

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE

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12/14/99**RECORD PACKET COPY**

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Commission Action:	
Open and Continue	10/13/99

**STAFF REPORT: APPEAL
SUBSTANTIAL ISSUE DETERMINATION**

APPEAL NUMBER:	A-3-SLO-99-060, Miles & Cohn
LOCAL GOVERNMENT:	SAN LUIS OBISPO COUNTY
DECISION:	Approved with conditions, 8/17/99
APPLICANT:	R. Miles & G. Cohn
APPELLANTS:	E. Tamoush; Ronald & Georgia Tamoush; Robert Campbell; Christine Takahashi; Lilalee Tolles; Ron Wilson; Rebecca Wyatt; Louise Fontaine; Joe Koepke; Larry Le Gras; Jan Lewis; Cyndi Malmen; Arley Robinson; James & Laila Sexton; Bari St. James; April Weeks
PROJECT LOCATION:	Ocean Avenue & E. Street (Estero Planning Area), Cayucos (San Luis Obispo County) APN 064-119-022
PROJECT DESCRIPTION:	Construct a three story, 30-unit motel ("Victorian Inn") with parking structure for 35 parking spaces.
FILE DOCUMENTS:	San Luis Obispo County certified Local Coastal Program; Administrative Record for County permit D960038P.

EXECUTIVE SUMMARY

Staff recommends that the Commission determine that a **substantial issue** exists with respect to the grounds on which the appeal has been filed. Staff further recommends that the Commission then continue the *de novo* hearing of the permit, to allow staff time to work with the applicant on a revised project.

The project is the construction of a 3-story, 30-unit motel, which includes a partially subterranean parking garage for 35 parking spaces. It is located on the southeast corner of Ocean Avenue and E Street, within the central business district of the community of Cayucos, in the Estero Planning Area of San Luis Obispo County (project location shown by Exhibit 1).

Sixteen individual appellants contend that the project does not comply with the San Luis Obispo County Local Coastal Program (LCP) because it is too massive, not compatible with the architectural style and scale of surrounding commercial structures (inconsistent with Coastal Plan Policy 6 for Visual and Scenic Resources), thereby setting a dangerous precedent for future development. The full text of the appeals is attached as Exhibit 4.

As discussed in the substantial issue section of this report, the approved project is consistent with applicable building standards related to height limitations and setbacks; however, the overall scale and perceived bulk of the project, in relation to existing structures in the Commercial Business District, raises a substantial issue in regards to the LCP's visual and community character policies.

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I. LOCAL GOVERNMENT ACTION

The San Luis Obispo County Board of Supervisor's approved the proposal to construct the 30 foot structure with zero front and side setbacks and a 19 foot rear setback, with a 9 foot landscaping element that extends into the rear setback. The project faced initial opposition from the Cayucos Citizen's Advisory Committee (CCAC) in regards to building mass, height, and lack of roof variation. However, the building's mass was reduced through larger 2nd and 3rd floor setbacks and the project was subsequently approved by the Planning Commission on June 11, 1998, with conditions to reduce the overall square footage of the project by almost 30%. The decision was then appealed to the Board of Supervisors by 24 individual appellants, where it was continued for several months in order to work out a compromise between the applicant and the CCAC. Several adjustments were made to reduce the overall square footage to more closely reflect the conditions approved by the Planning Commission, and the 3rd floor setback was increased. After the CCAC considered revised plans and voted to drop its rejection to the project, the Board approved the project on August 17, 1999. Conditions approved by the County are attached as Exhibit 3.

II. APPEAL PROCEDURES

Coastal Act section 30603 provides for the appeal of approved coastal development permits in jurisdictions with certified local coastal programs for development that is (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance; (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff; (3) in a sensitive coastal resource area; (4) for counties, not designated as the principal permitted use under the zoning ordinance or zoning district map; and (5) any action on a major public works project or energy facility. This project is appealable because it is located in a sensitive coastal resource area designated by the LCP. This designation is related to commercial and recreational uses on Ocean Avenue, defined as a Special Community.

The grounds for appeal under section 30603 are limited to allegations that the development does not conform to the standards set forth in the certified local coastal program or the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to conduct a *de novo* coastal development permit hearing on an appealed project unless a majority of the Commission finds that "no substantial issue" is raised by such allegations. Under section 30604(b), if the Commission conducts a *de novo* hearing, the Commission must find that the proposed development is in conformity with the certified local coastal program. Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter Three of the Coastal Act, if the project is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone. This project is not located between the first public road and the sea.

III. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE

MOTION: *I move that the Commission determine that Appeal No A-3-SLO-99-60 raises NO substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act.*

STAFF RECOMMENDATION:

Staff recommends a **NO** vote. Failure of this motion will result in a de novo hearing on the application, and adoption of the following resolution and findings. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the appointed Commissioners present.

RESOLUTION TO FIND SUBSTANTIAL ISSUE:

The Commission hereby finds that Appeal No. **A-3-SLO-99-60** presents a substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.

IV. RECOMMENDED FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. Project Location and Description

The project is located on the southeast corner of Ocean Avenue and E Street in Cayucos, within the Estero Planning Area of San Luis Obispo County. The LCP designates this area as Commercial Retail (within which motels are a principal permitted use), and the project site is surrounded by commercial retail uses to the southeast, a vacant lot designated for commercial retail use to the northwest, and single and multi-family residences to the northeast and southwest. The LCP also designates the area as a Sensitive Resource Area, due to its location within the Special Community designation on Ocean Avenue.

The project involves the construction of a new 30,217 square foot building that will cover most of the 22,500 square foot lot. Approximately 12,617 square feet will be used for a partially subterranean parking garage, and approximately 17,600 square feet will consist of the remaining two-story motel facilities, which includes the lobby, guest rooms, office, manager's unit, and

exercise and laundry rooms. In addition, approximately 5,000 square feet of outdoor plaza area is located on the first floor level. Landscaping provisions included as part of the project have been designed to screen the backs and sides of the building from public views and the surrounding neighborhood. Project plans are attached to this report as Exhibit 2.

As conditioned by the County (Exhibit 3), the project includes but is not limited to the following measures intended to mitigate the impacts to the character of the town, in relation to the scale and architectural style of surrounding structures, and visual resources:

- Building square footage shall not exceed the following maximums:

Parking garage:	12,617 square feet
First floor lobby and rooms:	4,900 square feet
Second floor lobby and rooms:	9,200 square feet
Third floor rooms:	3,500 square feet

- Covered walkways (breezeways) between floors are permissible only as shown on approved site and floor plans
- Buildings shall be Victorian style architecture
- Windows shall be single hung windows, multi-pane windows or similar window packages consistent with Victorian style architecture
- Siding shall be wood ship lap, colonial, board and batt, wood shingles or wood appearing wood impregnated concrete siding (not vinyl).
- Use of stucco is not allowed on wall faces and is discouraged elsewhere but may be used in very limited areas only as approved by the Director of Planning and Building
- No glass railings (inconsistent with the Victorian architectural style) shall be allowed on any deck railings nor elsewhere within the project
- Roof lines shall be broken up into a variety of roof styles including a combination or some or all of the following: parapet, shed, dormer windows, larger gables as well as hip roof styles to create a "rhythm of roof heights and styles" more in keeping with the existing downtown commercial buildings of Cayucos
- Building height shall not exceed 30 feet measured from average existing grade, because the site has been previously disturbed
- All exterior light sources shall be low-level and adjusted so that light is directed away from surrounding residential neighborhoods

- Landscaping plan shall include a plant container size mix that includes a sufficient number of large trees and shrubs to provide initial screening of the backs and sides of the buildings and the parking structure, a sufficient number of plants to be effective in providing additional screening, and landscaping at the corner of Ocean Avenue and E Street

B. Substantial Issue Analysis

The appellants contend that the project does not comply with the San Luis Obispo Local Coastal Program because it is too massive, not compatible with the architectural style and scale of surrounding commercial structures, and will set a dangerous precedent for future development. As discussed below, the approved project is consistent with applicable building standards related to height limitations and setbacks; however, the overall massing of the project in relation to existing structures in the Commercial Business District raises a substantial issue in regards to the LCP's visual and community character policies. The implications of this project in setting a dangerous precedent for future development can not easily be predicted; however, it can be assumed that a project that is consistent with the scale and character of existing development will not set a dangerous precedent.

1. Height/Setback Standards

The appellants contend that the project does not comply with the massing of surrounding structures. Two determining factors of mass are the height of a structure and overall lot coverage, as determined through conformance with setback standards. The Cayucos Urban Area Standards for Commercial Retail land use categories require that heights be limited to 30 feet (Cayucos Urban Area Standards – Commercial Retail). The additional LCP standards applicable to this contention can be found at the following sections of the Coastal Zone Land Use Ordinance, which establish the following setback requirements:

Section 23.04.108 b: No front setbacks are required within a central business district.

Section 23.04.110 b: The side setback on the street side of a corner lot is to be a minimum of 10 feet, except that:

(1) In a central business district no side setback is required.

Section 23.04.110 d: No side setback is required in the Commercial or Industrial land use categories, except:

(1) As required for corner lots by subsection b of this section (stated above).

Section 23.04.112 b: No rear setback is required in Commercial or Industrial land use categories except:

(2) Where the rear property line abuts a residential category or use, the rear setback is to be a minimum of 15 feet, except:

(ii) The minimum building setback is to be increased one foot for each three feet of commercial or industrial building height above 12 feet, with the height in this case measured along a line projected from the building face at the subject back line.

The planning area standards for this site allow a maximum height of 30 feet as measured from the "average natural grade;" however, the site has been previously disturbed. In this situation, pursuant to CZLUO Section 23.01.122, existing grade is used since "natural" grade cannot be determined with accuracy. The existing average grade elevation was determined to be 25'1" and the highest point on the roofline of the building is 55'1" (Exhibit 2 - Elevations). Therefore, the proposed project does not exceed the height requirement as stated in the Cayucos Urban Area Standards for Commercial Retail land use categories.

CZLUO Section 23.04.112 b (2)(ii) requires a minimum rear 15-foot setback, with an additional setback of one foot per three feet of building height above 12 feet, as measured along a line projected from the building face at the subject setback line. As seen in Exhibit 2, the proposed motel is 24 feet in height at the rear of the lot, which requires an additional setback of four feet. As such, the total required (and proposed) rear setback is 19 feet.

The subject lot is located on the corner of Ocean Ave and E Street, and the proposed motel has neither front nor side setbacks, which is consistent with the minimum standards of CZLUO Sections 23.04.108 b; 23.0110 b (1); and 23.04.110 d as stated above. The proposed rear setback is 19 feet, and although the landscaping element on the first floor reduces the setback to 10 feet, this exception to setback requirements is allowed pursuant to the following standard:

Section 23.04.104: The minimum setback requirements of this chapter apply in all cases except the following...

b. Decks, terraces, steps, earthworks, and other similar landscaping or design elements placed directly on finished grade that do not exceed an average height of 30 inches above the surrounding finished grade, provided that no such wood structure shall extend closer than 36 inches to a property line, unless it complies with applicable fire resistive construction requirements of the Uniform Building Code.

In conclusion, the appeal does not raise a substantial issue in terms of compliance with the LCP ordinances related to massing or lot coverage because the proposed development conforms to all setback and height requirements of the CZLUO and Cayucos Urban Area Standards.

2. Community Character

The appellants contend that the approved project is inconsistent with Policy 6 regarding visual and scenic resources; and text in the LCP concerning Cayucos.

Coastal Plan Policy 6 for Visual and Scenic Resources:

Within urbanized areas defined as small-scale neighborhoods or special communities, new development shall be designed and sited to complement and be visually compatible with existing characteristics of the community which may include concerns for the scale of new structures, compatibility with unique or distinguished architectural historical style, or natural features that add to the overall attractiveness of the community.

Chapter 10: Visual and Scenic Resources

C. Special Communities (Cayucos – Ocean Boulevard). Ocean Boulevard is presently characterized by small-scale commercial development. Recent development has used a western-rural style of architecture which includes extensive use of wood-detailed facades. The Ocean Boulevard area is a special community due to the commercial-service orientation of the development that is within walking distance of the beach. Two historically significant structures are the John Cass home and the present Veteran's Hall which was a Cass warehouse.

Special communities, as defined by Section 23.11.030 of the San Luis Obispo County Coastal Zone Land Use Ordinance, includes the Commercial and Recreation categories along Ocean Avenue in Cayucos.

Although not specifically identified by the appellants, the following Cayucos Urban Area Standard regarding architectural character in the Commercial Retail category is applicable:

New development shall include detailed façade plans which reflect western or victorian style architecture. Elements of this plan could include the use of 50% wood or wood-appearing materials; detailed window trims and moldings; second-story railings and balconies; wooden porches, railings, entryways, walkways, etc.

The LCP policy cited by the appellants requires the protection of the unique community and small-scale development of the central business district (CBD) of Cayucos. This area is made special by the general size, style and character of development along Ocean Avenue, as seen in Exhibit 5 (Appellants' submittal of community character photos). In particular, the surrounding existing commercial district is characterized by elements reminiscent of western-rural and Victorian style architecture. In terms of scale and mass, structures are not typically more than

two stories, or 25 feet, in height. A pedestrian scale is maintained at the street level and views of the beach and ocean can be seen at street ends and through building setbacks and architectural reliefs.

Ocean Avenue runs directly from Highway 1 to the public beach and pier area and is the one major street that directly serves the commercial business district, an area of approximately six blocks in length. For this reason, the land uses and size and character of the buildings along this street play a large role in one's overall impression of the community.

Building size throughout the community is largely defined by the underlying lot pattern of the town's early subdivision with a predominant 50 foot lot width, meaning that the building frontages are more or less continuous, yet they are typically broken up by different architectural forms approximately every 50 feet. The subject lot is 150 feet in width on both Ocean Avenue and E Street, which is three times the size of most other lots. Thus, it is more conducive to a larger, more massive development than most existing businesses along Ocean Avenue; it is also challenging, therefore, to construct a building on a corner lot of this size without it appearing out of scale with the surrounding environment. Nonetheless, adjustments could be made to the overall height and bulk of the structure to reduce the perceived magnitude of the development.

The submitted plans for the project resemble a Victorian style; reflective of the architectural style called out in the LCP; however, the proposed third story is a point of contention because the appellants feel it makes the building too tall and out of scale with the area. The applicant previously worked with the Cayucos Citizen's Advisory Committee and the County to address this issue, and agreed to significantly reduce the square footage of the third floor. The final plans indicate that the third floor will be set back approximately 55 feet from the front and 53 feet from the side of the building along E Street. This adjustment helped reduce the mass visible from the streets, but did not address other scale and character issues, or the overall height of the structure.

The height of the building is sited and measured from the average grade of the lot because the site was previously disturbed, making the natural grade difficult to determine. As a result, the height of the structure, measured as the vertical distance from the highest point of the structure to the average grade elevation, is 30 feet in height. This meets the LCP standard; however, at certain locations throughout the site, the building height extends to 36 feet, clearly overwhelming the one- and two-story structures surrounding the development. In addition, the expanse of structure located at the 30-foot height limit significantly adds to the overall bulk of the building.

It is not unusual for new development to be larger and grander in scale than existing structures, as a community takes incremental steps towards infilling commercial development. However, based on the height and bulk of existing structures, this project will be significantly larger than what presently exists in Cayucos, potentially setting a precedent for future development that will lead to a dominance of large-scale development in a characteristically small-scale beach town.

In regards to Policy 6, the structure appears to meet the historical architectural style of existing development; however the project is neither structurally designed, nor sited "to complement and

be visually compatible with existing characteristics of the community," based on the large scale and bulk of the proposed structure. Therefore, a substantial issue is raised by this appeal.

2. Dangerous Precedent for Future Development

The appellants' contend that the project, as proposed, will set a dangerous precedent for future development in Cayucos. Although no policy specifically addresses this issue, the concern for future development can be analyzed based on the project's compliance with applicable building and design standards, and applicable LCP policies. In addition, although not an adopted standard, the following community objective included in the Draft Environmental Impact Report for the Estero Area Plan update represents the future direction taken by the community in regards to proposed development.

Carefully plan for future commercial and residential development that is consistent with the current nature of the community. Since major development projects can have a devastating effect on a small community, carefully examine such proposed projects to see that they do not destroy the character of the community or so dominate it as to cause an imbalance between the residential and recreational elements of the community.

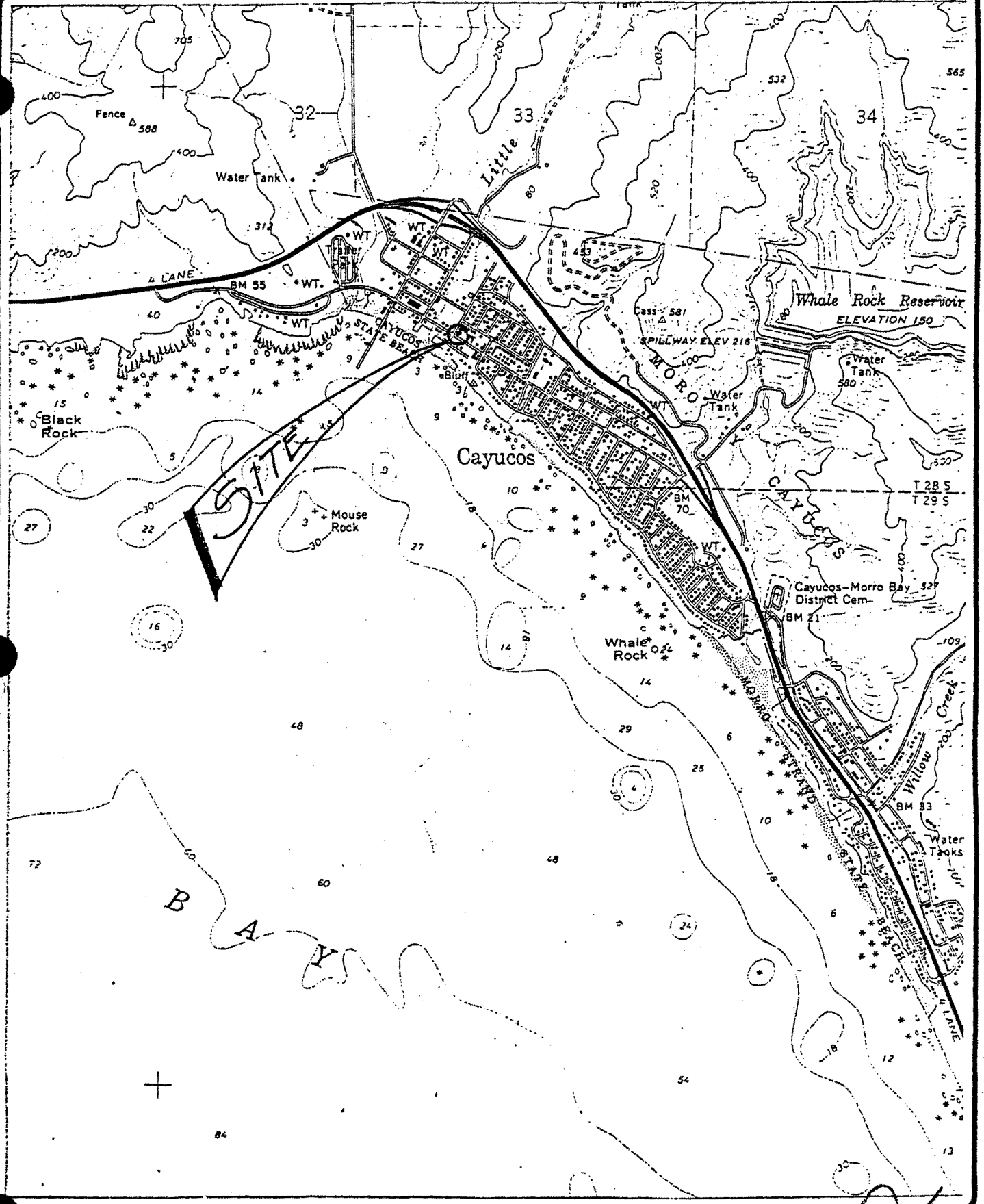
This objective, although not a standard of review for this project, can be used as a general guide for handling future development in small-scale communities, and it may serve to clarify any ambiguities in existing LCP policies regarding compatibility of new development with the character and size of existing structures.

As concluded in the preceding sections, the project conforms to all setback and height requirements stated in the CZLUO; however, it is not in character with the scale and character of the existing commercial uses in the central business district. Therefore, the proposed project, if developed as approved by the County, may set an adverse precedent for future development within a small-scale community such as Cayucos, and thus, raises a substantial issue.

V. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures that would substantially lessen any significant adverse effect that the project may have on the environment. The County of San Luis Obispo certified a Negative Declaration for the project on December 19, 1997. With respect to the appealed project, the Commission's review of this appeal has identified environmental impacts that have not been appropriately resolved by the project and the County's conditions of approval. Thus, the project may have any significant adverse impact on the environment within the meaning of the California Environmental Quality Act.

4-29



PROJECT

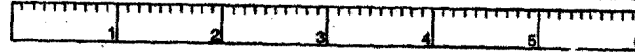
VICTORIAN INN
D960038P



EXHIBIT

VICINITY MAP

Exhibit 1 (1 of 3)



Map of Cayucos, California, showing a grid of streets and numbered lots. The map includes Ocean Avenue, Cayucos Avenue, and various side streets like R. Ash, Saint Mary, and View. Lots are numbered in circles, and some areas are labeled with block numbers (111, 112, 113, 114, 115, 116, 117, 118, 119) and "RESUBDIVISION OF BLOCKS 1, 12, 13 OF TN. OF CAYUCOS". A "Site" is marked with a circle containing the number 10. The map also shows "FRESNO" and "MORO" areas, and a "VIEW SUB NO. 5". A scale bar indicates 1 inch equals 100 feet. The map is dated OCT 07 1996 and includes a disclaimer: "THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY". The title "CAYUCOS SAN LUIS OBISPO COUNTY CALIFORNIA" is at the bottom.

Exhibit 1
(2 of 3)



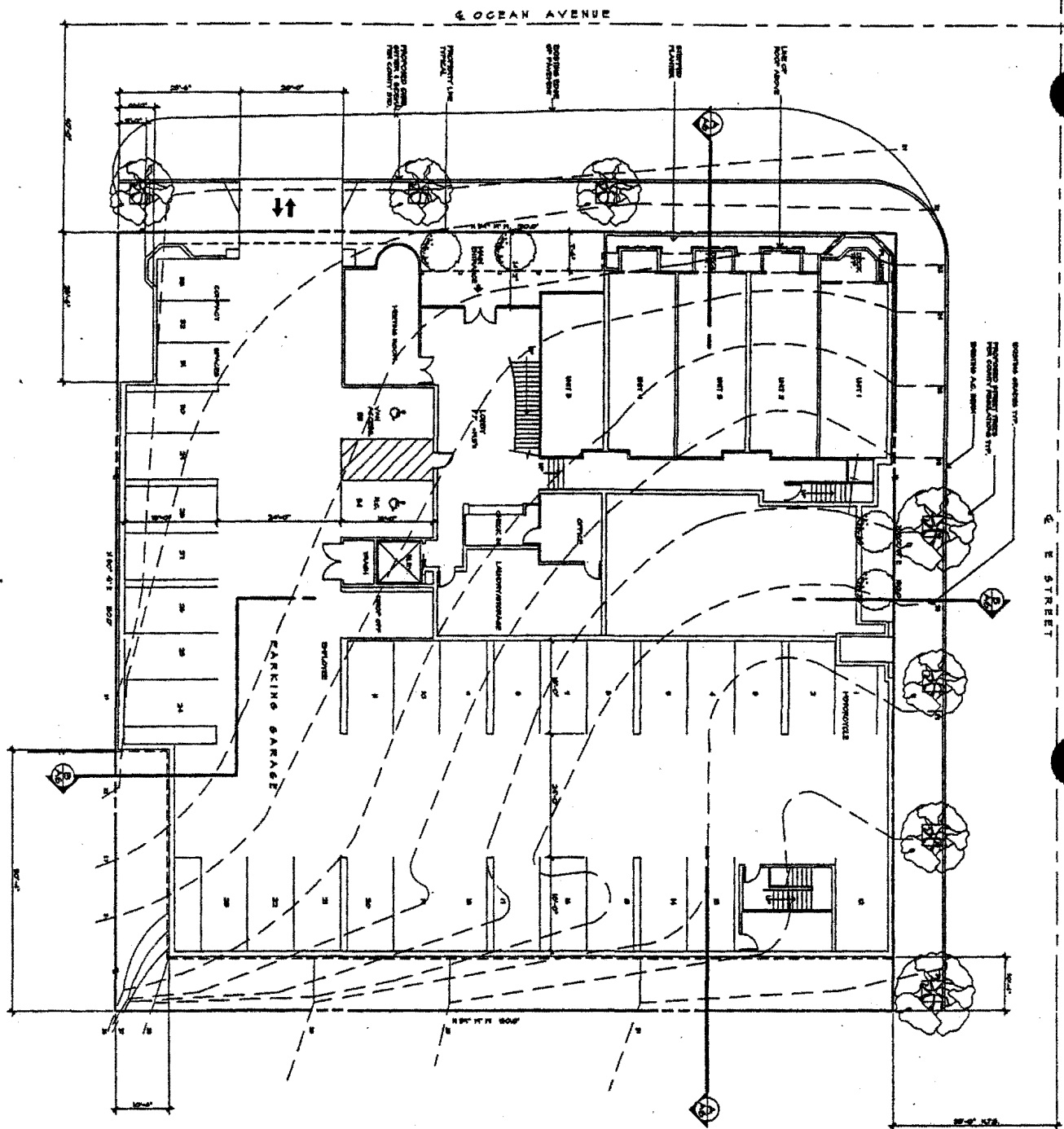
Existing Site (looking North)

Exhibit 1
(3 of 3)

SCALE 1/8" = 1'-0"

NO SEALER

REVISED 8-13-99



1st Floor Lobby/Reception	4000 sqft.
1st Floor Office/Meeting	4000 sqft.
2nd Floor Lobby/Reception	4000 sqft.
2nd Floor Office	8000 sqft.
Total Lobby/Reception	16000 sqft.
Office	8000 sqft.
Total Office Area	24000 sqft.

1 SPACE(S) REQUIRED	NO SPACE(S)
1 SPACE(S) X 50 WITS =	50 SPACE(S)
+ 1 SPACE(S) WITS =	5 SPACE(S)
<u>+ 2 SPACE(S) =</u>	<u>2 SPACE(S)</u>
TOTAL SPACE(S) REQUIRED	60 SPACE(S)
TOTAL SPACE(S) PROVIDED	60 SPACE(S)

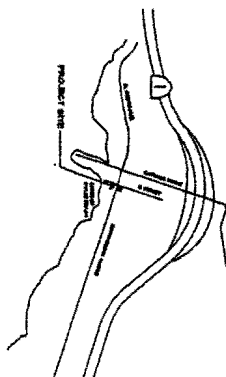
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Exhibit 2 (1 of 7)

SCALES 1/4" = 1'-0"

REVISED 8-13-99

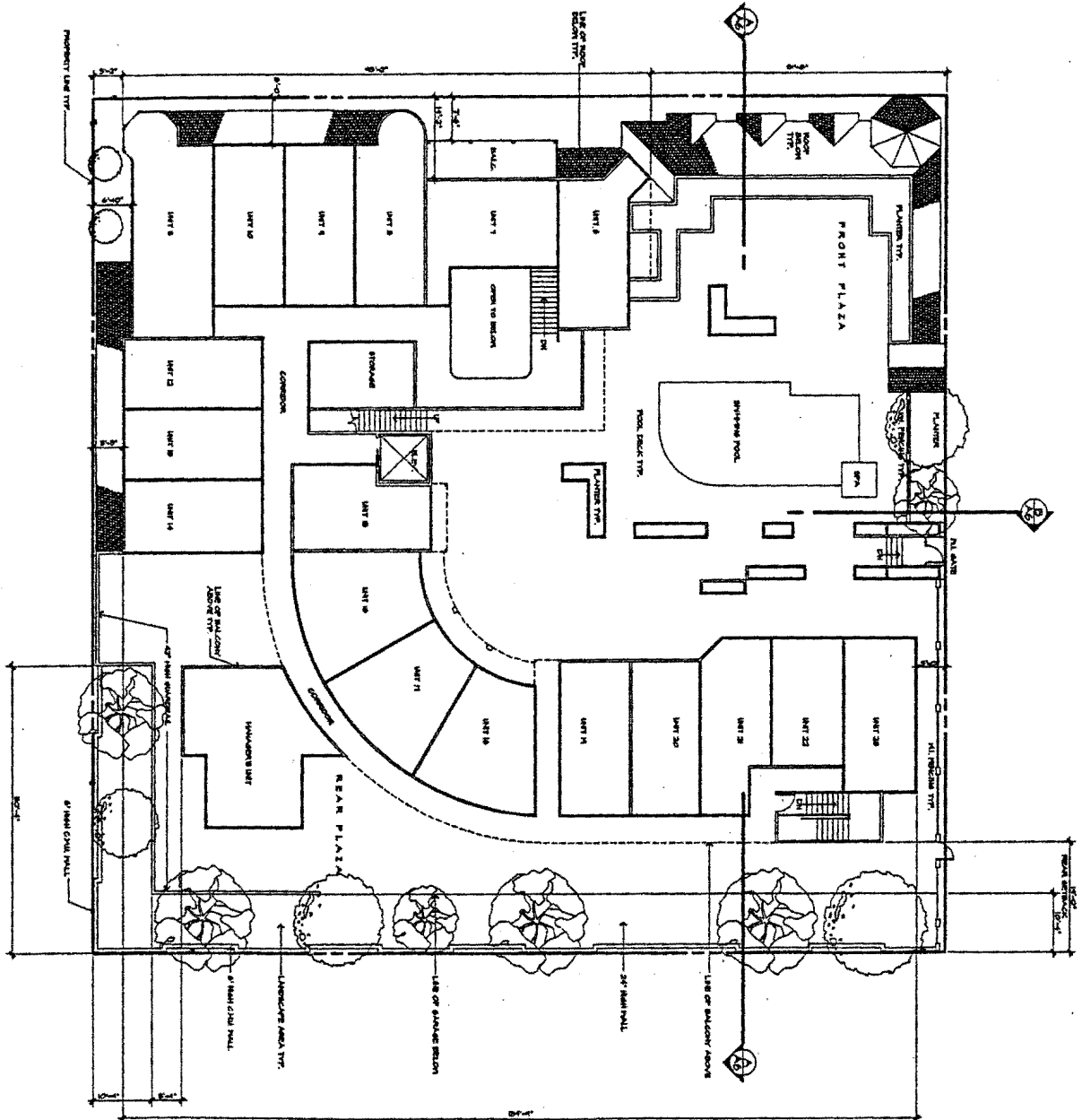


Exhibit 2 (2 of 7)

THIRD FLOOR PLAN

CORRIDORS/ HOTEL ROOM AREA 5200 SQ. FT.

SCALE 1/4" = 1'-0"

REVISED 8-13-99

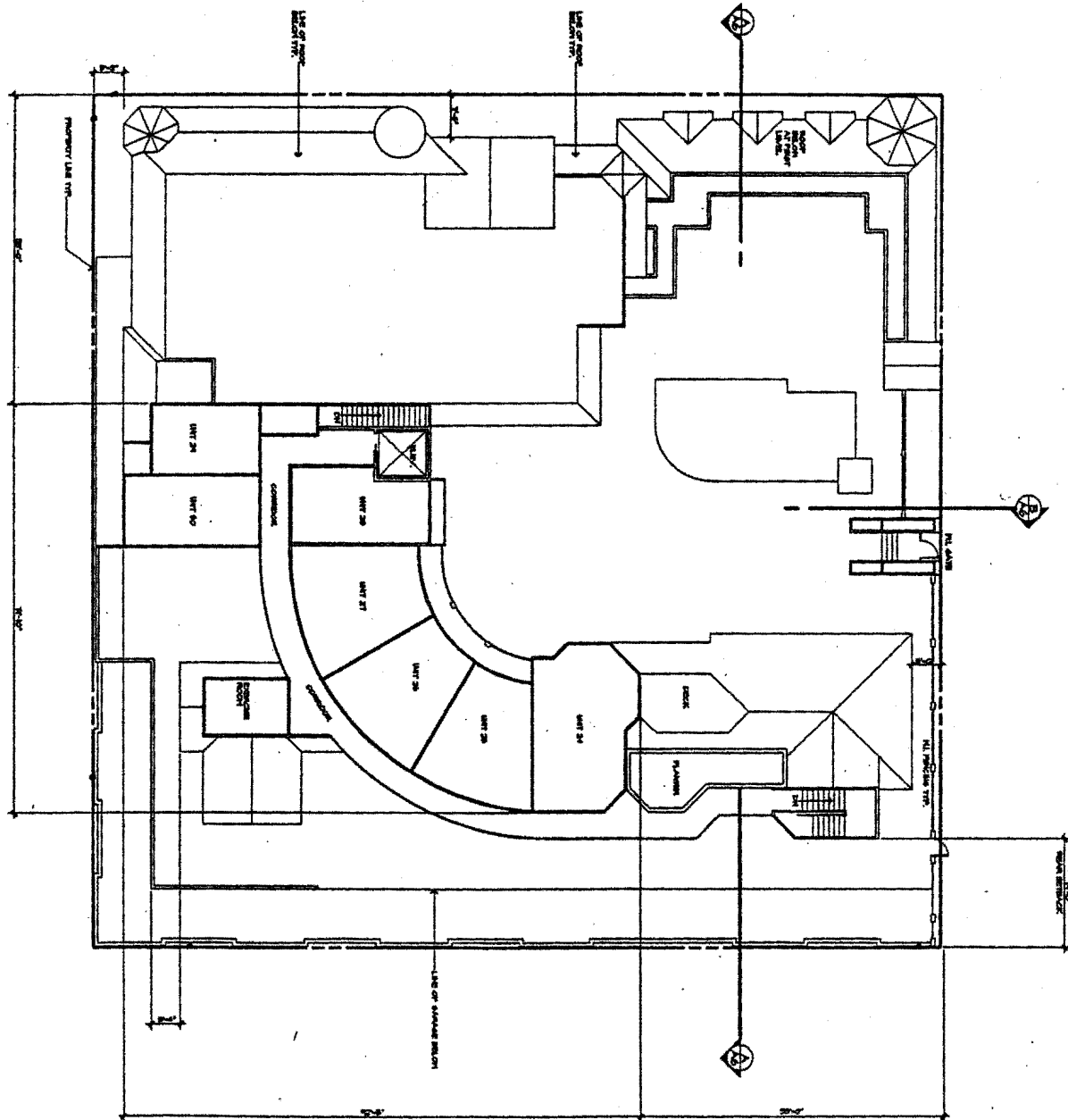
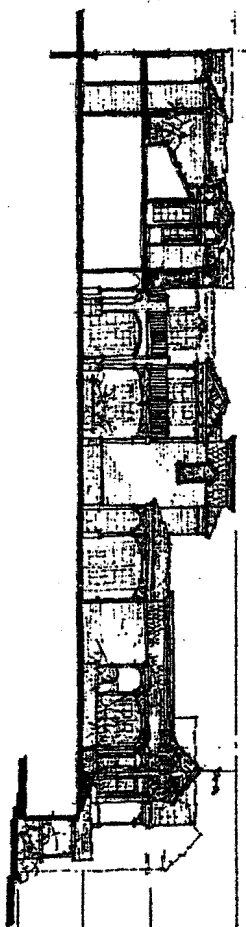


Exhibit 2 (3 of 7)

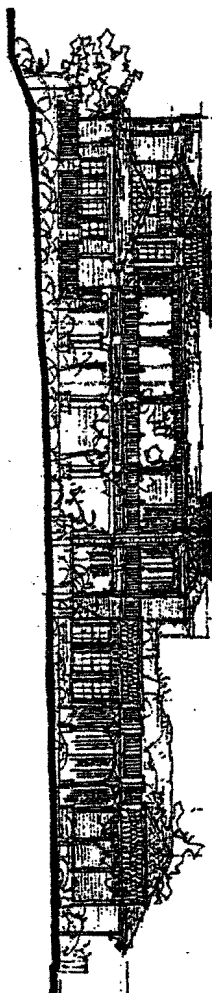


49511
MPC AUOOL HET

$$\frac{+46.0 \text{ P.H.}}{-115.0 \text{ M.K.}}$$

42101 MF
SPEND FFR / MATH

440.51 PF
FIRST FIVE VOLUME

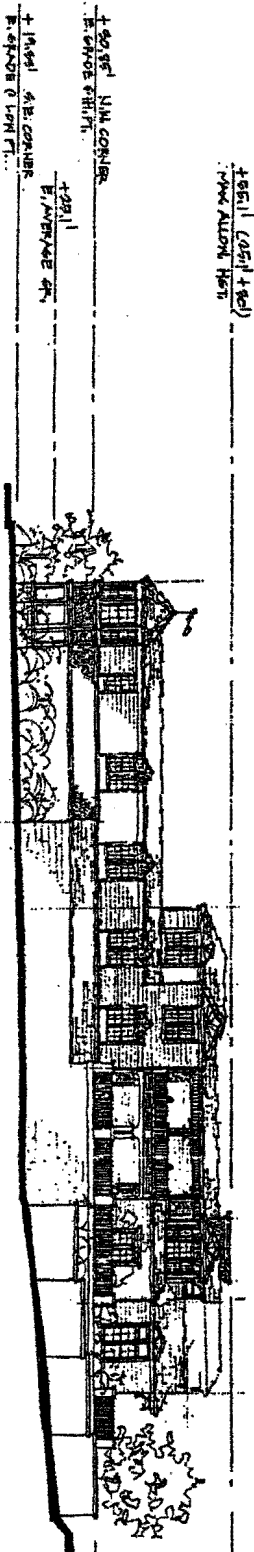


MAX. ALUM. RES.

4401 - 155
THIRD BAR

SECOND PLAY PLAY

NORTH ELEVATION

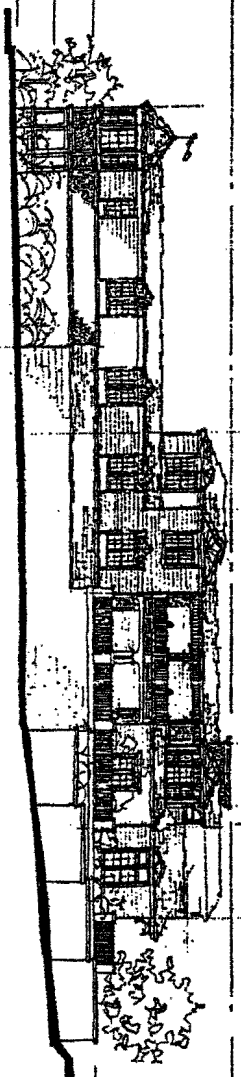

$$\frac{+56.11 (25.11 + 90)}{1000 \text{ ALLOY HST}}$$

+ 95.1'
WGS BELOW, HBT.

+41.01 mm
THIRD PRP.

491-01 RH
SECOND PRY/PYAZA

EAST ELEVATION



EXTERIOR ELEVATIONS

REVISED 8-13-99

Exhibit 2 (5 of 7)

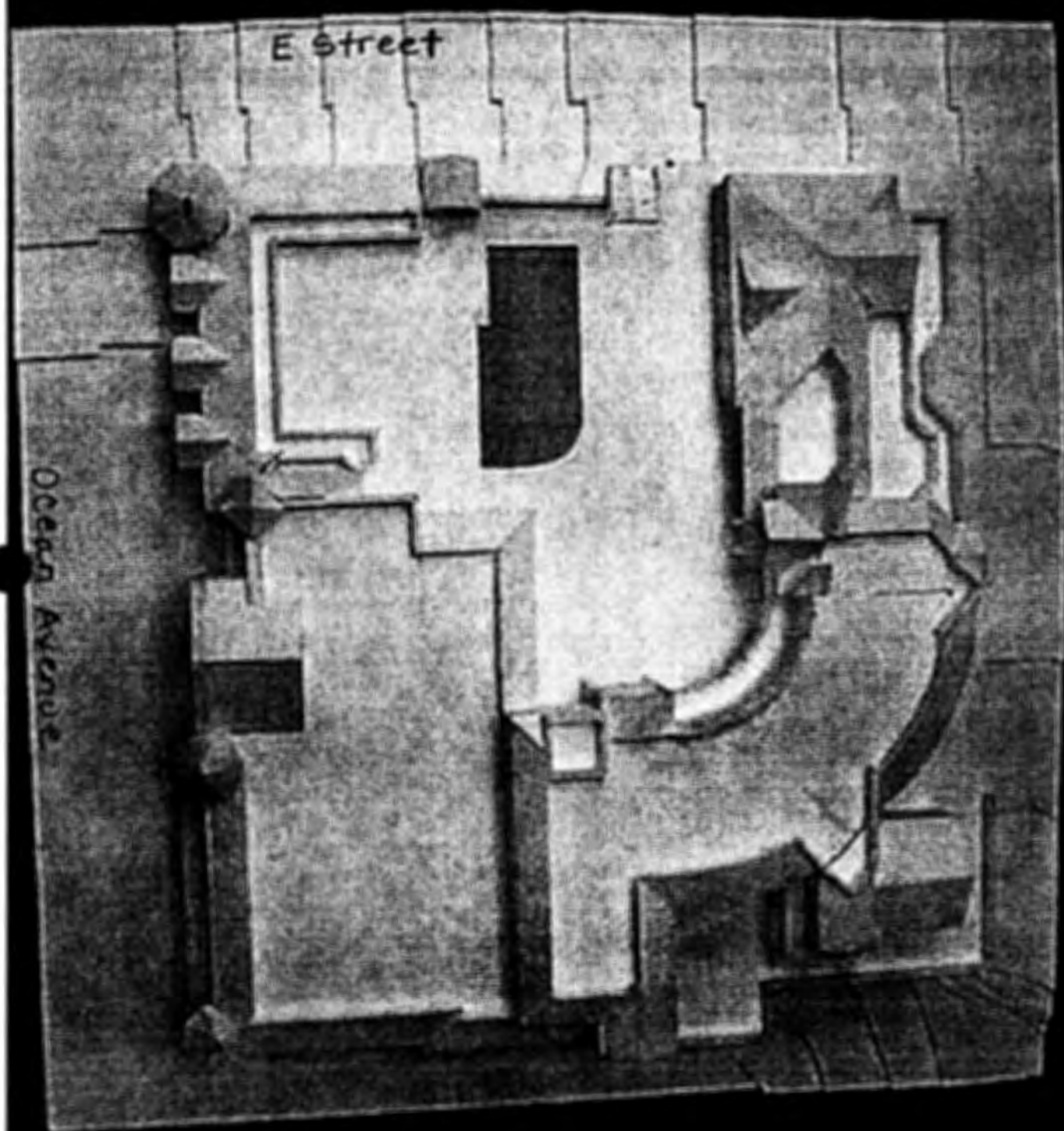


Exhibit 2 (6 of 7) - Model

Victorian Inn



Exhibit 2 (7 of 7)

**EXHIBIT A
BOARD OF SUPERVISOR'S
FINDINGS D960038P
AUGUST 17, 1999**

FINDINGS

- A. The proposed project, with revisions required by the conditions of approval, and uses are consistent with the Local Coastal Program and the Land Use Element of the general plan because it is a "special" use under Table "O" of the Land Use Element and Local Coastal Plan.
- B. The proposed project or uses, as conditioned, satisfies all applicable provisions of this title.
- C. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the uses because the project will require a building permit and is subject to the safety standards of the Uniform Building Code, and local ordinance.
- D. The proposed project or use if revised to adhere to the conditions of approval, will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project has been designed to be similar to and consistent with the architecture of adjoining commercial buildings in the designated special community within the central business district of Cayucos.
- E. The proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on an existing public road, capable of handling the relatively minor traffic generated by this use.
- F. On the basis of the Initial Study and all the comments received, there is no substantial evidence that the project will have a significant effect on the environment.

G:\current\tw\vicinbscond.aug

*County Findings & Conditions
Exhibit 3 (1 of 6)*

**EXHIBIT B - D960038P
BOARD OF SUPERVISOR'S
CONDITIONS OF APPROVAL
AUGUST 17, 1999**

Authorized Use

1. This approval authorizes the following:
 - a) A motel with up to 30 units and a managers unit and related motel facilities
 - b) A minimum of 35 parking spaces shall be provided on the site overall.
 - c) Building square footage shall not exceed the following maximums including covered walk-ways, storage and elevators:

Parking Garage:	12,617 square feet
First floor lobby and rooms:	4,900 square feet
Second floor lobby and rooms:	9,200 square feet
Third floor rooms:	3,500 square feet

The project is not authorized as a "time share" hotel. A General Plan amendment and additional development plan approval would be needed to authorize such use.

2. Grading permit and building permit applications are required prior to site development.
3. Approval of grading and drainage plans does not authorize the applicant to do work off-site. The applicant must obtain written authorization from all affected off-site property owners (if any).
4. All permits shall be consistent with the *revised* Site Plan, Floor Plan and Elevations (dated August 4, 1999).

Revised Plans

5. Prior to issuance of a grading or building permit the applicant shall submit revised plans to the development review section of the Department of Planning and Building for review and approval. Sections for each building clearly showing point of measurement for building height with height labeled and dimensioned on the plan. To bring the project into compliance with the Local Coastal Plan criteria for Special Communities the revised site plan floor plans and elevations shall conform to the following criteria:

- a) covered walkways (breeze ways) between floors is permissible only as shown on approved site and floor plans.
- b) Buildings shall be Victorian style architecture.
- c) Windows shall be single hung windows, multi-pane windows or similar window packages consistent with Victorian style architecture.
- d) Siding shall be wood ship lap, colonial, board and batt, wood shingles or wood appearing wood impregnated concrete siding (not vinyl).
- e) Use of stucco is not allowed on wall faces and is discouraged elsewhere but may be used in very limited areas only as approved by the Director of Planning and Building.
- f) No glass railings (inconsistent with the Victorian architectural style) shall be allowed on any deck railings nor elsewhere within the project.
- g) Roof lines shall be broken up into a variety of roof styles including a combination of some or all of the following: parapet, shed, dormer windows, larger gables as well as hip roof styles to create a "rhythm of roof heights and styles" more in keeping with the existing downtown commercial buildings of Cayucos.
- h) Parking area driveway and aisle grade shall not exceed 5%.

Building Height

- 6. Building height shall not exceed 30 feet measured from average *existing* grade, because the site has been previously disturbed (interpreted to be the average of the high and low points at which each building will touch existing grade prior to any further disturbance). **Prior to setting forms and the foundation inspection**, the applicant shall have a registered engineer or surveyor set a control point for height measurement. The control point shall be verified by a building inspector prior to pouring footings or retaining walls and all building height measurements shall be made from this control point.

Agency Clearance

- 7. **Prior to issuance of a building permit** the applicant shall obtain clearance for the existing drainage plan and system, or submit a revised drainage plan for review and approval by the County Engineering Department.

8. An encroachment permit shall be obtained from the County Engineering Department prior to any construction activities in the public right-of-way.
9. A letter of clearance from Cayucos Fire Department shall be required prior to issuance of any permits, indicating compliance with their standards and requirements.
10. Prior to issuance of any grading or building permits the applicant shall obtain a letter of release from the Cayucos Sanitary District regarding sewer line improvements, connections and all sewer facility improvements necessary to serve the project. Detailed sewer improvement plans shall be submitted to the District as well as County Department of Planning and Building, development review section and the County Engineering Department, for joint review and approval.
11. Prior to issuance of any grading or building permits the applicant shall obtain a final water will serve letter.

Grading and Drainage

12. Prior to issuance of any permits, or any grading activities, submit grading, sedimentation and erosion control, and drainage plans prepared in accordance with the requirements of Section 23.05.028, 23.05.036, and 23.05.044 of the County Land Use Ordinance to the Department of Planning and Building for review and approval. The plans shall be designed by a professional licensed to prepare grading and drainage plans. Review of the plans shall be subject to an inspection and checking agreement with the Engineering Department.
13. At the time of application for construction permits, the applicant shall indicate on the construction plans, the drainage improvements required by the County Engineering Department. The plans shall be subject to review and approval by the County Department of Planning and Building and the County Engineering Department. Drainage plan shall include energy dissipaters and shall include improvements to ensure no worsening of drainage conditions.

Visual/Aesthetic

14. Prior to issuance of building permits, the applicant shall provide an exterior lighting plan showing the location and type of lighting proposed throughout the development. All exterior light sources shall be low-level and adjusted so that light is directed away from surrounding residential neighborhoods.

Color and Materials Board

15. Prior to issuance of a building permit the applicant shall submit a color and materials board to the Development Review Section of the Department of Planning and Building for review and approval to verify that the primary building color and materials are consistent with Victorian style architecture.

Landscaping Plan

16. At the time of application for building permits, the applicant shall submit revised, final landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval. The landscape plan shall be prepared as provided in Section 23.04.186 of the Land Use Ordinance and provide vegetation that will soften the appearance of the new development.
- a) A plant container size mix that includes a sufficient number of larger trees and shrubs to provide initial screening of the backs and sides of the buildings and the parking structure.
 - b) Sufficient number of plants to be effective in providing initial screening.
 - c) Identify and include landscaping at the corner of E Street and Ocean Avenue.

The landscaping plan shall utilize only drought tolerant plant material consistent with Section 23.04.184 of the Land Use Ordinance.

17. Prior to application for building permits, a cost estimate for a planting plan, installation of landscaping, and maintenance of new landscaping for a period of three years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. Prior to issuance of construction permits, a performance bond, equal to the cost estimate, shall be posted by the applicant.

Effective Time Period

18. This minor use permit initial approval period is two years. Time extensions must be submitted in writing by the applicant and are subject to evaluation and action based on the circumstances prevailing at the time of the request, but may be granted on an annual basis for 3 additional years.

Indemnification

19. The applicant shall, as a condition of the approval and use of this development plan, defend, at its sole expense, any action brought against the County of San Luis Obispo, its present or former officers, agents or employees, by a third party challenging either its decision to approve and issue this development plan or the manner in which the county is interpreting or enforcing the conditions of this development plan, or any other action by a third party relating to approval or implementation of this development plan. Applicant shall reimburse the county for any court costs and attorney's fees which the county may be required by a court to pay as a result of such action, but participation shall not relieve applicant of its obligation under this condition.

Archaeology

20. If any archaeological resources are found during grading work on the project site, work shall stop until such time as the resource can be evaluated by an archaeologist. The applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator.

G:\current\tw\vicinbscond.aug

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.)


Chapter 10 of the current San Luis Obispo Coastal Plan describes Cayucos as a special community, presently characterized by small-scale commercial development. And the Victorian Inn development is much too massive and is not compatible with the scale of existing structures in Cayucos and is therefore inconsistent with Coastal Plan Policy 6.

I feel this is grounds 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 Aug. 27, 1999

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.

Exhibit 4
(1 of 18)

Signature of Appellant(s)

Date _____

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.)

A thousand words can't change the fact that this project is too big for Cayman. A 3 story, 30 room building on a 150 ft. lot defies description. It has been obvious from the start that he would not approve as the CCAC and the Supervisors have made it plain they ^{didn't} want to deal with a favorable settlement for Cayman. As "keepers" of the Coast, you are our last hope of salvation from this monstrous building in downtown Cayman. This developer neither knows nor cares about a plan or a compromise. How close will he keep to code?

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.

Louise A. Fontaine
Signature of Appellant(s) or
Authorized Agent

Date Sept. 13, 1999

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 _____

Exhibit 4
(2 of 18)

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.)

The Victorian Inn is too large
for Cayucos. The large scale
of this project is not compatible
with the town.

This project should be limited
to two (2) stories.

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.

Ronald M. Linnell
Signature of Appellant(s) or Georgia F. Linnell
Authorized Agent

Date August 30, 1999

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)

Exhibit 4
(3 of 18)

Date _____

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

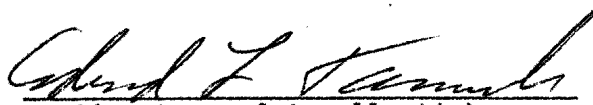
State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

DOES NOT COMPLY WITH
COASTAL PROGRAM.

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 8/25/99

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)

Exhibit 4
(4 of 18)

Date _____

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.)

I feel this project does not meet the San Luis Obispo County Coastal Plan (Chapter 1D) description of Cayucos as a "small scale commercial development". It is also inconsistent with the Coastal Plan Policy 6 goal of development "complement and be visually compatible with existing characteristics" especiall in regard to "scale" because the project is too massive. Also, no plans for the Beach Access at 'E' St. have been considered.

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.

Rebecca Wintt

Signature of Appellant(s) or
Authorized Agent

Date

9/2/99

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)

Exhibit 4
(5 of 18)

Date

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 SHEET*

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.

Bm W/A

Signature of Appellant(s) or
Authorized Agent

Date

9/10/99

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.

Exhibit 4
(6 of 18)

Signature of Appellant(s)

Date

SECTION IV. Reasons Supporting This Appeal

The Victorian Inn Project is clearly out of scale with existing buildings in Cayucos and consequently is inconsistent with the San Luis Obispo County Coastal Plan. This project has been appealed to both the San Luis Obispo County Planning Commission and the Board of Supervisors. It certainly deserves a hearing before the California Coastal Commission.

Chapter 10 of the current San Luis Obispo County Coastal Plan describes Cayucos as a special community, presently characterized by small-scale commercial development. As approved by the San Luis Obispo County Board of Supervisors, The Victorian Inn development is much too massive and is not compatible with the scale of existing structures in Cayucos and is therefore inconsistent with Coastal Plan Policy 6.

If constructed as approved, the Victorian Inn will set a dangerous precedent that will forever destroy the characteristic small-scale architectural style of this unique seaside village.

County of San Luis Obispo Coastal Plan Policies

Chapter 10: Visual and Scenic Resources

Special Communities: Cayucos – Ocean Boulevard
page 10-7

Ocean Boulevard is presently characterized by small-scale commercial development. Recent development has used a western-rural style of architecture which includes extensive use of wood-detailed facades. The Ocean Boulevard area is a special community due to the commercial-service orientation of the development that is within walking distance of the beach. Two historically significant structures are the John Cass home and the present Veteran's Hall which was a Cass warehouse.

Policy 6: Special Communities and Small-Scale Neighborhoods
page 10-12

Within the urbanized areas defined as small-scale or special communities, new development shall be designed and sited to complement and be visually compatible with existing characteristics of the community which may include concerns for the scale of new structures, compatibility with unique or distinguished architectural historical style, or natural features that add to the overall attractiveness of the community.

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

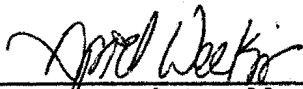
State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

The San Luis Obispo County Board of Supervisors agrees that The Victorian Inn is much too massive and is not compatible with the small scale existing structures of Capucos' commercial development. therefore inconsistent with Coastal Plan Policy 6 and Chapter 10 of the current San Luis Obispo County Coastal Plan. The Victorian Inn threatens to forever destroy the characteristic small-scale architectural style and set a dangerous precedent in Capucos.

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 8/31/99

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.

Exhibit 4
(8 of 18)

Signature of Appellant(s)

Date _____

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

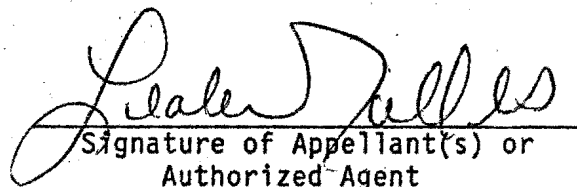
State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Cayucos is a special Community
characterized by small-scale
commercial development
THE Victorian Inn is much
TO MASSIVE UNCOMPATIBLE
WITH THE SCALE OF EXISTING
STRUCTURES I DONT WANT TO SEE
OUR SMALL TOWN DESTROYED FOREVER

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 9/2/99

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.

Exhibit 4
(9 of 18)

Signature of Appellant(s)
Date _____

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.)

Cayucos is one of the last small, unique beach towns left in California. It is located on the beautiful central coast.

The proposed, Victorian Inn, is not compatible with the scale of the existing community. It is too large of a structure, for our small town.

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.

Christine Takahashi

Signature of Appellant(s) or
Authorized Agent

Date

9/9/99

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.

Exhibit 4
(10 of 18)

Signature of Appellant(s)

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.)

We believe this development is too massive and is not compatible with the scale of existing structures in Cayman & will set a dangerous precedent for future developments. We want to keep with the present small-scale architectural style of our unique seaside town. The Victoria Inn must be scaled down to become compatible!

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.

Bari St. James & Fernando Monreal

Signature of Appellant(s) or
Authorized Agent

Date 9/13/99

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

Section VI. Agent Authorization

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

Exhibit 4
(11 of 18)

Signature of Appellant(s)

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.)


Chapter 10 of the current San Luis Obispo Coastal Plan describes Cayucos, as a special community, presently characterized by small-scale commercial development. As approved by the San Luis Obispo County Board of Supervisors, the Victorian Inn development is much too massive and is not compatible with the scale of existing structures in Cayucos and is therefore inconsistent with Coastal Plan Policy 6.

If constructed as approved, the Victorian Inn will set a dangerous precedent that will forever destroy the characterisitic small-scale architectural style of this unique seaside village.

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 9-15-99

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.

Exhibit 4
(12 of 18)

Signature of Appellant(s)

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.)

The Victorian Inn project is too massive and not compatible to the existing scale of the downtown structures. Therefore it is not consistent with Coastal Plan Policy 6. Cayucos is described as a special community under Chapt. 10 of the current San County Coastal Plan and is presently characterized by small-scale commercial development. Please don't set a precedent that will destroy our uniqueness.

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.

Janis Lewis
Signature of Appellant(s) or
Authorized Agent

Date 9/13/99

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.

Exhibit 4
(13 of 18)

Signature of Appellant(s)

Date _____

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.)

Our town is a small quaint town —
We have a small downtown area
with 2 turn of Century buildings that
are 3 stories tall — they are in character
w/ our town because they are old +
have no extra facade on them to make
them appear taller — this project is to big (MASSIVE)
to fit w/ the Character of Cayucos, it will stick
out like the sore thumb it has been.

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.

Cyril Malmon
Signature of Appellant(s) or
Authorized Agent

Date 9-9-99

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

Section VI. Agent Authorization

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

Cyril Malmon
Signature of Appellant(s)

Exhibit 4
(14 of 18)

Date 9-9-99

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.)

Chapter 10 of the current San Luis Obispo County Coastal Plan describes Cayucos as a special community, presently characterized by small-scale commercial development. As approved by the San Luis Obispo County Board of Supervisors, The Victorian Inn development is much too massive and is not compatible with the scale of existing structures in Cayucos and is therefore inconsistent with Coastal Plan Policy 6.

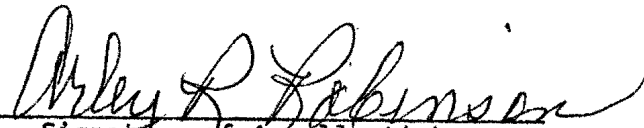
If constructed as approved, the Victorian Inn will set a dangerous precedent that will forever destroy the characteristic small-scale architectural style of this unique seaside village.

Also ATTACHMENT-I

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 8/30/99

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.

Exhibit 4
(15 of 18)

Signature of Appellant(s)

Chapter 10: Visual and Scenic Resources

Special Communities: Cayucos – Ocean Boulevard

page 10-7

Ocean Boulevard is presently characterized by small-scale commercial development. Recent development has used a western-rural style of architecture which includes extensive use of wood-detailed facades. The Ocean Boulevard area is a special community due to the commercial-service orientation of the development that is within walking distance of the beach. Two historically significant structures are the John Cass home and the present Veteran's Hall which was a Cass warehouse.

Policy 6: Special Communities and Small-Scale Neighborhoods

page 10-12

Within the urbanized areas defined as small-scale or special communities, new development shall be designed and sited to complement and be visually compatible with existing characteristics of the community which may include concerns for the scale of new structures, compatibility with unique or distinguished architectural historical style, or natural features that add to the overall attractiveness of the community.

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.)

Cayucos is a special community according to Chapter 10 of the SLO county Coastal Plan. characterized by small scale development. Policy 16 defines Small scale neighborhoods - The Victorian Inn is too large for Cayucos and is not compatible with the ~~rest~~ small scale of the other business. (Victorian Inn)
Our family has been here for over 70 years and this development will harm our community by making it dangerous precedent that will forever destroy our small scale unique seaside village.

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 8-24-99

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.

Exhibit 4
(17 of 18)

Signature of Appellant(s)

Date _____

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.)

This project is MASSIVE and not charastia of our village. Other places may welcome such a huge structure in the center of their town. This thing is SO far out of place HERE. PLEASE SEE Chapter 10 - & Policy 6 - BOTH ENCLOSED. Thank you

County of San Luis Obispo Coastal Plan Policies

Chapter 10: Visual and Scenic Resources

Special Communities: Cayucos - Ocean Boulevard
page 10-7

Ocean Boulevard is presently characterized by small-scale commercial development. Recent development has used a western-rural style of architecture which includes extensive use of wood-detailed facades. The Ocean Boulevard area is a special community due to the commercial-service orientation of the development that is within walking distance of the beach. Two historically significant structures are the John Cass home and the present Veteran's Hall which was a Cass warehouse.

Policy 6: Special Communities and Small-Scale Neighborhoods
page 10-12

Within the urbanized areas defined as small-scale or special communities, new development shall be designed and sited to complement and be visually compatible with existing characteristics of the community which may include concerns for the scale of new structures, compatibility with unique or distinguished architectural historical style, or natural features that add to the overall attractiveness of the community.

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

Exhibit 4

(18 of 18)

Signature of Appellant(s)

Date _____

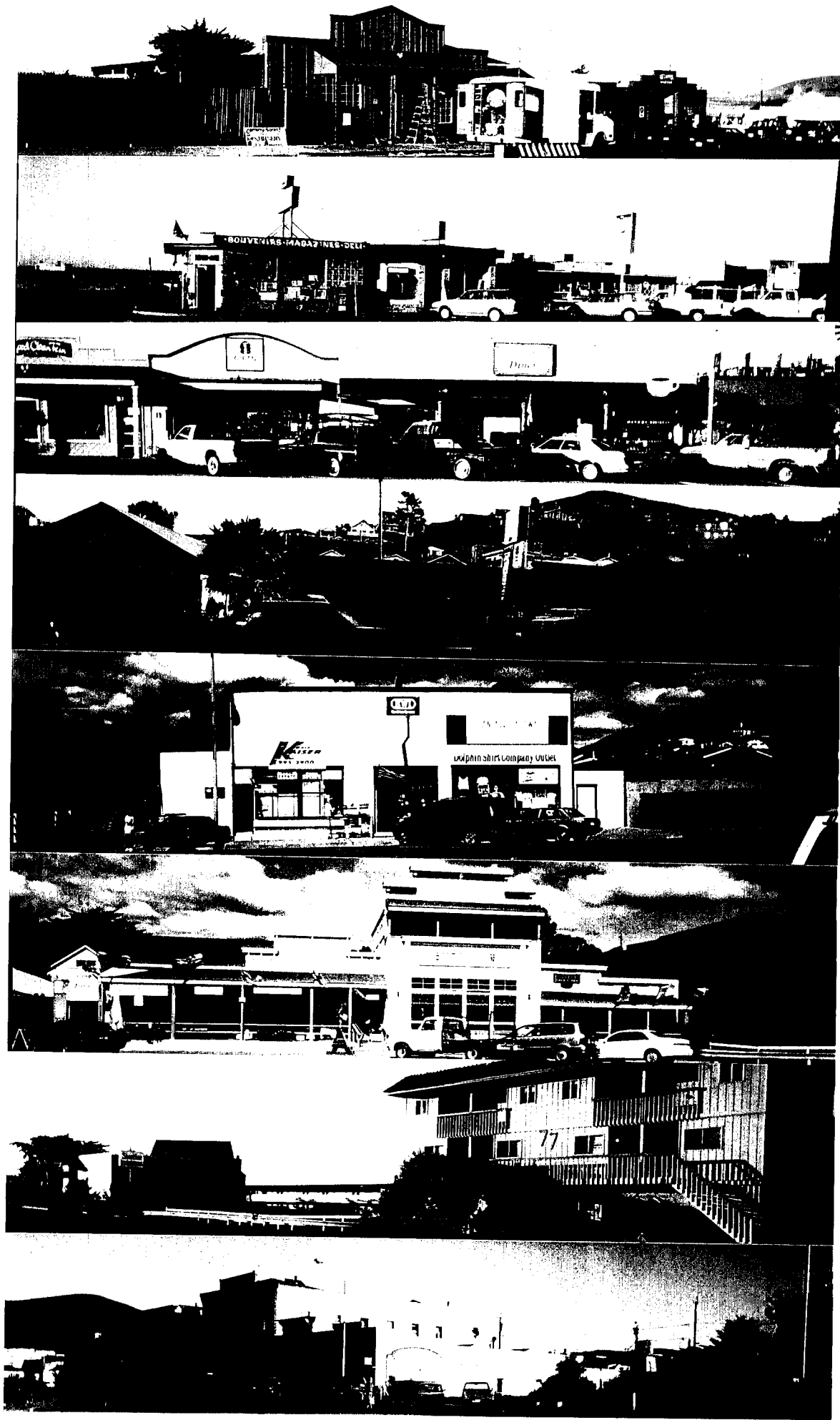
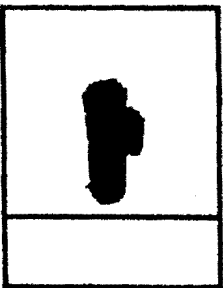


Exhibit 5
Appellants' Submittal





CAYUCOS DR.

DB'S CORNER	RESIDENCE
MCLEAN'S	
	GARAGE
	WHEN
PEARSON'S REALTY	
	EMPORIUM
CAYUCOS TAVERN	
CAYUCOS PHARMACY	

D STREET

TRADING POST	
CANDY COUNTER	

OCEAN AVENUE

CAYUCOS SHIRT
TIDE POOL
RE
PERCONE

SHOP
CHOONER'S
APARTMENTS
KELLEYS
CYPRESS CAFE
HIGHWAY ONE
GOOD CLEAN FUN
WHIMSEY BY DESIGN
SKIPPERS
MIDSTATE BANK
PAULS LIQUOR TACO TEMPLE



VERSHALL

3 STORY BUILDINGS
2 STORY BUILDINGS
1 STORY BUILDINGS

UNDEVELOPED LOTS
OPEN SPACE & RESIDENTIAL BUILDINGS
BUILDINGS OVER 28 FEET @ STREET CL

ESTABLISHED COMMERCIAL BUILDINGS IN CAYUCOS

SEA GULL M
BEACHRAIL
CAYUCOS LIQUOR
RESIDENCE
CYPRESS TREE MOTEL
21
PARADISE COPY
HIGHWAY ONE REALTY

PARK

CAYUCOS SUPER MARKET

RESIDENCE	NELSON'S GARAGE
CAYUCOS NURSERY	
GILLIGAN REALTY	

1ST ST.

SEA ESTA MOTEL
BRANDEE'S BEAUTY SUPPLY

2ND ST.

SENIOR CENTER
RESIDENCE
LIBRARY
SEA SHANTY

3RD ST.



3RD ST.

CHURCH

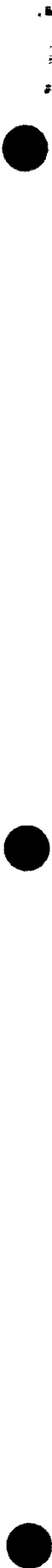


Exhibit 6
Appellants' Submittal (2 of 2)

BEACHTOWN REALTY

4TH ST.

RESIDENCE
RESIDENCE
RESIDENCE
RESIDENCE

5TH ST.

RESIDENCE
RESIDENCE

6TH ST.

RESIDENCE
CAY
LAW OFFICE

7TH ST.

RESIDENCE

DOLPHIN INN

RESIDENCE
LAUNDRYLAND

RESIDENCE
RESIDENCE
RESIDENCE

REIS CHAPEL
RESIDENCE
RESIDENCE
RESIDENCE
RESIDENCE

CAYUCOS MOTEL
RESIDENCE
SEA SIDE MOTEL
LIBERTY REALTY

RESIDENCE	NELSON'S GARAGE
-----------	-----------------

THIS IS IT
CPA OFFICE OCEAN AVE HARDWARE DOLPHIN OUTLET

E STREET

DRIVEWAY
ESTERO BAY MOTEL
CAYUCO
LOU & SHENLY'S ITALIAN RESTAURANT

PACIFIC

SEA GULL MOTEL

VICTORIAN INN

COHN - ARCHITECT
ARCHITECTURE PLANNING

531 STEVENS AVE. WEST
SUITE C
SOLANA BEACH, CALIFORNIA 92075
858/755-7308 FAX 858/755-5669

RECEIVED

NOV 10 1999

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

November 4, 1999

California Coastal Commission
Central Coast Office
725 Front Street, Suite 300
Santa Cruz, CA 95060

Att: Steve Monowitz

Re: Victorian Inn Appeal No. A-3-SLO-99-060

Dear Steve:

Please incorporate this correspondence into the file and/or staff report.

This project is being appealed based upon incompatibility with the existing character of the community, in particular it's mass and scale. The basis for this appeal is unfounded and incorrect. First it is important to understand that this project meets or exceeds all current development standards, requires no variances and has been accepted by the local planing group, the Cayucos Citizens Advisory Council.

Currently the streetscape of the Cayucos general business district consists of one, two and three story buildings of various styles and design. The most significant buildings are the Cass House, the Veterans Hall and the two antique shops located on the north side of Ocean Avenue between Cayucos Ave. and D Streets. (These later buildings are utilized as the Logo of the local newspaper "The Cayucan"). The two antique shops are three stories and over 30' tall. The Cass House is a two plus story Victorian house over 30' tall and the Veterans Hall is a large structure over 30' tall.

The approved design that we are proposing is a mix of three levels on a site that slopes up from the street approximately ten feet towards the rear of the site. The project is sited so that its mass steps up the hill. The third level mass is pushed towards the rear away from the street frontage where the natural grades are highest. The entire structure fronting on Ocean Avenue and E

Exhibit 7
(1 of 6)

Street is one and two stories. The third level is set back over 50' from both Ocean Avenue And E Street. The location of this third level is such that the first level is below grade beneath it so that this level really appears as a second story. This project steps up the hill with the existing grade. The mix of stories roof lines and heights is completely compatible with the same mix already found in Cayucos both in terms of scale and character. The majority of the linear frontage of the building along the streets is one story.

In relation to new structures that have been built or approved this project is smaller in scale and mass than several structures. Across E Street, the approved Pier View Plaza project presents a two story "wall" across its Ocean Avenue frontage with the third story set back 20' from Ocean Avenue. This configuration wraps the corner and covers better than half the depth of the lot along "E" Street in this three story configuration. Compare this project to ours which is one story or less all along E Street and is one story at the intersection of E and Ocean. The Pier View Plaza will without question appear more massive from Ocean Avenue than the proposed project.

Another recently approved project is the Cayucos Coast Inn which is three stories tall along it's entire Ocean Avenue frontage. Again our project would appear smaller both in terms of mass, scale, and height.

The Cayucos Beach Inn is a 37 unit hotel just recently built consisting of two large two story block masses running the entire depth of the site separated by surface parking. These buildings appear as two massive rectangular blocks.

The approved exchange building adjacent to the Cass House is a tall (approximately 30') two story structure with very little vertical relief. In addition to these projects at 77 Ocean Avenue is an existing three story condominium project which exceeds 30' and the Beach Walker Inn is a two story structure that covers the entire site except for parking.

All of these recent projects are examples of tall two and three story structures with very little variation in their massing. The Victorian Inn has varied massing, steps up the hill with the existing terrain and has only a small portion of its' structure at the third level. (11% of the total square footage is at the third level.) The Victorian Inn is compatible in mass, size and height with both existing structures and new structures. It is sited to take advantage of the natural terrain and minimize its mass.

The project's design and architectural style is completely in character with the surrounding community. It incorporates the Victorian style borrowing from both Stick Style and Queen Anne. The project is highly articulated utilizing authentic Victorian detailing and materials. The most significant buildings in town - The Cass House and the antique shops are all Victorian designs. The project

Exhibit 7
(2 of 6)

complies with the zoning ordinance requirement for Western or Victorian design. In addition to matching the design character of the community this project incorporates underground parking to eliminate a large paved surface parking area that would be visible to the public. This also helps to maintain the character with the older historic structures which have only street parking.

Finally, I think it is important to understand that this project was designed with a great deal of community input. We worked closely with the Cayucos Citizens Advisory Council (the local planning group), its land use committee, planning staff at the County of San Luis Obispo, local community members and the appellants. We held public workshops to get input from the community – met many times with the advisory council and its representatives and worked to incorporate their input into the design. The approved design that appears before you is a direct result of this input. As a result, the CCAC (Cayucos Citizens Advisory Council) dropped their objections to this project. It is also important to understand the history under which this project was proposed. This project was shown to the Cayucos Citizens Advisory Council on two separate occasions. They had no comment indicating that they did not review individual projects. After processing with the County began they revised their position on reviewing individual projects and we began to work with them from that point on. Attached please see a chronology listing the events that occurred during this processing period.

In conclusion this project has been designed and sited to fit in with the character of both existing and new structures within the community. Its scale is compatible with the existing streetscape and its presence will reinforce the historical Victorian design theme within the community. This project will enhance the surrounding community and has been designed with extensive input and participation from the local community and planning group.

No substantial issues exist for this project.

Sincerely,



Gary Cohn, Architect

Attachment: Chronology

531 STEVENS AVE. WEST
SUITE C
SOLANA BEACH, CALIFORNIA 92075
858/755-7308 FAX 858/755-5669

VICTORIAN INN PROCESS CHRONOLOGY

- 12/96 Project submitted to the county of San Luis Obispo for processing
- 12/96 Project shown to Cayucos Citizen Advisory Council
- 05/02/97 Project accepted for processing by County
- 10/97 Meeting with San Luis Obispo Planning Staff and consultant
Revisions to rear setback requested
- 11/26/97 Revised plans sent to SLO Planning Department
- 12/08/97 Project re-accepted for processing by County.
- 03/16/98 Victorian Inn reviewed by Cayucos Citizens Advisory Council
- 04/09/98 Victorian Inn hearing with Planning Commission
Results: Continued – asked to work with community.
- 04/22/98 -Working session with Terry Wahler (Planner) and Ron Wilson
(community member).
- 04/28-29/98 -Sent revised plans/elevations/sketches
- 05/13/98 Sent revised sketches and met with Land Use Committee
Revisions showing additional breaks at third level.
Result: Land Use Committee approved project with changes.
- 05/19/98 Sent plans to Cayucos Citizens Advisory Council based on Land
Use Committee comments.

05/20/98 Cayucos Citizens Advisory Council meeting.
Result: Rejected revised plan - recommended 30% reduction in square footage.

06/11/98 Planning Commission Hearing.
Result: Approval

10/27/98 San Luis Obispo County Board of Supervisors – 1st hearing for appeal of Planning Commission approval.
Result: Continued; Instructed to work further with Community. No specific size reduction requested.

11/04/98 Cayucos Citizens Advisory Council meeting – Owner asked for vote on whether 30% reduction was fixed or middle ground possible -
No response from Cayucos Citizens Advisory Council.

12/02/98 Cayucos Citizens Advisory Council meeting.

01/12/99 San Luis Obispo County Board of Supervisors – 2nd appeal hearing.
Result: Continued – Reduce 15% per staff recommendation and staff document.

03/01/99 Community meeting to discuss 15% reduction.
Result: Community asks for majority of 15% reduction to come from third level.

03/30/99 Sketches of 15% reduction (showing greater reduction on third level), sent to Cayucos Citizens Advisory Council.

04/07/99 Cayucos Citizens Advisory Council meeting rejecting 15% reduction.

04/15/99 Partial plans sent to planning staff for staff report.

04/16/99 Letter received from Cayucos Citizens Advisory Council rejecting 15% reduced proposal.

04/23/99 Revised sets sent to Planning Department with 15% reduction.

04/29/99 Revised plans and elevations faxed to Bruce Gibson, (President of Cayucos Citizens Advisory Council).

Exhibit 7
(5 of 6)

- 05/04/99 San Luis Obispo Board of Supervisors – Third appeal hearing
Result: Appeal upheld. Continued until 06/15/99 when motion for
upholding appeal is before board.
- 06/14/99 Community meeting to discuss possible changes showing major
revisions to project including third level setback 55' from Ocean
and square footage reduced 29%.
- 06/15/99 San Luis Obispo County Board of Supervisors – hearing for revised
motion to uphold Appeal. Result: Motion fails to pass both with
sides willing to work further. Continued to 08/17/99
- 07/06/99 Plans with major revisions – (3rd level pulled back from E Street),
and letter indicating changes sent to Cayucos Citizens Advisory
Council for status report at meeting on 07/07/99.
- 07/30/99 Plans received from Ron Wilson (appellant) and Land Use
Committee recommending further changes. (copy of Ron wilson's
plans attached)
- 08/04/99 Cayucos Citizens Advisory Council meeting - final changes
proposed prior to meeting with Ron Wilson and Bruce Gibson.
Result: Council votes to drop objections to project.
- 08/12/99 Revised plans sent to County Planning.
- 08/13/99 Final revisions sent to Cayucos Citizens Advisory Council.
- 08/17/99 San Luis Obispo County Board of Supervisors hearing.
Result: Project approved.

Exhibit 7
(6 of 6)