Traffic Minor Road	6.00	3.10
Left Turn Minor Road	6.50	3.60

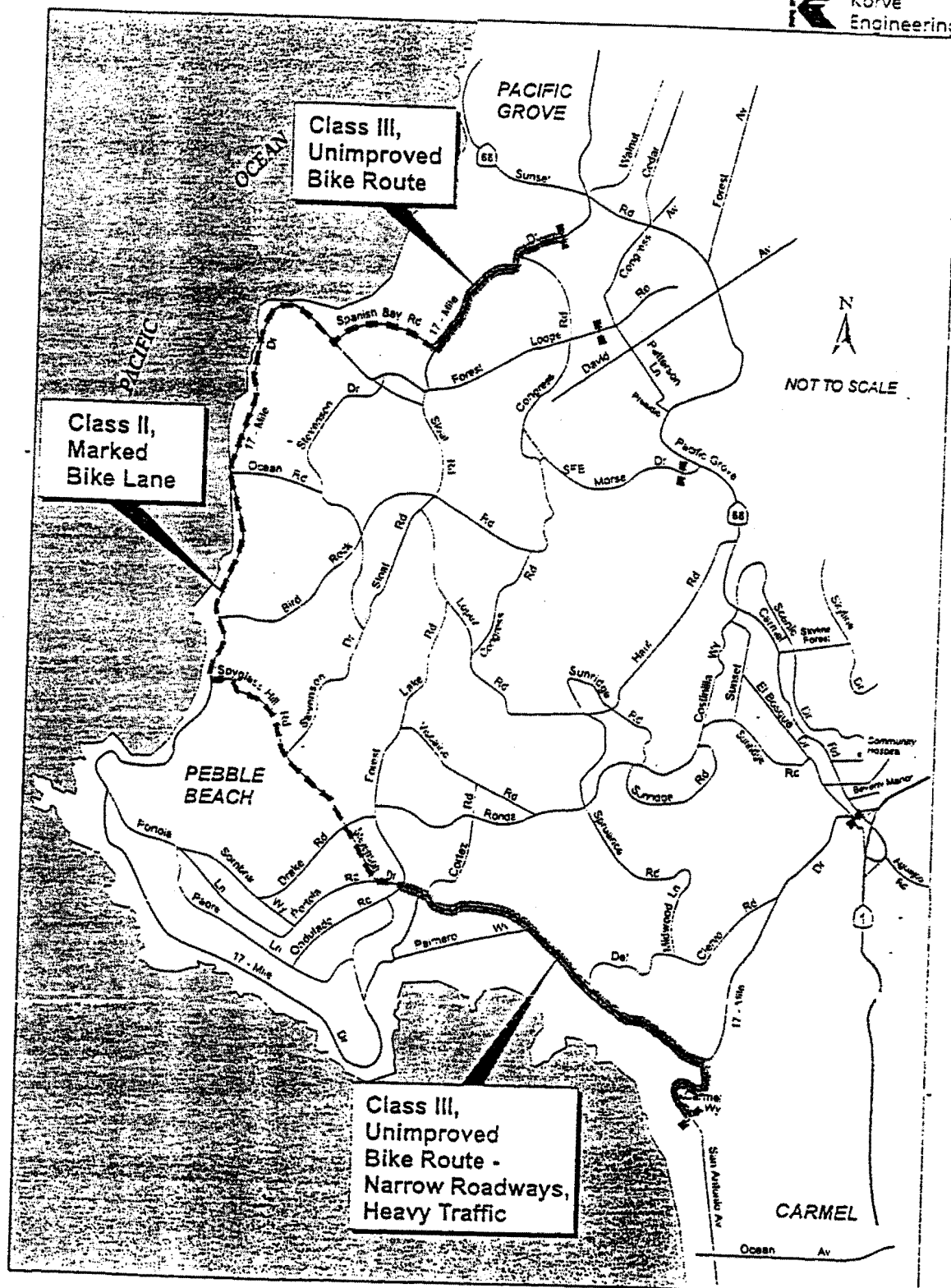
Worksheet for TMSI Intersection

Step 1: RT from Minor Street	WB	EB
Conflicting Flows: (vph)	216	531
Potential Capacity: (pcph)	1051	745
Movement Capacity: (pcph)	1051	745
Prob. of Queue-Free State:	1.00	0.81

Step 2: LT from Major Street	SB	WB
Conflicting Flows: (vph)	238	568
Potential Capacity: (pcph)	1320	919
Movement Capacity: (pcph)	1320	919
Prob. of Queue-Free State:	1.00	0.88
TH Saturation Flow Rate: (pcphpl)	1700	
RT Saturation Flow Rate: (pcphpl)	1700	
Major LT Shared Lane Prob. of Queue-Free State:	1.00	

Step 3: TH from Minor Street	WB	EB
Conflicting Flows: (vph)	908	873
Potential Capacity: (pcph)	164	380
Capacity Adjustment Factor due to Impeding Movements	0.88	0.88
Movement Capacity: (pcph)	319	333
Prob. of Queue-Free State:	0.99	1.00

Step 4: LT from Minor Street	WB	EB
Conflicting Flows: (vph)	918	876
Potential Capacity: (pcph)	103	330
Major LT, Minor TH Impedance Factor:	0.87	0.87
Adjusted Impedance Factor:	0.98	0.98
Capacity Adjustment Factor due to Impeding Movements	0.71	0.90
Movement Capacity: (pcph)	220	296



PEBBLE BEACH EIR  
Figure 4.7-3  
PEBBLE BEACH BIKE ROUTE

STATE OF CALIFORNIA—THE RESOURCES AGENCY

PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE  
725 FRONT STREET, STE. 300  
SANTA CRUZ, CA 95060  
(408) 427-4863  
HEARING IMPAIRED: (415) 904-5200

APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENT



Please Review Attached Appeal Information Sheet Prior To Completing  
This Form.

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

Jody Bunn 1535 Palmero Way, Pebble Beach, CA 93953 Ph. 624-7730

Nathalie Bunn 1535 Palmero Way, Pebble Beach, CA 93953 Ph. 624-7725

Ted R. Hunter P.O. Box 1189, Pebble Beach, CA 93953 Ph. 408-624-3734

Zip Area Code Phone No.

Paul Byrne 14 Asoleado Drive, Carmel Valley, CA 93924 Ph. 659-8041

SECTION II. Decision Being Appealed

1. Name of local/port  
government: Monterey County Board Of Supervisors Resolution No. 97-138

2. Brief description of development being  
appealed: Pebble Beach Company's Application PC96024 - Commercial expansion  
of Casa Palmero home. Remodel & additions. New 24 unit Inn/Hotel, 2 story  
24 treatment room Spa and a 315 space tri-level parking garage, 2 levels  
underground.

3. Development's location (street address, assessor's parcel  
no., cross street, etc.): 1518 Cypress Drive at Palmero Way, Pebble Beach.  
Portions of Lot 11 and 12, Block 136B El Pescadero Ranch, Del Monte Forest.  
Assessor's Parcels. No. 008-423-032-035-036-000 (includes parking lot)

4. Description of decision being appealed:

- a. Approval; no special conditions: Monterey County Board of Supervisors
- b. Approval with special conditions: Resolution No. 97-138
- c. Denial: \_\_\_\_\_

Note: For jurisdictions with a total LCP, denial  
decisions by a local government cannot be appealed unless  
the development is a major energy or public works project.  
Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-3-MCO-97-037

DATE FILED: 5/6/97

DISTRICT: Central Coast

H5: 4/88

RECEIVED  
MAY 13 1997  
CALIFORNIA  
COASTAL COMMISSION

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

a. Planning Director/Zoning Administrator c. x Planning Commission Resolution 97009

b. x City Council/Board of Supervisors Resolution 97-138 d. Other \_\_\_\_\_

6. Date of local government's decision: B/S April 15, 1997

7. Local government's file number (if any): PB Co. Application PC96024  
Supervisors Resolution 97-138

SECTION III.. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:  
Pebble Beach Company P.O. Box 1767, Pebble Beach, CA 93953

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) See attached list
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Coastal Com appeal

**REASONS FOR APPEAL**

May 7, 1997

ADVERSE ENVIRONMENTAL IMPACTS

The Sept. 24, 1984 Del Monte Forest Area Land Use Plan, Monterey County Local Coastal Program Policy No. 70, (Chapter three, page 36), states: "New development shall incorporate mitigation measures to MINIMIZE potential adverse environmental impacts". The Monterey County October 17, 1996 Negative Declaration for the commercial expansion of the Casa Palmero home and adjoining property does not describe sufficient mitigation measures or provide alternative plans to eliminate or reduce the very significant impacts the project will create. The construction of a new hotel, spa and parking garage in a prime residential area will be detrimental to the peace, comfort and general welfare of persons residing in the neighborhood. The attachments provide: - Details on the size of the proposed massive project in a residential area adjacent to the public beach at Stillwater Cover.

-A brief summary of significant impacts. (Additional details are being submitted by other appellants).

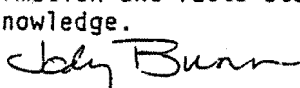
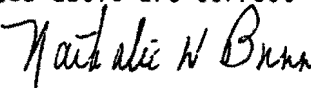
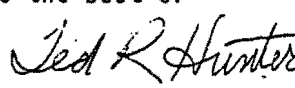

PUBLIC CONTROVERSY

(Continued on attached page)

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

     
Jody Bunn Nathalie W Bunn Ted R. Hunter Paul Byrne

Signature of Appellant(s) or  
Authorized Agent

Date May 8, 1997

NOTE: If signed by agent, appellant(s)  
must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date \_\_\_\_\_

## CASA PALMERO

Per County Negative Declaration Oct. 17, 1996

Remodel/Add to one Single Family Residence.  
Create a 24 unit Inn Retreat, (separate building units)  
Expand existing spa into new two story,  
24 treatment room Spa building  
New tri-level (2 levels underground) 315 space  
Parking Structure.

-----  
Existing buildings---footprint - 6,824 sq.ft.  
Proposed Inn and Spa footprint - 30,702 sq. ft.  
Proposed Inn and Spa Square footage - 49,044 sq. ft.\*  
(\*Spa components of project approx. 21,600 sq. ft.)  
New tri-level parking structure footprint - 41,527 sq.ft.  
= 124,581 square foot structure.



## Division 13

### ENVIRONMENTAL QUALITY

Chapter	Section
1. Policy .....	21000
2. Short Title .....	21050
2.5. Definitions .....	21060
2.6. General .....	21080
3. State Agencies, Boards and Commissions .....	21100
4. Local Agencies .....	21150
4.5. Streamlined Environmental Review .....	21156
5. Submission of Information .....	21160
6. Limitations .....	21165

#### WESTLAW Computer Assisted Legal Research

WESTLAW supplements your legal research in many ways. WESTLAW allows you to

- update your research with the most current information
- expand your library with additional resources
- retrieve direct history, precedential history and parallel citations with the Insta-Cite service

For more information on using WESTLAW to supplement your research, see the WESTLAW Electronic Research Guide, which follows the Preface.

*Division 13 was added by Stats.1970, c. 1433, p. 2780, § 1.*

#### Cross References

Mather Air Force Base Redevelopment Project Area, California Environmental Quality Act application, see Health and Safety Code § 33492.65.

#### Chapter 1

#### POLICY

Section	
21000.	Legislative intent.
21001.	Additional legislative intent.
21001.1.	Review of public agency projects.
21002.	Approval of projects; feasible alternative or mitigation measures.
21002.1.	Use of environmental impact reports; policy.
21003.	Planning and environmental review procedures; documents; reports; data base; administration of process.
21003.1.	Environmental effects of projects; comments from public and public agencies to lead agencies; availability of information

#### POLICY

##### Ch. 1

*Chapter 1 was added by Stats.1970, c. 1*

#### Cross References

Community redevelopment projects, conditions and restrictions § 33612.

Educational facilities, authority for issuing bonds, see Education Employment and Economic Incentive Act, environmental impact § 7087.5.

Enterprise Zone Act, environmental impact reports, see Government Code § 65992.

Environmental quality study council, see Government Code § 65992.

Exemption, disposition of Native American human remains on Resources Code § 5097.98.

Hazardous waste facility projects,

Actions or proceedings to attack, review, set aside, void, or on grounds of noncompliance with this division, regulations for approval of permits, see Health and Safety Code

Procedures for the approval of new facilities, see Health and Health Facilities Financing Authority Act, issuance of bonds, see Industrial development authorities, exemption from this division Land acquired for preservation of future transportation on Resources Code § 33911.

Large family day care homes not subject to Division 13, see Health and Safety Code § 15992.1.

Leasing tide and submerged lands or the beds of navigable rivers, draft environmental impact report, see Public Resources Code § 7113.

Local agency military base recovery areas, environmental impact § 7113.

Prisons, addition of Level I and Level II beds at San Gabriel see Penal Code § 7008.

Solar shade control, ordinance to exempt city or unincorporated § 25985.

State highway property, encroachment permits, completion of Streets and Highways Code § 671.5.

State lands commission, compliance prerequisite to lease, see Urban water management plans, application of act, see Water Code § 25985.

Water management plans, inapplicability of this act, see Water Code § 25985.

#### Code of Regulations References

Community colleges construction, environmental quality, see Fish and game, state guidelines, see 14 Cal. Code of Regs. § 77000.1.

Guidelines to implement the environmental quality act, see 14 Cal. Code of Regs. § 77000.1.

Implementation of the California Environmental Quality Act, see 3 Cal. Code of Regs. § 200 et seq.; 21 Cal. Code of Regs. § 200 et seq.

Implementation of Division 13, see 5 Cal. Code of Regs. § 57100 et seq.

Community Colleges, see 5 Cal. Code of Regs. § 57100 et seq.

Division of oil and gas, requirements, see 14 Cal. Code of Regs. § 25985.

Energy resources conservation and development commission, see 23 Cal. Code of Regs. § 500 et seq.

Regulations, see 23 Cal. Code of Regs. § 500 et seq.

Resources agency, see 14 Cal. Code of Regs. § 14100 et seq.

State lands commission, orderly and consistent evaluation of State water resources control board, see 23 Cal. Code of Regs. § 2901 et seq.

State water resources control board, see 23 Cal. Code of Regs. § 2901 et seq.

Motion for determination of applicability of CEQA, see 20 Cal. Code of Regs. § 15000 et seq.

and game commission. *Wildlife Alive v. Chickering* (1976) 132 Cal.Rptr. 377, 18 Cal.3d 190, 553 P.2d 537.

#### 5. Property value

Environmental protection acts are not designed to protect against decline in commercial value of property adjacent to a public project but are intended to ensure consideration of qualitative environmental factors as well as quantitative economics in proposed actions affecting the environment. *Hecton v. People* (App. 2 Dist. 1976) 130 Cal.Rptr. 230, 58 Cal.App.3d 653.

#### 6. Highways

California Environmental Quality Act of 1970 applies to projects that have received some funding prior to effective date of Act; in the case of a highway, compliance with Act does not become unnecessary until a proposed highway has reached the stage of completion where the costs of abandoning or altering the proposed route would clearly outweigh the benefits therefrom. *Keith v. Volpe*, D.C.Cal.1972, 452 F.Supp. 1324, remanded, affirmed 506 F.2d 696, certiorari denied 95 S.Ct. 826, 420 U.S. 908, 42 L.Ed.2d 837.

#### 7. Historic structures

Demolition of historic buildings was part of development project under consideration by County Planning Commission and Board of Supervisors, and thus Building Inspection Department was not authorized to issue permit for demolition of historic buildings before entire process under this act was completed and overall development project was lawfully approved. *Orinda Ass'n v. Board of Sup'rs of Contra Costa County* (App. 1 Dist. 1986) 227 Cal.Rptr. 688, 182 Cal.App.3d 1145.

Fundamental objectives of California Environmental Quality Act were satisfied by redevelopment authority when it approved demolition of registered historic monument, where draft environmental impact report dramatically alerted public to recommended irretrievable loss of landmark, report identified loss as most significant impact of redevelopment project, public had notice of potential demolition and opportunity to persuade decision makers of unacceptable environmental price of sacrificing historic building, agency was provided with four alternatives to demolitions, each involving retention of landmark together with varying levels of development, and report described steps necessary to vacate adverse effect of displacing landmark's transient residents. *Dusck v. Anaheim*

Home agency need not and should not await compulsion of judicial decrees before fulfilling

#### § 21001. Additional legislative intent

The Legislature further finds and declares that it is the policy of the state to:

(a) Develop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.

(b) Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise. X

(c) Prevent the elimination of fish or wildlife species due to man's activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California history.

(d) Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions.

(e) Create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.

(f) Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality.

(g) Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs and to consider alternatives to proposed actions affecting the environment.

(Added by Stats.1970, c. 1433, p. 2781, § 1. Amended by Stats. 1979, c. 947, p. 3271, § 5.)

#### Code of Regulations References

Implementation of the California Environmental Quality Act of 1970, incorporation by reference, see 3 Cal. Code of Regs. § 2100 et seq.

#### Law Review Commentaries

California Environmental Quality Act—significant effect or paper pollution? 5 Pac.L.J. 26 (1974).

Duty of private parties to file environmental statement. 61 Cal.L.Rev. 559 (1973).

Private property rights. Michael M. Berger, 8 Loy.L.A.L.Rev. 253 (1975).

Statutory requirements of California Environmental Quality Act. 8 Loy.L.A.L.Rev. 736 (1975).

Using the county general plan to guide habitat mitigation under CEQA. Robert A. Johnston and Mary Madison, 34 Santa Clara L.Rev. 81 (1993).

## § 21001

## ENVIRONMENTAL QUALITY Div. 13

### Library References

Health and Environment § 25.5 to 25.8.  
States § 72.  
Statutes § 184.  
WESTLAW Topic Nos. 199, 360, 361.

C.J.S. Health and Environment §§ 61 to 157.  
C.J.S. States § 123.  
C.J.S. Statutes § 323.

### Notes of Decisions

#### Rare or endangered species 1

##### 1. Rare or endangered species

Under this division, public agencies are not required to deny approval of any project where

perpetuation of rare or endangered species on site cannot be guaranteed. *Sierra Club v. Gilroy City Council* (Shappell Industries of Northern California) (App. 6 Dist. 1990) 271 Cal.Rptr. 393, 222 Cal.App.3d 30, rehearing denied and modified, review denied.

## § 21001.1. Review of public agency projects

The Legislature further finds and declares that it is the policy of the state that projects to be carried out by public agencies be subject to the same level of review and consideration under this division as that of private projects required to be approved by public agencies.

(Added by Stats. 1984, c. 1514, § 1.)

### Library References

Health and Environment § 25.10(2).  
WESTLAW Topic No. 199.

C.J.S. Health and Environment §§ 70 et seq., 119 et seq.

## § 21002. Approval of projects; feasible alternative or mitigation measures

The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects, and that the procedures required by this division are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects. The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.

(Added by Stats. 1976, c. 1312, § 1. Amended by Stats. 1980, c. 676, p. 1996, § 277.)

### Historical and Statutory Notes

Section 21 of Stats. 1976, c. 1312, provided:  
"The Legislature declares that it makes no finding whether Sections 21002, 21002.1, and

21082.1, as added to the Public Resources Code by this act, are, or are not, declaratory of existing law."

### Cross References

Feasible, see Public Resources Code § 21061.1.  
Necessary findings where report identifies effects, see Public Resources Code § 21081.  
Project, see Public Resources Code § 21065.  
Public agency, see Public Resources Code § 21061.

## POLICY Ch. 1

### Code of Regula

Activities not requiring an initial study, see 20 Cal. Department of water resources.

Application for funding, see 23 Cal. Code of Environmental policy, see 23 Cal. Code of Regulation of environmental impact reports, see Health planning and facility construction, official § 90962.

Initial study, see 20 Cal. Code of Regs. § 2305.

### Law Review

Environmental review after Goleta. Timothy A. Tosta, Judy V. Davidoff & Douglas A. Potts, 21 Sw.U.L.Rev. 1079 (1992).

Preparing an EIR for battle. Martin N. Burton, 15 L.A.Law 34 (Jan. 1993).

Transportation congestion and growth management: Comprehensive approaches to resolve

### Library

Health and Environment § 25.10(2), 25.10(8).  
WESTLAW Topic No. 199.

### Notes of

#### Alternatives 5

#### Construction and application 1

#### Findings 6

#### Mitigation 4

#### Review 7

#### Significant effects 3

#### Substantive protective measures 2

#### 1. Construction and application

Provisions of this section and § 21002.1 which govern public agency's approval of proposed project where there are available feasible mitigation measures or feasible alternatives that would substantially lessen significant environmental effect of project and which became effective in 1977 were applicable to administrative proceedings completed in 1977. *Laurel Hills Homeowners Ass'n v. City Council of City of Los Angeles* (App. 2 Dist. 1978) 147 Cal.Rptr. 842, 83 Cal.App.3d 515.

#### 2. Substantive protective measures

In addition to intent to require governmental decisionmakers to consider environmental implications of their decisions, legislature, in enacting California Environmental Quality Act (CEQA), also intended to provide certain substantive measures for protection of environment. *Quail Botanical Gardens Foundation Inc. v. City of Encinitas* (App. 4 Dist. 1994) 1

cp-summary

**CASA PALMERO**  
*Pebble Beach Company's Application PC 96024*  
*for*  
*Commercial Expansion at 1518 Cypress Drive at Palmero Way, Pebble Beach*  
**SUMMARY OF CONCERNED RESIDENTS POSITIONS**

**1. Significant Impact on Residential Community**

The application for the commercial expansion of the Casa Palmero property with the proposed Inn/Spa and a new 315 space parking structure will result in significant increases in commercial activity and traffic adjacent to a prime residential neighborhood and The Lodge area. The creation of 100 additional visitor serving parking spaces along Peter Hay Golf Course in addition to those created by the proposed new parking structure will have an adverse impact on this area of the Del Monte Forest.

The 315 space parking structure proposal should be separated from the Inn/Spa proposal because the parking structure plan goes far beyond the requirements of the proposed Inn/Spa. Sufficient parking exists for the proposed Inn/Spa operation. Parking for all employees in the Forest should be planned separately.

**2. Traffic Impact**

The applicant's traffic study is deficient in many areas:

- a. Trip generation rates used are urban standards and ignore the unique traffic conditions that exist in the Del Monte Forest.
- b. It reverses the previous concept of remote employee parking and concentrates employee parking in The Lodge area.
- c. It does not deal with the traffic issues resulting from conversion of 100 parking spaces next to Peter Hay Golf Course from employee to visitor serving use.
- d. Casa Palmero traffic issues have not been adequately integrated with the traffic plans/studies for the applicant's 350 lot/golf course proposal.

**3. Construction Impact**

The traffic study and the Negative Declaration do not adequately deal with the adverse impact of new traffic generated by the construction and proposed operation of the new commercial Inn/Spa and new parking structure. Further analysis is required on:

- a. The impact of 4,000 trips by 10 ton diesel trucks to or from the construction site to the quarry site.
- b. The impact of all of the heavy trucks hauling material to the construction site.
- c. How they propose to deal with all of the construction workers vehicle traffic and parking at the site.

**4. Noise Impact**

There are no provision for monitoring noise emanating from the construction site and no enforcement provisions to deal with violations of noise regulations. The Negative Declaration does not deal with such issues as the noise resulting from the need to drive steel soldier piles into extremely hard and rocky soil conditions at the parking structure site.

**5. Piecemeal Development - Long Range Impact**

The Negative Declaration does not deal adequately with the issues of traffic, construction, noise, separate employee parking structure and intensification of commercial activities. Two separate EIR's are required. These Environment Impact Reports should be integrated with the 350 lot/golf course development plan and EIR. This would put the piecemeal development in proper perspective.

**6. Use Existing Building same as Fairway 1 Home**

Denying the Pebble Beach Company's application to intensify the commercial use is not infringing on their property rights. The company will not be denied the use of their property if this application is denied. They can continue to use the property to supplement their visitor requirements by upgrading and using the existing buildings.

Coastal com appeal (cont'd)  
May 7, 1997

REASONS FOR APPEAL (Continued)

PUBLIC CONTROVERSY

Over 700 opponents to the proposed commercial expansion of the Casa Palmero home have signed petitions to the Monterey County Planning Commission and Supervisors requested that the application be denied. (see attached box of petitions)

Pebble Beach property owners have attended Monterey County public hearings and provided sound reasons why the proposed commercial complex is not appropriate in the area adjacent to prime residential homes.

Summary of Public Hearings and number of property owners who spoke in opposition to the project.

April 15, 1997 Monterey County Board of Supervisors - 13 speakers

January 29, 1997 Monterey County Planning Commission - 12 speakers

January 8, 1997 Monterey County Planning Commission - 10 speakers

In addition, many letters have been sent to the Monterey County Planning Director, Planning Commission and Supervisors outlining reasons why this controversial project, as proposed, should not be approved. (Examples of letters are attached)

Fifteen letters opposing the project have been published in the Monterey Herald newspaper. (See attached)

This type of well founded opposition and public controversy is referred to in the California Environmental Quality Act. The attached pages, taken from the Environmental Quality Code state: 21001. ....(b) "Take all action necessary to provide the people of this state.....freedom from excessive noise".

(d) Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions".

21002...The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed *if there are feasible alternative or feasible mitigation measures available which would substantially lessen the significant environmental effect of such projects.....*".

The Monterey County governing agencies have not followed these policies and approved the Pebble Beach Company's application without considering the opponents recommendations that the project become part of the pending application for 350 new lots and a golf course in Del Monte Forest and that two separate Environmental Impact Reports, with alternative plans, be required for a new 24 unit hotel, 24 treatment room spa and 315 space parking garage.

SECTION III Identification of Other Interested Persons

Carl Nielsen *	P.O. Box 255 Pebble Beach, CA 93953
Ed Keith *	P.O. Box 770 Pebble Beach, CA 93953
Nancy Phillips *	2928 Congress Rd. Pebble Beach, CA 93953
Lori di Grazia	P.O. Box 1237 1552 Cypress Dr. Pebble Beach, CA 93953
Mr. & Mrs. J. Tagg*	P.O. Box 754 Pebble Beach, CA 93953
Mr. & Mrs. R. Gault*	395 Del Monte Center #306, Monterey, CA 93940
Mrs. M. Burnett*	207 Atherton Rd., Atherton, CA 94027
Mr. & Mrs. K. Harris	P.O. Box 975 Pebble Beach, CA 93953
Dr. Frank Smith	P.O. Box 367 Pebble Beach, CA 93953
Thomas Taylor	P.O. Box 936 1548 Cypress Dr. Pebble Beach, CA 93953
Wheeler Farish	P.O. Box 27 1557 Cypress Dr. Pebble Beach, CA 93953
Glenn Stinson	P.O. Box 1645 3310 - 17 Mile Dr. Pebble Beach, CA 93953
Richard Zham	P.O. Box 556 Pebble Beach, CA 93953
Ron Read	4060 Ronda Rd. Pebble Beach, CA 93953
Jim Miller *	P.O. Box 58989 Pebble Beach, CA 93953
Mr. & Mrs. R. Freschi*	P.O. Box 64 Pebble Beach, CA 93953
Mr. & Mrs. H. Mauz	1608 Viscaino Rd. Pebble Beach, CA 93953
Mr. & Mrs. W. Smith	2930 Lupin Ln. Pebble Beach, CA 93953
Janice O'Brien	P.O. Box 1037 Pebble Beach, CA 93953
Ray Singer *	2939 Stevenson Dr. Pebble Beach, CA 93953
Mr. & Mrs. L. List *	4172 Sunset Ln. Pebble Beach, CA 93953
Mr. & Mrs. P. Herman*	1008 Rodeo Rd. Pebble Beach, CA 93953
Mr. & Mrs. F. Straface	3208 Stillwater Ln. Pebble Beach, CA 93953
Mr. & Mrs. J. Lehr	P.O. Box 1262 Pebble Beach, CA 93953
Mr. & Mrs. J. Reding	P.O. Box 45 Pebble Beach, CA 93953
Mrs. M. Chnodosh	P.O. Box 977 Pebble Beach, CA 93953
Mrs. M. Hartwell	3310 Ondulado Rd. Pebble Beach, CA 93953
Mr. & Mrs. L. Arnese	P.O. Box 151 Pebble Beach, CA 93953
Russ Donald *	P.O. Box 1789 Pebble Beach, CA 93953

\*Individuals spoke at County Public Hearings

# "PUBLIC CONTROVERSY" ATTACHMENT EXAMPLES\*

## A PETITION EXAMPLE

→ 2 OF 700 SIGNATURES INCLUDED  
WITH APPEAL

### PETITION

PROHIBIT LARGE COMMERCIAL EXPANSION  
OF  
CASA PALMERO  
AND  
CONSTRUCTION OF 340 SPACE TRI-LEVEL UNDERGROUND  
PARKING STRUCTURE  
IN  
RESIDENTIAL AREA OF DEL MONTE FOREST

January, 1997

To: Monterey County Planning Commissioners  
Monterey County Supervisors

Petition to deny Pebble Beach Company's Application (Project File No. 96024) to expand the home, known as CASA PALMERO, and construct:

- a 24 Unit Inn Retreat,
- a 24 Treatment Room Two Story Spa, and
- a 340 space Tri-Level Underground Parking Structure at 1518 Cypress Drive at Palmero Way, Pebble Beach, CA 93953.

The property owners and individuals listed below are opposed to the expansion of commercial development and operations in the Del Monte Forest/Pebble Beach, including the currently proposed construction of a commercial Inn Retreat, a two story Spa and a tri-level underground parking structure in the area of the Casa Palmero home and the established residential neighborhood in Pebble Beach.

In order to preserve one of the prime residential areas of Pebble Beach, it is respectfully requested that the Application (File No. 96024) for the above listed construction be denied and the associated Negative Declaration be rejected.

*[Signature]*  
Signature

*[Signature]* *[Signature]* *[Signature]*  
First your name Address

125-4208

*[Signature]*  
Signature

*[Signature]* *[Signature]* *[Signature]*  
First your name Address

37 Pigeon Pt., Carmel Valley

*[Signature]* *[Signature]* *[Signature]*  
First your name Address

*[Signature]* *[Signature]* *[Signature]*  
First your name Address

*[Signature]* *[Signature]* *[Signature]*  
First your name Address

*[Signature]* *[Signature]* *[Signature]*  
First your name Address

*[Signature]* *[Signature]* *[Signature]*  
First your name Address

## B LETTER TO BOARD EXAMPLE

→ 1 OF 16 SUCH LETTERS INCLUDED  
WITH APPEAL

Ted R. Hunter  
P.O. Box 1189  
Pebble Beach, CA 93953  
Phone 621-3734

February 27, 1997

Monterey County Supervisors:  
Simon Salinas 1<sup>st</sup> District  
Judy Penneycook 2<sup>nd</sup> District

Tom Perkins 3<sup>rd</sup> District  
Edith Johnson 4<sup>th</sup> District

Dave Potter 5<sup>th</sup> District

Subject: Casa Palmero - County Planning Commission Public Hearing on Jan. 29, 1997 -  
Traffic/Parking - Impact on Residential Area of Pebble Beach

Dear Supervisors,

My January 16, 1997 letter to the County Planning Commissioners is attached for your review.

As you know, the Commission's Resolution 97009 approved the applicant's application PC96024 for a very large commercial expansion of a single family home and adjoining property, known as Casa Palmero.

An appeal was filed February 24, 1997. A large number of concerned residents in Pebble Beach object to the proposed massive construction of a new 24 unit Inn/Retreat, a 2 story 24 treatment room Spa and a tri-level (2 levels underground) 315 space parking structure in a prime residential area of Pebble Beach.

The County's Negative Declaration filed October 17, 1996 for this project and the Commission's Resolution 97009 do not properly address the significant impact this proposed project will have on traffic, noise, overall environment and quality of life for residents in the neighborhood of the project and in Del Monte Forest.

Finding #17 of the Resolution is wrong. The massive commercial expansion will very definitely be detrimental to the "peace, comfort and general welfare of persons residing in the neighborhood." Further review of this application with 2 separate comprehensive traffic studies and all encompassing Environmental Impact Reports are required. The parking for employees, tenants, visitors and special events requires and EIR with alternate plans. The new Inn/Retreat and Spa, as proposed, also need further consideration with an EIR.

It is respectfully requested that application PC96024, as proposed, be denied.

Sincerely

*[Signature]*  
Ted R. Hunter

attaches

## C LETTER TO HERALD EXAMPLE

→ 1 OF 15 SUCH LETTERS  
INCLUDED WITH APPEAL

### Casa Palmero

As homeowners in both Carmel and in the immediate vicinity of the Casa Palmero Inn, spa and three-story garage project at Pebble Beach, our family is very disturbed by the Pebble Beach Co.'s aggressive development plans.

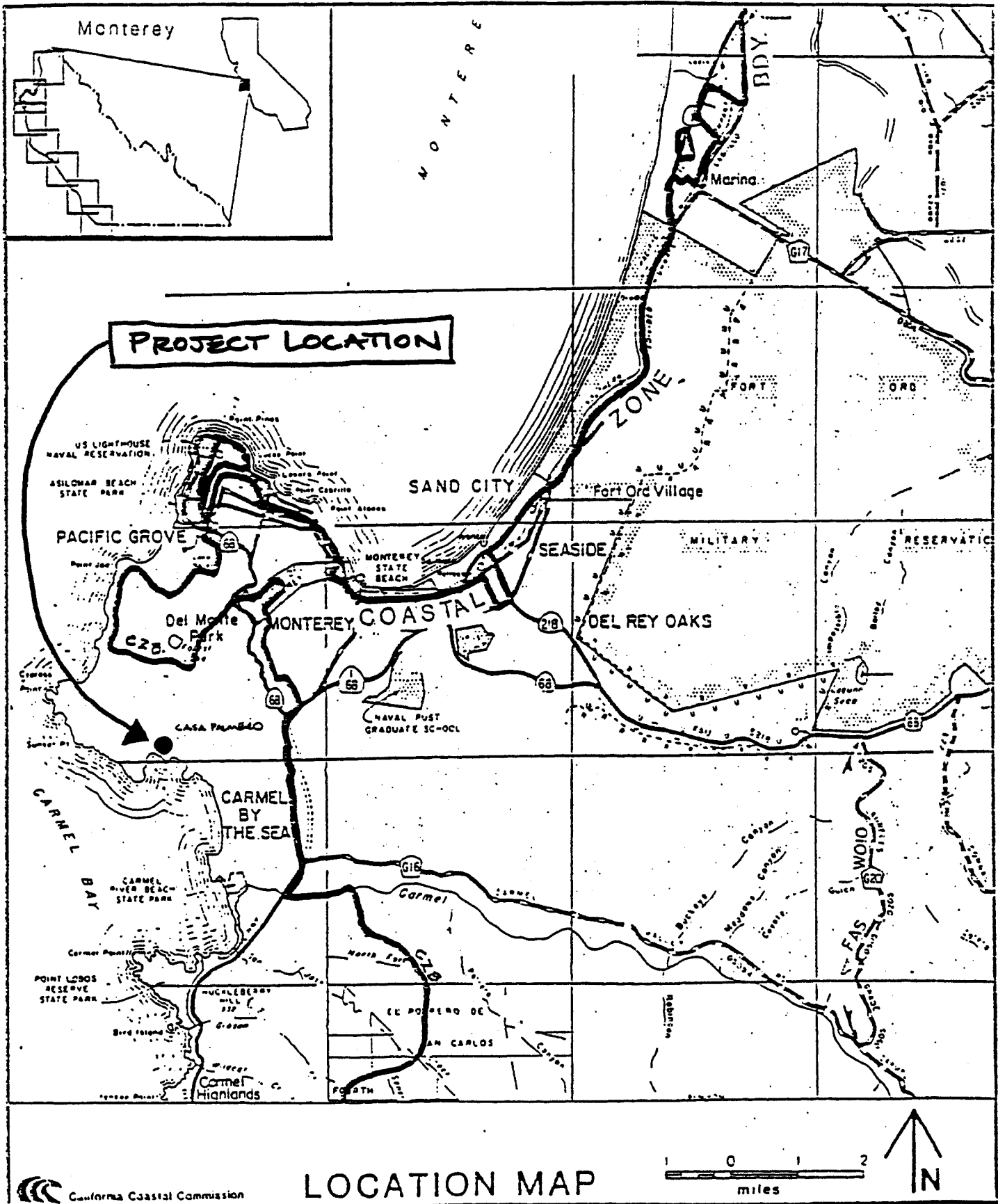
We spoke with company representatives over the past two years, receiving their assurances that the old hacienda would be used for special small-group events or sold as a single-family dwelling. When plans were later announced for a small, quaint inn and spa addition, we were assured that it would be consistent with the harmony of the area. It was not until this past October when the talk for a three-story, partial underground parking garage surfaced along with the designs for a 24-room inn and 24-room spa, that the true dimensions and scope of this project came to light.

Despite what the company claims was good communications with homeowners, we strongly disagree. We are convinced that, like ourselves, our Board of Supervisors are not as well informed as to the complexity of this enormous design as they deserve to be.

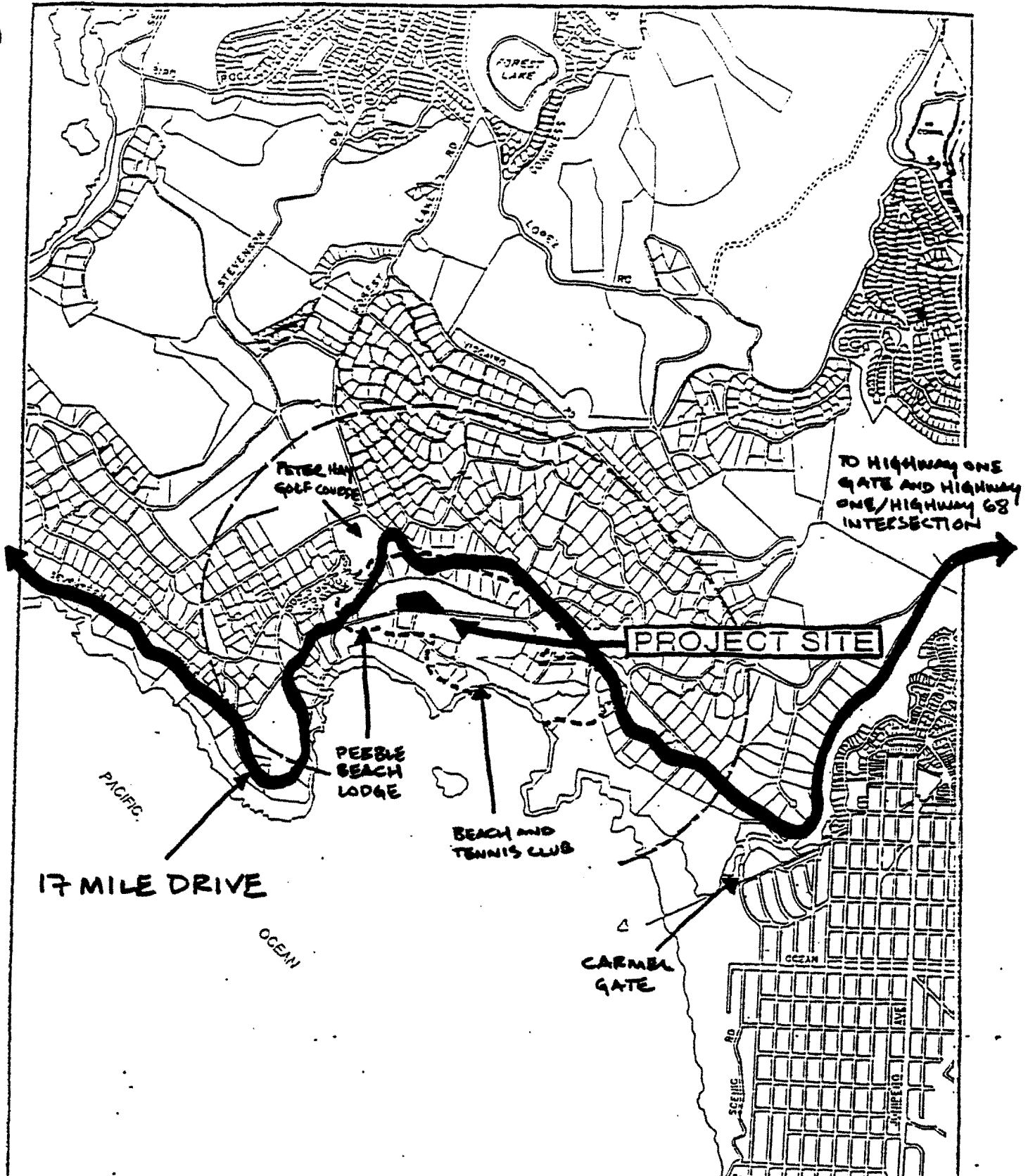
We believe our supervisors are as anxious to protect and oversee the integrity of Pebble Beach and the Del Monte Forest area as we locals are, and we appeal to them to please dig deeper into the company's massive plans to overcommercialize this area. This pristine region is one of Monterey County's finest jewels and deserves special attention to protect the qualities that truly make it one of the world's greatest treasures.

Denise Gaul,  
Pebble Beach

\* ALL ATTACHMENTS ARE AVAILABLE FOR REVIEW IN THE  
COMMISSION'S CENTRAL COAST AREA OFFICE.







APPLICANT: CASA PALMERO

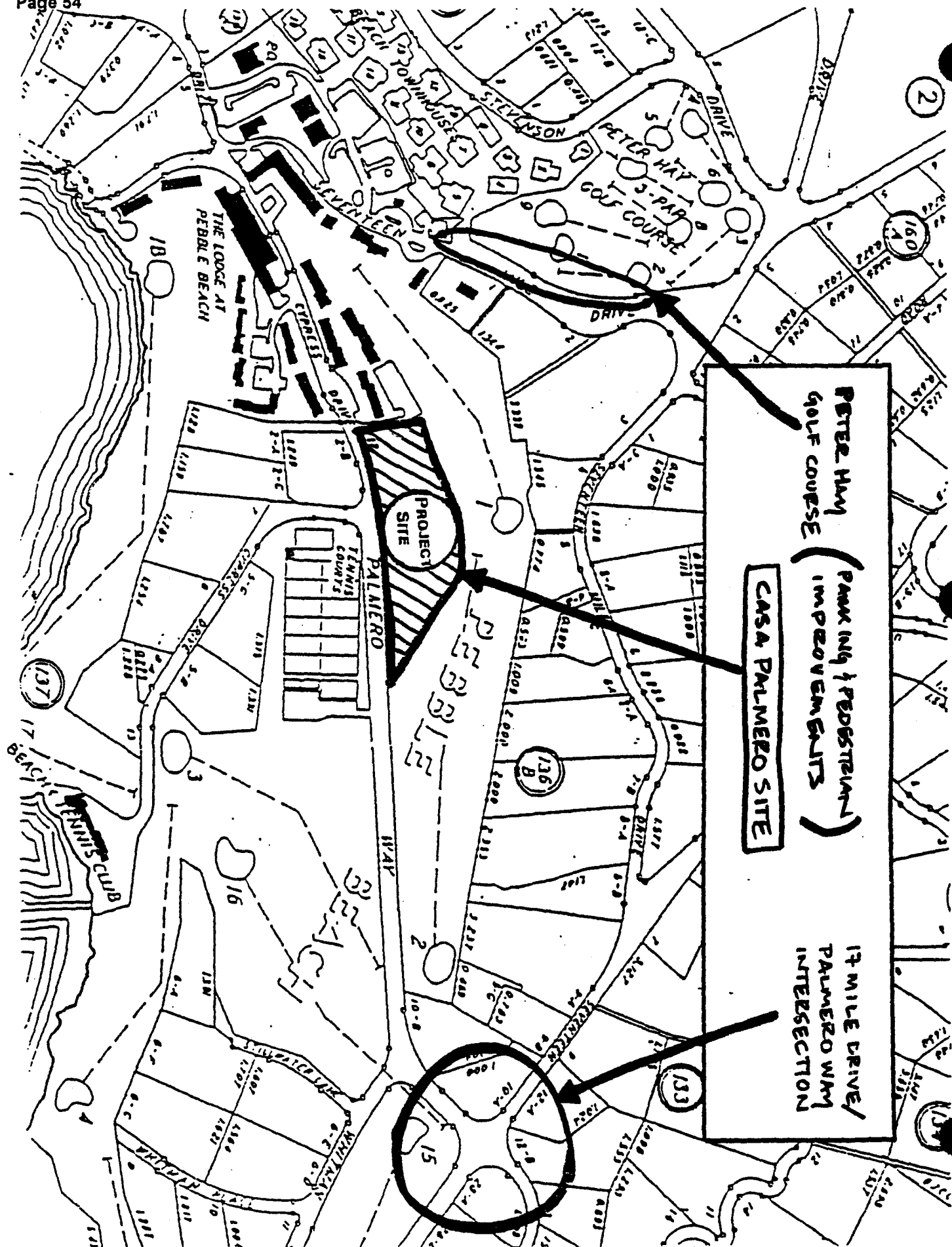
APN: 008-423-025-000M

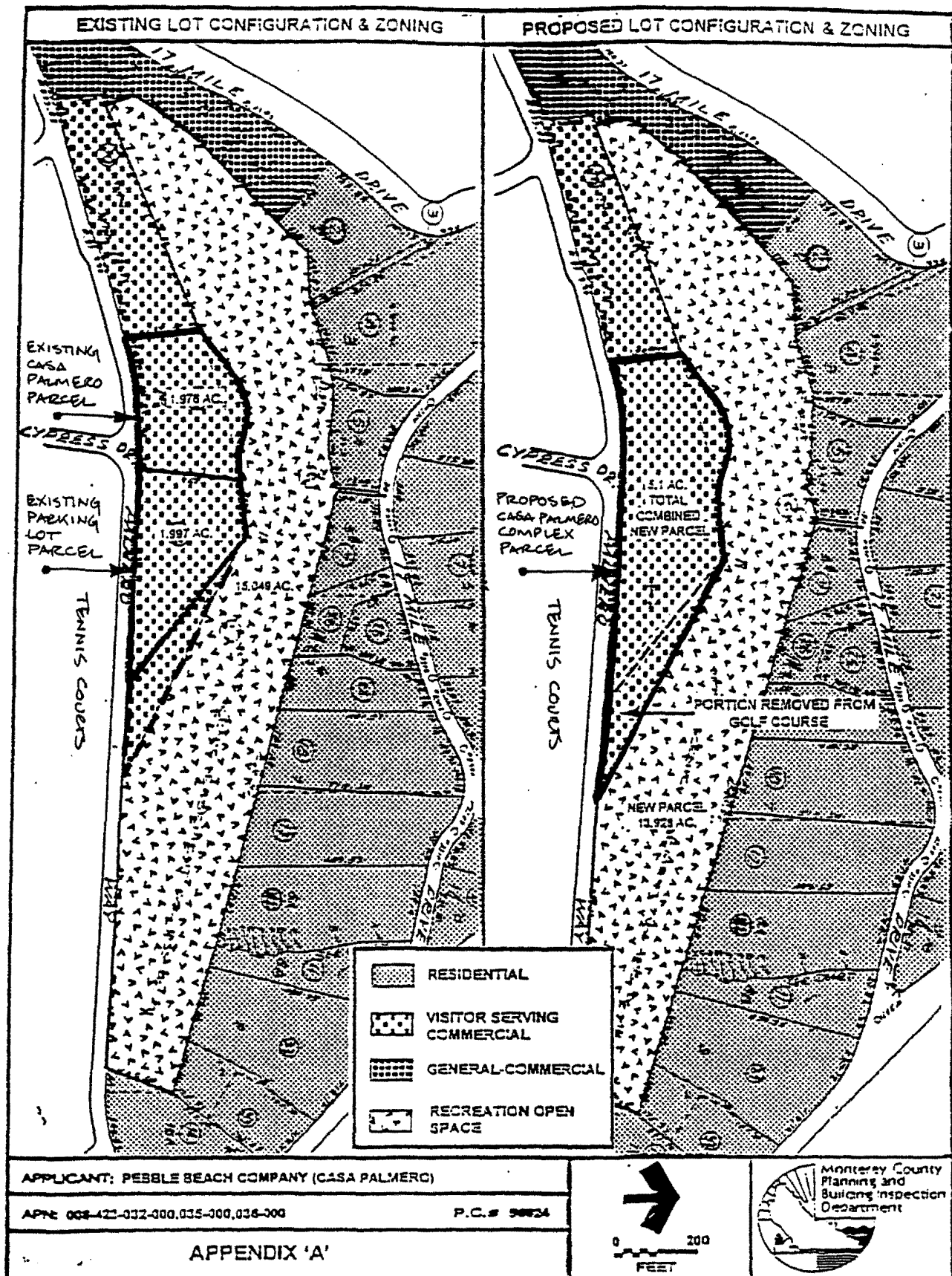
P.C.# S6024

300' LIMIT -----

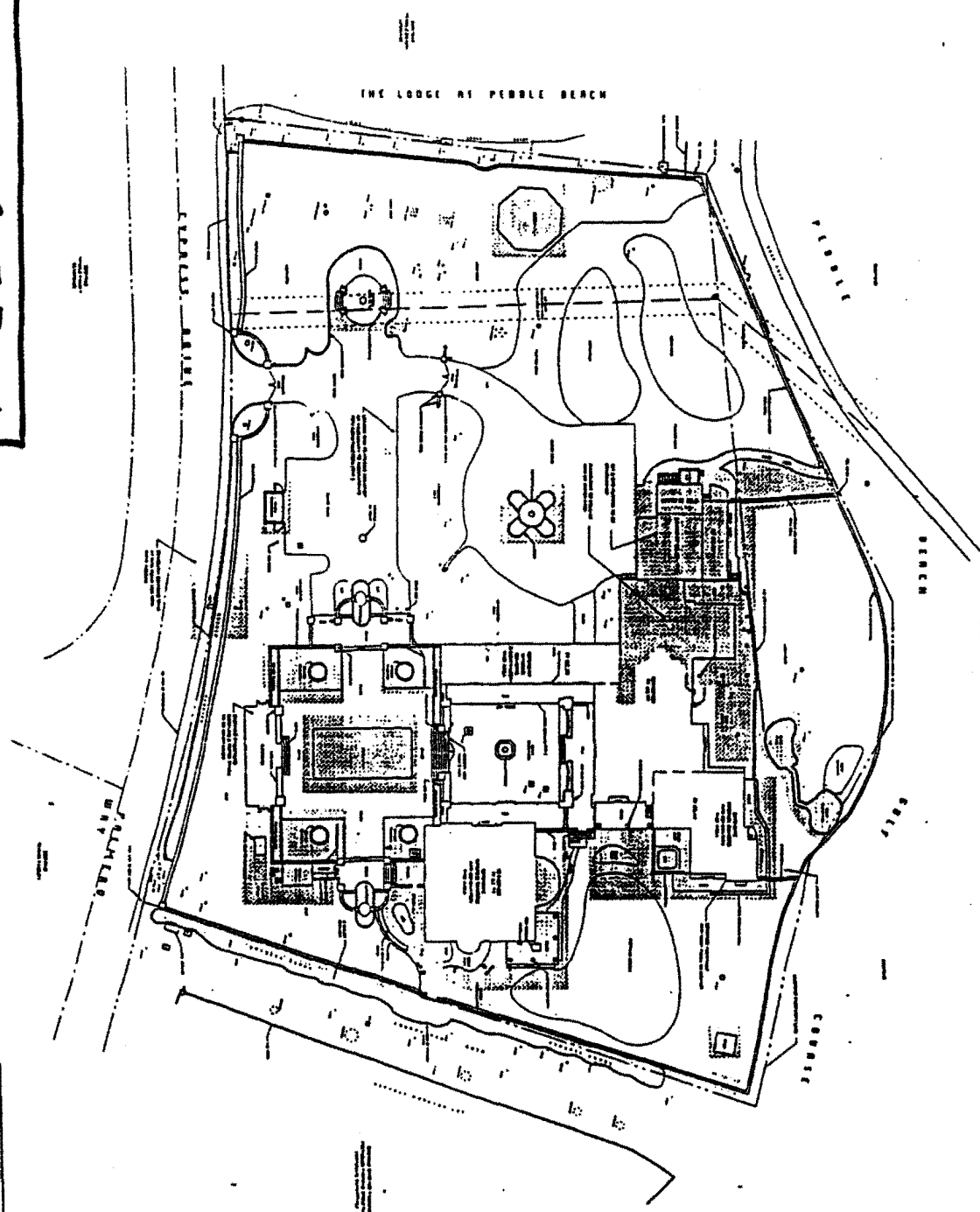
2,500' LIMIT -----







## EXISTING SITE PLAN



### PLAN NOTES:

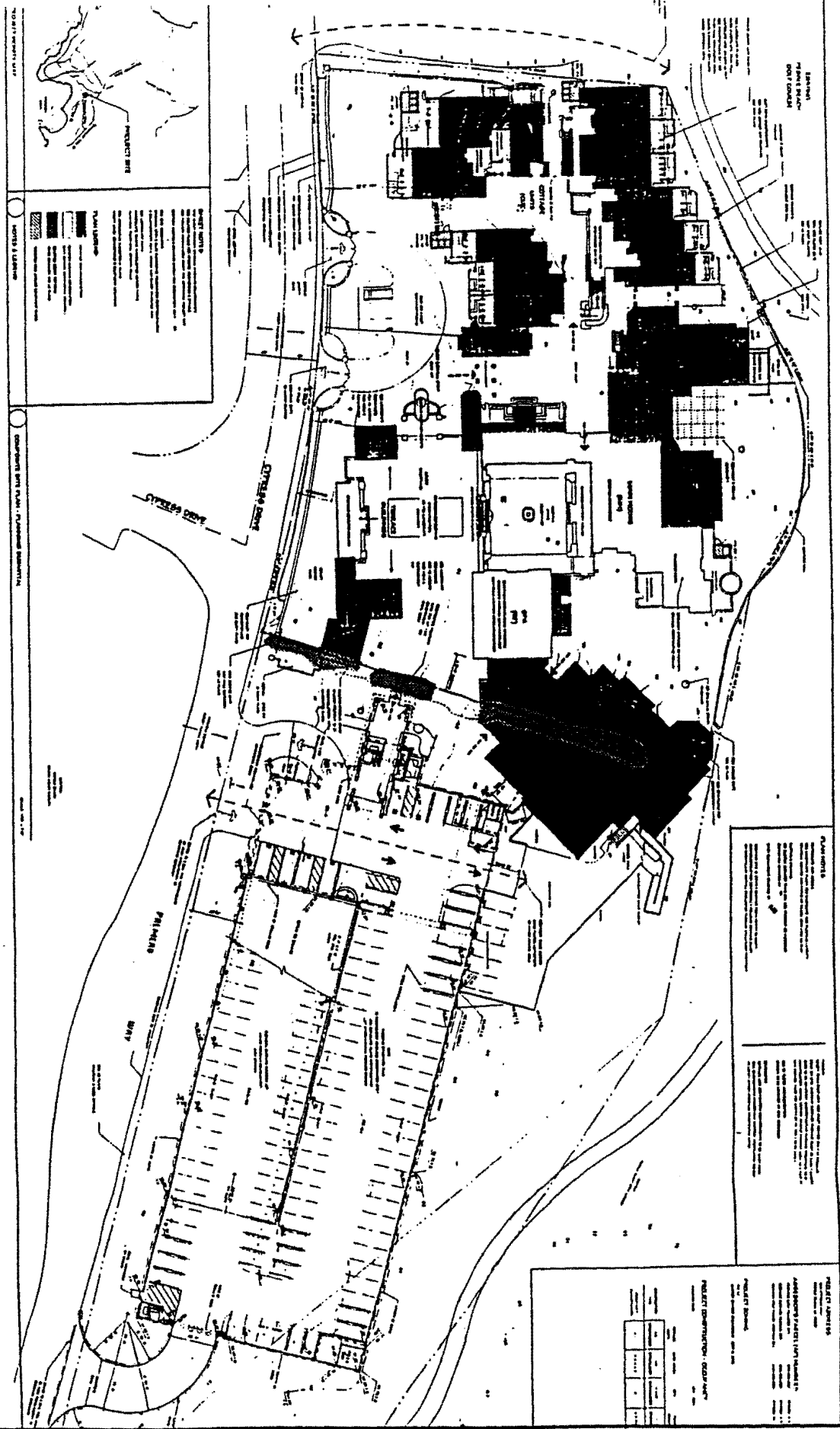
THE UNIVERSITY OF CHICAGO PRESS

What we did

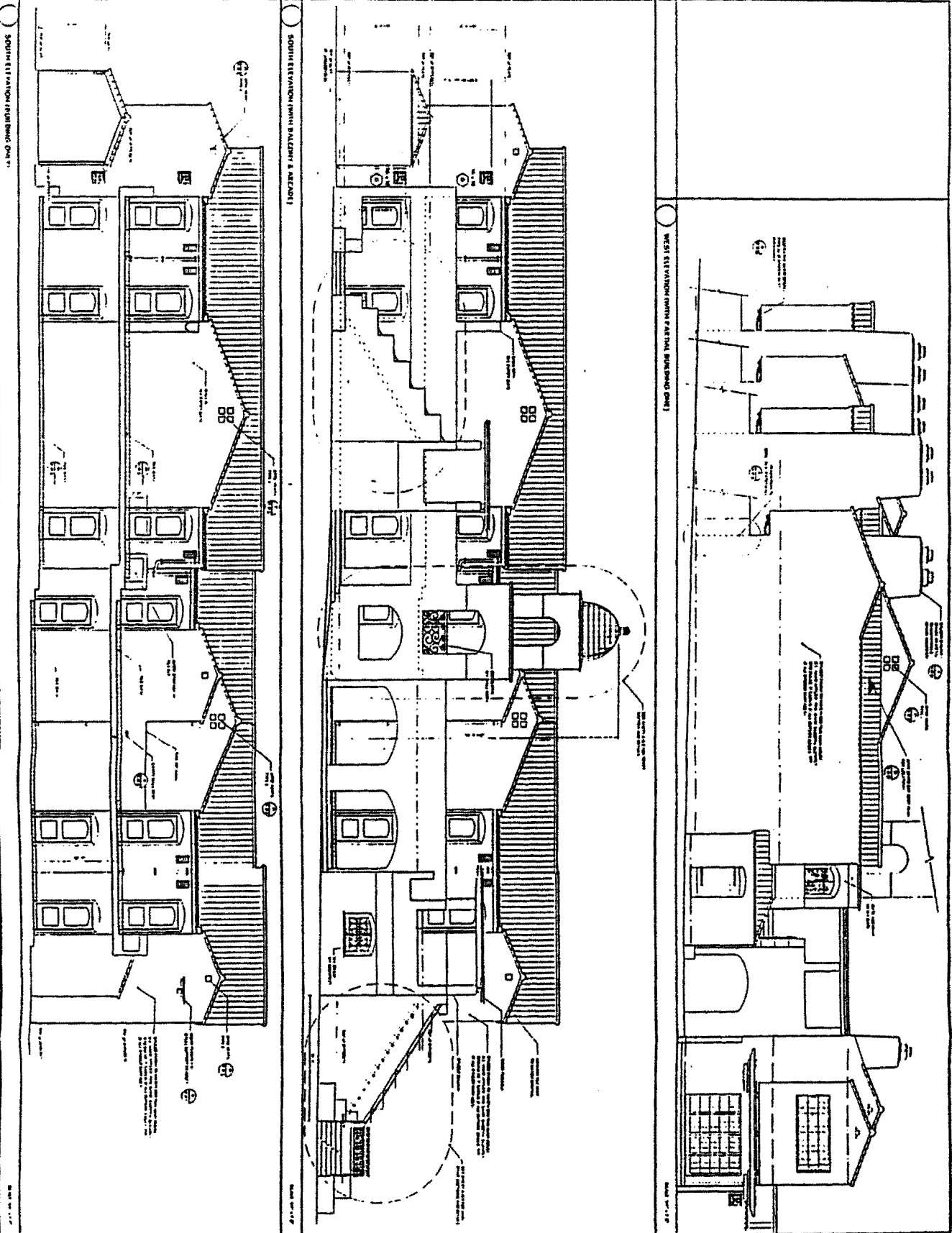
**Casa Palmero**  
Pebble Beach Company  
Pebble Beach, California

**PICACARD**

**PROPOSED SITE PLAN**



**PROPOSED INN & SPA ELEVATIONS (TRP)**





## PROPOSED PARKING LOT ELEVATIONS



Department, and Water Resources Agency. The project has also been reviewed by the Pebble Beach Community Services District. There has been no indication from these agencies that the site is not suitable for the proposed development. See also the Negative Declaration, plans, and materials submitted for the proposed development and contained in File No. PC96024.

20. **FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of Title 20 and any zoning violation abatement costs have been paid.  
**EVIDENCE:** No violations for the subject property have been filed. See also plans and materials in File No. PC96024.
21. **FINDING:** The project is in conformity with public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code). The project will not adversely effect any historic access and/or public trust interest or right.  
**EVIDENCE:** See the plans and materials in File NO. PC96024. Also, the public access provisions of the Del Monte Forest Area Land Use Plan have already been fully implemented.

#### CONDITIONS OF APPROVAL

1. This permit allows a Combined Development Permit consisting of a Coastal Development Permit for the partial demolition, reconstruction, and addition to an existing single family dwelling to create a 24 unit inn, 24 treatment room spa, and a 315 space three level parking structure with two levels below grade; a Coastal Development Permit to allow a reduction in parking standards; General Development Plan for a commercial development in a "VSC(CZ)" Zone; Major Lot Line Adjustment; and Design Approval. The Combined Development Permit is allowed in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection)
2. Food preparation shall not occur on site except for the assembly of food that has been prepared off site and shall be limited to the use of a pantry kitchen for: banquets, cocktail parties, continental breakfasts, board meetings, and similar events that do not require food preparation as defined by the California Uniform Food Facilities Law (CUFFL). (Environmental Health)
3. That all exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. That the applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection)



4. That new utility and distribution lines shall be placed underground. (Planning and Building Inspection: Public Works)
5. Prior to the issuance of a building permit, the applicant shall obtain from the Monterey County Water Resources Agency (MCWRA), proof of water availability on the property, in the form of a water availability certificate; and then shall present to the MCWRA a copy of the water use permit from the Monterey Peninsula Water Management District. (Water Resources Agency)
6. The applicant shall comply with Ordinance No. 3539 of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations, as administered by a Monterey County plan check engineer, during building permit review. The regulations for new construction require, but are not limited to:
  - a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.5 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
  - b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency; Planning and Building Inspection)
7. If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (Planning and Building Inspection)
8. That prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A geological report has been prepared for this parcel by Foxx, Nielsen and Associates, dated March 22, 1996, and is on record in the Monterey County Planning Department Library No. PC96024. All development shall be in accordance with this report." (Planning and Building Inspection)
9. That prior to issuance of building or grading permits a notice shall be recorded with the Monterey County Recorder which states: "A geotechnical report has been prepared for this parcel by Sampson Engineering Co., dated March 8, 1996, and is on record in the Monterey County Planning Department Library No. PC96024. All development shall be in accordance with this report." (Planning and Building Inspection)
10. Prior to issuance of grading permits, the applicant shall provide the Director of Planning and Building inspection proof that a qualified geotechnical engineer has been retained to:
  1. Review grading and foundation plans during project design for compliance with recommendation contained within the geotechnical report.
  2. Review contractor shoring and de-watering plans a minimum of three weeks prior

- to construction.
3. Observe, test and advise contractor during site preparation, grading and compaction.
4. Observe de-watering of excavations.
5. Observe shoring placement, including drilling of pier holes for soldier piles, wood lagging placement and tieback anchor or soil nail installation.
6. Observe foundation excavations and slab preparation.
7. Observe, test and advise during backfilling and compaction of on-site utility trenches and retaining walls.
8. Observe, test and advise during pavement construction.  
(Planning and Building Inspection - Mitigation 5.1.a)
11. Prior to final inspection of building permits, the geotechnical consultant shall provide certification that all development has been in accordance with the geotechnical report prepared by Sampson Engineering Inc., dated March 8, 1996. (Planning and Building Inspection - Mitigation 5.1.b)
12. That prior to issuance of building or grading permits a notice shall be recorded with the Monterey County Recorder which states: "A drainage and erosion control plan has been prepared for this parcel by Mark Thomas and Co., dated August 20, 1996, and is on record in the Monterey County Planning Department Library No. PC96024. All development shall be in accordance with this report." (Planning and Building Inspection)
13. The final grading plans shall include measures contained in the erosion control plan prepared by Mark Thomas & Co., as approved by the Monterey County grading engineer and the Monterey County Water Resources Agency. Any changes to that plan shall be approved by staff of both agencies. Measures shall be in place prior to issuance of grading permits. (Water Resources Agency/Planning and Building Inspection - Mitigation 5.5)
14. A note shall be placed on the grading plans for both the excavation and stockpiling component of the project which include the following particulate emission reduction measures:
  - a. Exposed earth surfaces shall be watered during clearing, excavation, grading, and construction activities. Watering shall be done in late morning and at the end of each day. The frequency of watering shall increase if wind speeds exceed 15 miles per hour.
  - b. Grading activities shall be prohibited during periods of high winds (i.e. greater than 30 miles per hour).
  - c. Throughout excavation activities, material placed in haul trucks shall be watered, and tarpaulins or other effective covers shall be used at all times. Haul trucks shall maintain at least two feet of freeboard.
  - d. All construction equipment related to hauling activities shall be limited to a speed limit of 15 miles per hour.
  - e. Roads adjacent to the excavation and stockpiling sites shall be swept, as needed, to remove accumulated silt. (Planning and Building Inspection - Mitigation 6.1)
15. Certification that the stormwater drainage improvements have been constructed in accordance with the drainage plans prepared by Mark Thomas and Company, dated July 15, 1996, shall be provided to the Planning and Building Inspection Department by a registered civil engineer or licensed contractor who constructed the facility shall be

- provided prior to final inspection of the building permits. (Planning and Building Inspection - Mitigation 7.2)
16. That prior to issuance of building or grading permits a notice shall be recorded with the Monterey County Recorder which states: "Two forest management plans have been prepared for this parcel by Hugh Smith, dated April 12, 1996, and October 4, 1996, and are on record in the Monterey County Planning Department Library No. PC96024. All development shall be in accordance with this report." (Planning and Building Inspection)
  17. The site shall be landscaped. At least three weeks prior to occupancy, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. The landscaping plan shall be in sufficient detail to identify the location, specie, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Landscape plans prepared for the project shall incorporate tree replacement recommendations (type, number, and location), contained in the Forest Management Plan prepared by Hugh Smith dated April 12, 1996. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. Tree replacement shall occur prior to final inspection of the facility. (Planning and Building Inspection - Mitigation 8.1.a)
  18. The trees located close to the construction site shall be protected from inadvertent damage from construction equipment by wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone of the retained trees. Said protection shall occur in accordance with recommendations contained in correspondence from Hugh Smith to the Pebble Beach Company, dated October 4, 1995, and shall be installed prior to issuance of grading permits for the facility. Written verification that the protection has been installed shall be provided by a forester from the County's list of approved foresters. (Planning and Building Inspection - Mitigation 8.1.b)
  19. Prior to issuance of a grading permit for the stockpiling portion of the project, a construction fence shall be erected which restricts access to the dune remnant sand dunes. The fence location and alignment shall be approved by a biologist from the County's list of biologists. The applicant shall provide written confirmation from the biologist that the construction fence has been erected in a manner sufficient to protect the remnant sand dunes on site. (Planning and Building Inspection - Mitigation 8.2.a)
  20. Prior to issuance of a grading permit for the stockpiling portion of the project an erosion control plan shall be prepared which prevents the stockpiled soils from eroding into the remnant sand dunes. The erosion control plan shall incorporate "best management practices," and shall be approved by Monterey County grading engineer, as well as staff from the Monterey County Water Resources Agency. (Water Resources Agency/Planning and Building Inspection - Mitigation 8.2.b)
  21. Prior to occupying the parking facility, improve the intersection of 17 Mile Drive and Palmero Way by installing a left turn lane at Palmero Way. If delay is excessive on Palmero Way at the time of project occupancy, then two approach lanes shall be installed on Palmero Way. Excessive delay to be defined as more than four vehicle hours of delay, as determined by Public Works. Special events are to be excluded. Submit appropriate engineered improvement plans to Public Works for approval based on a 35 m.p.h. design. Also submit it to the Del Monte Forest Property Owners' Association and

their Traffic Committee for review. (Public Works)

22. A shuttle service between the temporary parking on Portola Road and the Lodge area shall be in place during construction of the facility. All Lodge area employees shall use the temporary parking and shuttle service during construction of the facility. (Planning and Building Inspection - Mitigation 15.2)
23. Prior to issuance of building or grading permits, the applicant shall prepare a traffic management plan detailing truck routing patterns and temporary traffic control procedures, including left turn movements from Palmero Way to 17 Mile Drive. The traffic management plan shall be subject to approval of the Public Works and Planning and Building Inspection Departments. (Public Works/Planning and Building Inspection - Mitigation 15.3)
24. Prior to issuance of building or grading permits, the applicant shall prepare a pedestrian improvement and parking plan for 17 Mile Drive adjacent to Peter Hay Golf Course. The plan shall include provisions to define angle parking spaces to improve accessibility. The plan shall be approved by the Public Works and Planning and Building Inspection Departments. (Public Works/Planning and Building Inspection - Mitigation 15.6.a)
25. Prior to final inspection of building permits for the facility, all parking and pedestrian amenity improvements included in the parking and pedestrian plan for 17 Mile Drive adjacent to Peter Hay Golf Course shall be constructed. (Public Works/Planning and Building Inspection - Mitigation 15.6.b)
26. Prior to issuance of building or grading permits, the applicant shall provide the County with a fair share contribution toward the upgrade of the Highway 1/Highway 68 interchange. The fair share contribution shall be calculated by the Public Works Department and based on additional peak hour trips generated by the development. (Public Works - Mitigation 22.1)
27. The project shall comply with the Noise Element of the Monterey County General Plan and Chapter 10.60 (Noise Control) of the Monterey County Code, and the acoustical analysis report prepared by Brown-Buntin Associates, dated August 26, 1996. (Environmental Health)
28. A follow-up noise analysis shall be conducted for the mechanical ventilation system on the parking structure. The noise analysis shall utilize a noise level performance standard of 45 dBA from the closest residential receivers to the mechanical ventilation system, in accordance with the acoustical analysis prepared for the project by Brown-Buntin Associates dated August 26, 1996. Results of the noise analysis shall be provided to the departments of Environmental Health and Planning and Building Inspection prior to final inspection of the parking structure. If results of the noise analysis conclude that the system does not meet the 45 dBA standard, then additional noise mitigating measures (i.e. acoustical louvers or ductwork lining) shall be incorporated into the final design. (Environmental Health/Planning and Building Inspection - Mitigation 18.1)
29. Hours of operation or movement of heavy construction equipment shall be limited to between 8:00 a.m. and 6:00 p.m. Monday through Saturday. Such operations shall not occur on Sundays or holidays. (Planning and Building Inspection - Mitigation 18.2.a.1)
30. All equipment that will operate for extended periods of time within the project site shall be equipped with residential type mufflers. Excessively noisy equipment (due to design

or state of repair) shall not be allowed on-site. A note shall be placed on the building and grading plans outlining this requirement. (Planning and Building Inspection - Mitigation 18.2.a.2)

31. During excavation of the parking structure, temporary berms from stockpiled soil shall be created to the maximum extent feasible to reduce noise-sensitive uses. Construction equipment shall work on the backside of the berms while excavating additional materials and loading trucks. Other temporary noise barriers between noise sources and receivers shall be constructed in accordance with the acoustical analysis prepared for the project by Brown-Buntin Associates dated August 26, 1996. A construction management plan shall be prepared, submitted and approved by the Director(s) of Environmental Health and Planning and Building Inspection, prior to issuance of building permits for the parking structure, showing berm location and equipment staging areas. (Environmental Health/Planning and Building Inspection - Mitigation 18.2.a.3)
32. The truck haul operation to remove earth excavated for the parking structure shall be restricted to the hours of between 8:00 a.m. and 6:00 p.m. Monday through Saturday, with no operations on Sundays or holidays. Truck haul speed shall be restricted to a maximum of 15 miles per hour to minimize tire and engine noise, as well as the impact sounds created when trucks pass over rough sections of roadway. (Planning and Building Inspection - Mitigation 18.2.b.2)
33. Applicant shall enter into an agreement with the County to implement a Mitigation Monitoring Plan. The Plan shall include, at a minimum, the following elements:
  - a. A listing of every mitigation measure approved by the decision-making body which certifies the subject environmental document;
  - b. An identification of the date or other appropriate time period expected for implementation of each mitigation measure;
  - c. If the date of the implementation of mitigation measure is uncertain, an estimate shall be provided;
  - d. If a mitigation measure requires continuous or frequent (e.g. daily) monitoring, the frequency and duration of required monitoring shall be specified;
  - e. If unclear on the faces of each measure, the standard for determining successful implementation of each measure shall be clearly identified;
  - f. Individuals of organizations responsible for monitoring and/or reporting shall be clearly identified;
  - g. The responsibilities under the plan for the applicant, County staff, and if necessary, consultants shall be identified; and
  - h. Relevant reporting procedures and forms shall be included;
  - i. Applicant agreement to pay consultant and staff to monitor long term measures beyond the final project inspection by the Planning and Building Inspection Department. (Planning and Building Inspection)
34. Obtain a survey of the new lot line(s) and have the line(s) monumented. (Public Works)
35. File a Record of Survey of the new lot line(s) and have the line(s) monumented. (Public Works)
36. Pursuant to the State Public Resources Code and the State Fish and Game Code, the applicant shall pay a fee to be collected by the County of Monterey in the amount of \$1,275. This fee shall be paid prior to filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning and Building

Inspection prior to commencement of use or the issuance of building and/or grading permits. The project shall not be operative, vested, or final until the filing fees are paid. (Planning and Building Inspection)

37. The applicant shall apply for an NPDES permit from the State Regional Water Quality Control Board, to contain the requirement of a storm water pollution control plan, if applicable. (Water Resources Agency)
38. Prior to issuance of building or grading permits, the applicant shall record a deed restriction which states: "A General Development Plan has been prepared for this development in accordance with County Ordinances. No new development, change or expansion of use, or physical improvements may be approved unless such development, use or expansion is found to be in conformance with the approved General Development Plan, or amendments thereto." (Planning and Building Inspection)
39. Prior to commencement of grading for the parking structure, the grading contractor shall be notified of the required disposal route as delineated in Figure 2 of the acoustical analysis prepared for the project by Brown-Buntin Associates dated August 26, 1996. A note shall be placed on the grading plans describing the required disposal route. (Planning and Building Inspection - Mit. 18.2.b.1)
40. Prior to final inspection of the parking structure, the applicant shall provide signage which designates at least two-thirds (2/3) of the parking spaces for use by lodge complex or Casa Palmero employees. As an exception, these spaces may be used by the Pebble Beach Company for special event parking once a quarter for no more than five (5) days. Prior to issuance of building or grading permits for the parking structure, the applicant shall record a deed restriction, enforceable by the County and approved as to form by County Counsel, stating the above parking requirements. (Planning and Building Inspection)
41. Prior to issuance of building or grading permits for the inn and spa, the applicant shall record a deed restriction, enforceable by the County and approved as to form by County Counsel, which states, "No special events shall take place at the Casa Palmero inn or spa." (Planning and Building Inspection)
42. The property owner agrees as a condition of the approval of this permit to defend at his sole expense any action brought against the County because of the approval of this permit. The property owner will reimburse the County for any court costs and attorneys' fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of any such action; but such participation shall not relieve applicant of his obligations under this condition. Said indemnification agreement shall be recorded upon demand of County Counsel or prior to the issuance of building permits or use of the property, whichever occurs first. (Planning and Building Inspection)
43. The applicant shall record a notice which states: "A permit (Resolution No. 97009) was approved by the Board of Supervisors for Assessor's Parcel Number(s) 008-423-035-000, 008-423-032-000, 008-423-036-000 and 008-401-020-000 on January 29, 1997. The permit was granted subject to 43 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection)

PASSED AND ADOPTED on this 15th day of April, 1997, upon motion of  
Supervisor Johnsen, seconded by Supervisor  
Perkins by the following vote, to-wit:

AYES: Supervisors Salinas, Pennycook, Perkins and Johnsen.  
NOES: Supervisor Potter.  
ABSENT: None.

A COPY OF THIS DECISION MAILED TO THE APPLICANT AND APPELLANT ON  
May 2, 1997

*This is notice to you that the time within which judicial review of this decision must be  
sought is governed by Code of Civil Procedure Section 1094.6.*

I, ERNEST K. MORISHITA, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the  
foregoing is a true copy of an original order of said Board Supervisors duly made and entered in the minutes thereof at page     of Minute  
Book 69 on April 15, 1997

Dated: April 15, 1997

ERNEST K. MORISHITA, Clerk of the Board of Supervisors, County of  
Monterey, State of California.

By

Deputy

CasaPalmero.Res/Eric BdReports

May 27, 1997

To : California Coastal Commission  
Re : Permit No. A-3-MCO-97-037

I am writing in opposition to this project and in support of this appeal.

This project is a gross encroachment into a private residential area. It is a total departure from the Pebble Beach Company's treatment of private homes it has acquired in the past. It will create a massive commercial enterprise in the heart of a private community with all the attendant traffic and disruption characteristic of such a project.

The Company has declared its intent to supplement the water deficiency inherent in this project with water freed up from the CAWD/PBCSD reclamation program. However, this program has failed to produce the expected savings in potable water to date. To increase demand in the face of the SWRCB's ultimatum to this community is unacceptable.

In the face of utter irresponsibility on the part of the county supervisors to address these issues, this Commission must hold the line.

I urge you to deny this application and to rule in favor of the appellants.

*Janice O'Brien*  
Janice O'Brien  
Box 1037  
Pebble Beach, Ca. 93953  
408 625-1386

RECEIVED  
MAY 29 1997

CALIFORNIA  
COASTAL COMMISSION



Pebble Beach Company

Real Estate Division

June 12, 1997

Mr. Dan Carl  
California Coastal Commission  
725 Front Street  
Santa Cruz, CA. 95060

Re: Casa Palmero Appeal

Dear Dan:

Pursuant to our telephone conversation earlier today, I am forwarding to you by fax and mail two memos dated June 12, 1997 produced by Rob Rees of Fehr & Peers, Inc., the transportation consultants used by Pebble Beach Company on this and other projects.

If you have any questions on this material, or any other aspect of our planned project, please feel free to call me. You are also welcome to contact Rob Rees directly for further information on transportation and parking issues.

Sincerely, -

PEBBLE BEACH COMPANY



Edward Y. Brown  
Vice President, Planning

cc: John Bridges  
Cheryl Burrell  
Tom Jamison  
Rob Rees  
Mark Stilwell

Encl.

**RECEIVED**

JUN 16 1997

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

TOTAL P.01  
P.001

FEHR & PEERS

JUN-12-1997 13:54



**Fehr & Peers Associates, Inc.**  
Transportation Consultants

3685 Mt Diablo Blvd  
Suite 301  
Lafayette, CA 94549  
510 284-3200  
FAX 510 284-2691

**FAX MEMORANDUM**

**RECEIVED**

JUN 16 1997

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Date: June 12, 1997  
To: Ed Brown  
From: Rob Rees *R.b.*  
Subject: *Casa Palmero Development —  
James Miller Appeal to Coastal Commission*

As requested, I reviewed the "Statement of Reasons for Appeal" submitted by James Miller to the Coastal Commission for consideration. My responses are directed to two specific statements:

Statement 1: "... If a location (golf course) in the immediate vicinity of the Lodge is adopted, (Alternative 2) significant additional adverse traffic impacts will be created on an already over stressed road system. The current proposal cannot but exacerbate that impact..."

An exhaustive analysis of the Alternative 2 concept was undertaken in the draft and final environmental documents both under current traffic and cumulative traffic conditions. One primary conclusion of the analysis was that golf course development in the vicinity of the Equestrian Center would generate less traffic than development proposed under the Lot Program development scenario. The Lot Program would be expected to generate 93 peak hour trips while the Refined Alternative 2 concept would generate about 69 trips. Contrary to Mr. Miller's statement, the environmental documents also conclude that neither the Lot Program nor the Refined Alternative 2 development proposals will have an adverse impact on Lodge Area roads.

Statement 2: "... No traffic plan has been presented which recognizes these cumulative impacts or proposes mitigation measures for such impacts, ..." "

The Lot Program environmental document did take into account the Casa Palmero development proposal in the cumulative traffic analysis (refer to DEIR, Chapter 4.7, page 4.7-89). Mitigation measures to address project and cumulative-related traffic impacts are identified in the draft environmental document.

510 284 2691 P.01/01

FEHR & PEERS

JUN-12-1997 13:56

P.003

FEHR & PEERS

JUN-12-1997 12:33



Ed Brown, John Bridges (James Miller Response)  
June 12, 1997  
Page 2

Likewise, the Casa Palmero development traffic study took into consideration cumulative development including buildout of the Lot Program development proposal. The cumulative analysis was presented to the Monterey County Supervisors in both text and graphical form in a memorandum dated April 15, 1997. Attached is a black-and-white photocopy of the figure and pertinent text. Note that the text discusses a specific improvement to install a left turn lane on 17 Mile Drive for traffic turning onto Palmero Way. This improvement was incorporated into the Monterey County Board of Supervisor approval as Condition #21.

Attachments

S10 284 2691 P.03/11

FEHR & PEERS

JUN-12-1997 12:35

P.004

FEHR & PEERS

JUN-12-1997 12:34



Fehr & Peers Associates, Inc.  
Transportation Consultants

## MILLER RESPONSE ATTACHMENT

Monterey County Board of Supervisors  
April 15, 1997  
Page 6 of 7

### 17 Mile Drive/Palmero Way Intersection Accident History

In 1996 there was one reported accident in the immediate vicinity of the 17 Mile Drive/Palmero Way intersection. The accident occurred during the AT&T Golf Tournament and involved a driver who apparently disregarded AT&T security requests to not back-up. Contrary to security personnel requests, the driver continued to back-up and hit one of the security personnel. In 1995 there was also one reported accident. The accident involved a driver making a left-turn from 17 Mile Drive to Palmero Way toward the Lodge. Two vehicles rear-ended the left turning vehicle as the driver was waiting to make the left-turn maneuver.

These are the only reported accidents in 1995 and 1996. The level and type of reported accidents in 1995 and 1996 do not support viewpoints raised during public testimony that the intersection is a safety hazard and a high accident location.

### 17 Mile Drive/Palmero Way Intersection Improvements

The traffic study determined that the 17 Mile Drive/Palmero Way intersection operates at Level of Service C with or without the Casa Palmero development. This analysis, based on the methodology in the 1994 *Highway Capacity Manual*, led to the study conclusion that no mitigation measure was required. County Staff in their Staff Report over-ruled the Traffic Study conclusion on this point and determined that a left-turn pocket should be required for traffic on 17 Mile Drive turning left onto Palmero Way going toward the Casa Palmero development (Condition #21). Refer to Figure 4 for a complete breakdown of the intersection turning movement traffic.

To address the County recommendation, a supplemental study was conducted to determine if there were any secondary impacts due to the left-turn pocket. Engineering studies prepared by Bestor Engineers concluded that no secondary impacts would occur as a result of the left-turn pocket. A copy of Bestor Engineers' work titled, *17 Mile Drive Left Turn Storage Lane at Palmero Way*, is on file with the County.

### Special Event Conditions

During special events all area roads operate under controlled conditions because of the number of people and activities involved. Normal activities in the area (such as 17 Mile Drive) are often suspended to accommodate the special event. With each Special Event, close coordination with the County Sheriff is maintained to minimize transportation circulation impacts. It is anticipated

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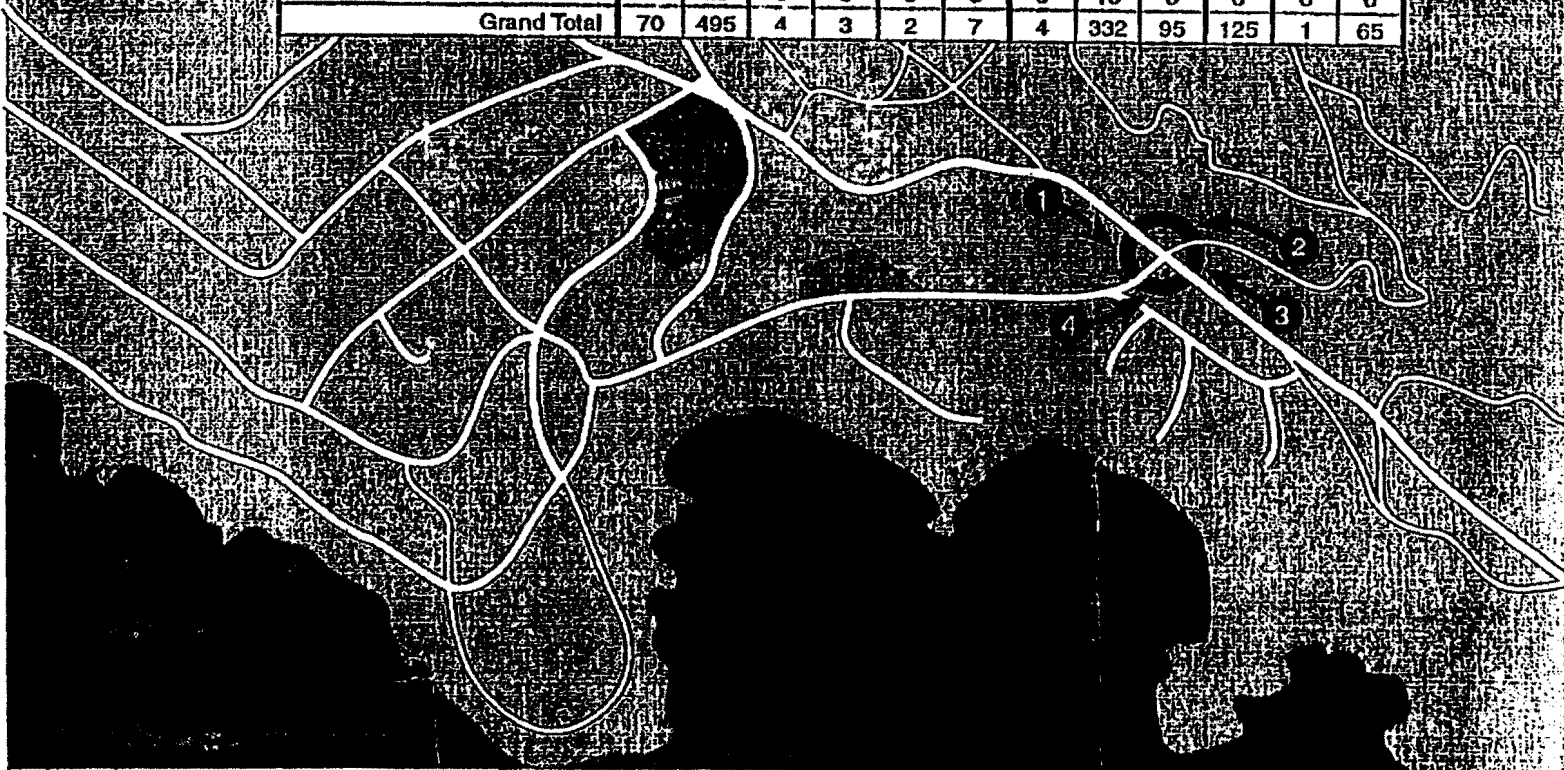
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# MILLER RESPONSE ATTACHMENT

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**Figure 4**  
**17 Mile Drive/Palmero Way Intersection Traffic PM Peak Hour**

	① 17 Mile Drive Southbound			② Palmero Drive Westbound			③ 17 Mile Drive Northbound			④ Palmero Way Eastbound		
	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left
Existing (1995)	60	605	4	3	2	7	4	328	82	84	1	35
Casa Palmero	6	0	0	0	0	0	0	0	7	5	0	6
100 Employee Parking Spaces	4	-36	0	0	0	0	0	-6	6	38	0	24
Other Growth	0	28	0	0	0	0	0	10	0	0	0	0
Grand Total	70	495	4	3	2	7	4	332	95	125	1	65



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**FAX MEMORANDUM**

Date: June 12, 1997  
To: Ed Brown  
From: Rob Rees *R.R.*  
Subject: *Casa Palmero Development –  
Carl Nielson Appeal to Coastal Commission*

I reviewed Carl Nielson's appeal to the Coastal Commission as it relates to traffic issues. My review and responses focused on the text discussion included with the appeal. Some key findings presented in the previous documents and public hearings have been highlighted with italics.

**17 Mile Drive Level of Service**

Mr. Nielson states that portions of 17 Mile Drive are expected to operate at Level of Service D and supports his statement by referencing the draft environmental document (Table 4.7-28). He fails to mention the *second service level* criteria used in the environmental document which calculates the service level to be "C" (refer to Table 4.7-29). The criteria are distinctly different and need both be considered in evaluating traffic conditions on area roads.

The first criteria is based on the ability of a driver to travel along the corridor without being hindered by a slower moving vehicle. The driver would then be expected to travel at a safe and appropriate speed. Speed data collected in the Forest documents typical vehicle speeds of 35 mph, 5 to 10 mph higher than would be expected on narrow curve-a-linear roads with driveways. Even at these speeds, groups of cars form because some drivers travel as fast as 40 or 45 mph while others travel at 25 mph or even less. As traffic levels increase on area roads, the probability that a faster driver will "catch-up-to" a slower driver increases; thereby, the faster driver is hindered by a slower moving vehicle and adversely impacted. In summary, the Level of Service D is that which would be perceived by drivers who travel faster than the appropriate speed on the Forest roads.

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The second evaluation addresses the ability of a homeowner to access a main road from their driveway or local street. These people must wait for an acceptable break in traffic before proceeding. The amount of time required for a driver to evaluate the break in traffic and proceed from the driveway into traffic is fixed. Thus, higher vehicle speeds on the main road translates to fewer acceptable breaks in traffic for the driver at the driveway.

The environmental document for the Lot Program did identify a cumulative impact as stated by Mr. Nielson and an associated mitigation measure to eliminate the impact. The Casa Palmero development was included in that cumulative analysis and the identified mitigation measure, a 72 space parking lot at the CDF fire station, has already been constructed by the Pebble Beach Company. Thus, cumulative impacts have already been addressed and resolved by the Pebble Beach Company.

As an aside, Mr. Nielson does not mention the improved traffic flow at Location #213 resulting from relocating the employee parking away from the central commercial area of the Lodge. During the PM peak period, the employee traffic represents about 6 percent of the peak direction flow on 17 Mile Drive between the Lodge Area and the Palmero Way intersection. This traffic would be removed from this section of 17 Mile Drive with the development proposal.

#### 17 Mile Drive Traffic Concentration

Mr. Nielson asserts that the Casa Palmero development proposal concentrates traffic where ingress / egress is restricted to a single location in a highly congested area. No mention is made in Mr. Nielson's appeal regarding the benefit to area circulation, a benefit that was described to the Monterey County Supervisors in April, 1997.

*Relocating employee parking away from 17 Mile Drive at the Peter Hay Golf Course benefits traffic flow at the Lodge Area (see Figure 1).* Currently, residents and visitors travel to the Lodge Area and circulate, one or more times, through the various parking areas looking for an available parking space. *Relocating employee parking will free-up more parking spaces for existing residents and visitors who are now unable to easily find an available space.* This will have the effect of reducing traffic flows as drivers will not be re-circulating through the area trying to find that one available space. The additional parking spaces do not generate new traffic.

Furthermore, a majority of the Lodge area employees (about 80%) access the area via the Highway 1 and Carmel gates and use 17 Mile Drive. Noting Figure 1, it illustrates that these

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employees drive past the Palmero Way intersection and into the central commercial area of the Lodge, mixing with residents and visitors. *Parking employees underground on Palmero Way intercepts about 80% of the employee traffic to the Lodge area, separating it from visitor and resident traffic.*

#### **Park-And-Ride Facilities**

The appeal written by Mr. Nielson references the Transportation Agency of Monterey County (TAMC) and its adopted policy to facilitate trip reduction through various means such as park-and-ride facilities. Contrary to Mr. Nielson's assertions, *the Pebble Beach Company trip reduction efforts are consistent with TAMC policies.*

Monterey County determined that this project is not subject to the county's trip reduction ordinance. In any event, the Pebble Beach Company has had for several years an on-going program to facilitate trip reduction through ride sharing. The overall goal of this program has been to reduce employee-related traffic on congested highways approaching the Pebble Beach area. Within the last year, the Company initiated an effort to provide a satellite parking areas within the Forest to better separate employee and resident traffic. A parking lot constructed in 1995 is adjacent to the new CDF fire station on 17 Mile Drive at the Highway 1 Gate. This lot contains 72 parking spaces with shuttle vans carrying employees between the parking lot and the Lodge area.

#### **Visitor Enjoyment of Del Monte Forest**

Mr. Nielson asserts that the proposed Casa Palmero Project will increase traffic and make visitor enjoyment more difficult. The additional development is expected to generate at most 24 vehicle trips during the peak hour of operation. The additional traffic referred to by Mr. Nielson is associated with the proposed guest units and "European-style spa" both of which are visitor-serving uses. *The development provides additional opportunities for visitor enjoyment and the employee underground parking allows additional visitor parking at the Lodge Area while having a negligible affect on traffic levels (For example, the Del Monte Forest, overall, generates over 3,000 vehicle trips during the peak one hour period).*

The proposed underground employee parking area is located adjacent to the Lodge Area; however, access is via the "back-door" and separate from visitor and resident traffic to the area. *Separating the employee and visitor / resident traffic and parking is consistent with the Coastal Commission goal to maximize the availability of visitor serving uses.*

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### **Traffic Projections**

Mr. Nielson makes reference to service level "E" conditions in the future on 17 Mile Drive because of increased development and commercial activity. Both the Casa Palmero Traffic Study and the Lot Program environmental document (going through public review now) assumed cumulative development levels including Lot Program buildout, Lodge Area development and future growth throughout Monterey County.

*The traffic studies have concluded that even with the assumed cumulative growth levels, no study location was found to operate at an unacceptable service level after implementing improvements including: a) Improvements to Highway 68 outside the Forest which will ultimately improve service levels on Highway 68, enhancing access to the coastal area of Pebble Beach, Pacific Grove, and Monterey from Highway 1 and b) The 72-space parking area at the new CDF fire station on 17 Mile Drive to divert employee parking and traffic away from the 17 Mile Drive corridor between the Highway 1 Gate and the Forest area.*

### **Independent Traffic Study**

It is true that the Pebble Beach Company funded the environmental document for the proposed Lot Program and the traffic study for the Casa Palmero development. *The studies referred to by Mr. Nielson were conducted by Korve Engineering and EIP under the direct oversight of the Monterey County Staff.* The staff was responsible for study review and approval of the Casa Palmero Traffic Study which our firm prepared. As testament to the county's thorough review - following submittal of the final traffic study, county staff prepared a Staff Report which overruled a traffic study conclusion pertaining to intersection improvements at the 17 Mile Drive/Palmero Way intersection and required mitigation which modifies the intersection by adding a left turn lane from 17 Mile Drive to Palmero Way.

### **Full Disclosure of Casa Palmero Impacts**

Mr. Nielson asserts that because we did not conduct a full study of 17 Mile Drive, the Monterey County Planning Commission and Board of Supervisors were not fully informed of the Casa Palmero traffic impacts. The study evaluated the 17 Mile Drive intersection with Palmero Way because this location would experience the greatest level of traffic impact. All development-related traffic would travel through this intersection and employee traffic would turn to and from this intersection rather than straight through the intersection. No other location, inside or outside the Forest, would experience a noticeable increase in traffic from this project.

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The maximum level of "new" traffic to the area was calculated to be 24 trips (13 in, 11 out). All these trips are expected to use the 17 Mile Drive/Palmero Way intersection, but only 12 of the trips (7 in, 5 out) would use the portion of 17 Mile Drive mentioned by Mr. Nielson in his appeal. The additional traffic is negligible, representing less than 1 percent of the peak traffic direction on the referenced 17 Mile Drive section. Traffic generated by the employee parking is already using 17 Mile Drive and is thus accounted for in the existing traffic counts.

Mr. Nielson provides an attachment (Schedule I) which illustrates the traffic projections assumed in the Lot Program environmental document and the Casa Palmero Traffic Study. Contrary to his conclusion that the attachment illustrates significantly higher traffic levels than previously reported, the attachment clearly illustrates that projected traffic levels assumed in the Casa Palmero Traffic Study are within the range of that assumed in the Lot Program document. *In fact, his attachment shows that traffic levels are projected to decrease on 17 Mile Drive between Palmero Way and the Peter Hay Golf Course.*

#### **Bike Circulation between Carmel Gate and Lodge Area**

The bike classification between the Lodge and the Carmel Gate is Class III which means that it is a signed route but riders must share the road with vehicular traffic. The fact that the corridor is narrow and steep has been documented in the Lot Program environmental documentation and was previously accounted for in the land use plan for Forest buildout when it was determined that improved bicycle provisions on this corridor were unlikely to occur because of physical constraints.

The Pebble Beach Company undertook an additional study of the corridor in 1994 to ascertain the feasibility of improving bicycle facilities on this corridor. The engineering study concluded that the road widening needed to accommodate bike lanes would:

- Require utility relocation.
- Remove about 150 mature trees.
- Reconstruct 30 residential gates and fences.
- Relocate and re-grade about 30 residential driveways.
- Require property acquisition.
- Construct numerous retaining walls.

These conclusions are consistent with the findings when the land use plan was devised and are also consistent with the findings in the Lot Program environmental document.

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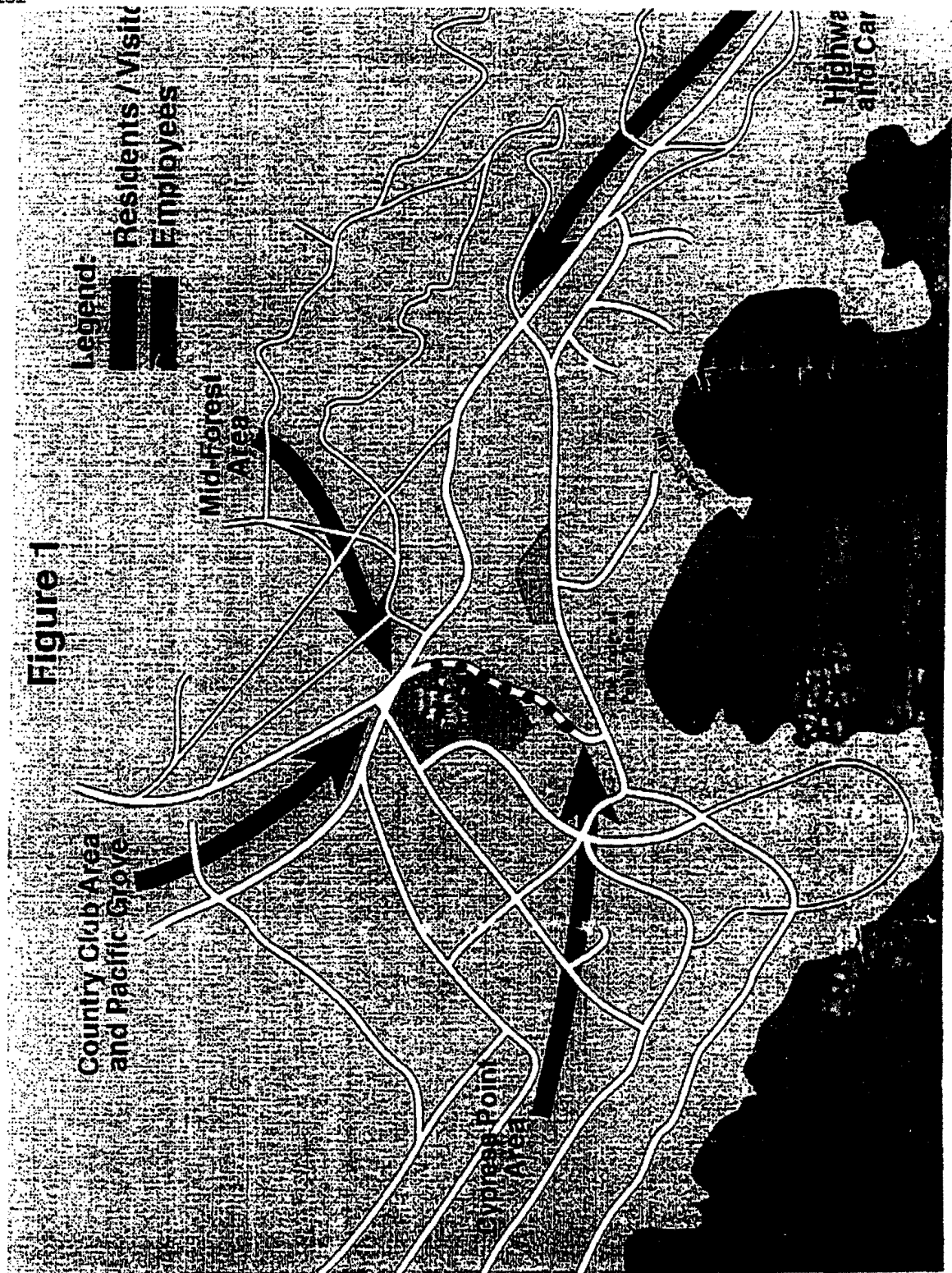
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