

## Thoughts on being a good neighbor and the ATC and why trees help everyone

Janet Cohen <janetcohen333@comcast.net>

Sat 9/26/2020 11:35 AM

To: R Mullane <rmullane@hrandassociates.org>; Bill Peake <bpeake@cityofpacificgrove.org>; citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; Ben Harvey <citymanager@cityofpacificgrove.org>; Anastazia Aziz <aaziz@cityofpacificgrove.org>; Kevin@Coastal Kahn <Kevin.Kahn@coastal.ca.gov>

Think back to the worst place you ever lived and ask yourself, "Was noise part of the equation?" For me it was next to a bowling alley where I could actually hear the pins and even a very loud blower cleaning the parking lot at 4:00 am every night under my bedroom window because of the treeless parking lot with zero setback.

101-1

Now think, "How many times did I hear someone in PG say a large hotel was appropriate at the ATC site because it was at the edge of town and PG needs the money? Also think, where in PG did that person live?"

But, unlike Cannery Row's main drag that is noisy and separate from residential homes except for a few, the ATC has neighbors that reside on two sides of its' perimeter.

Changing from retail hours to hotel use will heavily impact the adjoining residential district on the Dewey Street side and the booming underground excavation for a parking lot will have unknown frightening impacts on the harbor seals and other sea life living on the Ocean View perimeter of the ATC, home to Stanford's Hopkins Lab research team that diligently works to save our ocean.

101-2

So it's not nothing.

Questions as to how noise can be mitigated for the Dewey Avenue side residential neighborhood:

101-3

1. Will there be noise limits put in place by the hotel itself or the City after a certain time as 10:00 pm?
2. Is there an alternative location for the service entrance as from Eardley instead of Dewey?
3. Can service entry times be limited from 8 am, (9 am weekends) to 10 pm?

Questions as to how excavation noise can be mitigated for harbor seals and other sea and wildlife during construction especially from underground excavation:

101-4

1. What impacts are scientifically already known to animal life from noise?
2. What are the recommendations if any for decreasing negative consequences on ocean life due to underground construction extreme noise?
3. Are the destructive consequences worth losing marine animals or should the hotel reconsider its parking parameters and number of guest rooms?

Further, because living trees help mitigate structural massing in ways that nothing else can:

1. Why do all of the trees on the ATC site have to be destroyed?
2. Aren't there any other alternatives?
3. If a tree is taken down will two be planted to replace it?
4. What size tree will be the minimum size for any new tree so it does not take 10-30 years to grow to the size of the one lost?
5. Will a row of trees be planted to mitigate the impact of the ATC buildings massing along the rear perimeter parallel to and visible from Central Avenue?

101-5

a. What size setback will there be between the buildings property line along Central Avenue and the adjoining proposed ATC structures?

b. Can trees be planted all along this setback in order to mitigate the massing view from Central Avenue of the higher wall of buildings of the ATC Hotel rearing up behind the now single story commercial properties along Central which would also benefit the hotel?

c. Can more trees also be planted along the Dewey Street ATC side to mitigate noise and other visual impacts?

101-5  
Cont

d. How do trees enhance the Eardley side of the ATC proposed hotel and mitigate the large bluff visually from the hotel site too?

The value of the ATC site for a hotel is of course in the largely ensured from future development view of the ocean because of Hopkins and the steady stream of visitors to the world famous Monterey Bay Aquarium.

101-6

The protected quiet cove access to the ocean directly in front of the ATC property seaward ultimately led to the development of Hopkins and the Monterey Bay Aquarium.

Besides the thousands of years of early people fishing the cove, it was also the home to an important Chinese fishing village that had whole families for over 50 years. From the mid 1850's until May, 1907 this community developed and lived along the cove pulling up their sampans on the sand in the morning after fishing for squid all night, contributing to the local economy by introducing viable commercial fishing to the Monterey Peninsula until a year after a suspicious fire in May 1906 burned many of the homes. The the loss of a year long civil action to rebuild forced the remaining residents to leave.

This fire that displaced a whole group of people and resultant controversy was actually pivotal in the coastal land not being developed for single family homes but instead for scientific use first to the University of California and then to Stanford for marine research and the rear part of the Chinese fishing village site being developed by the American Can Company.

101-7

There are large historic photos currently up in the ATC of the Chinese fishing village because it extended back through the ATC site. None of the structures on the ATC portion were burned in the the 1906 fire.

Thus, of course archaeological monitoring will be required during any digging or excavation throughout the hotel development.

Also, of importance will be including Gerry Low- Sabado, a fifth generation descendant of the Chinese fishing village as a cultural consultant.

She is well known to Stanford, the Aquarium and Foursquare Development in Cannery Row for this important part of our local history and has consulted throughout the area from Point Lobos where her family first arrived at Whalers Cove from China by sea and her great grandmother, Quock Mui, was born becoming the first Chinese American in Monterey County.

Quock Mui later lived in the Pacific Grove Chinese fishing village whose land the ATC site now sits upon and after the fire forced her family's departure moved to land which later became part of Cannery Row.

Ms. Low-Sabado can be reached at 510-378-0999.

The resultant positive outcome for the world of this land use by Hopkins and the Monterey Aquarium for ocean research, education and advocacy that may save us all is a high bar for an adjacent hotel on land tied to this history too to be part of and benefit from but worthy of reaching for in multiple carefully thought out mitigations that will pay off in known and unknown outcomes that will make a difference.

101-8

Thank you,  
Janet Cohen  
243 Asilomar Avenue  
Pacific Grove, CA

## ATC Hotel - will it be truly part of PG or only income?

Janet Cohen <janetcohen333@comcast.net>

Mon 9/28/2020 10:28 AM

To: R Mullane <rmullane@hrandassociates.org>; citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; City Manager <citymanager@cityofpacificgrove.org>; Anastazia Aziz <aaziz@cityofpacificgrove.org>; Kevin@Coastal Kahn <Kevin.Kahn@coastal.ca.gov>; Bill Peake <bpeake@cityofpacificgrove.org>

Project Bella had one thing right that came from those on the team that thought they were actually building a hotel (versus one of the investment partners, whose intent it appears unbeknownst to the other partners was always to get City and Coastal approval and sell the proposed project). Then the money, (that was never really there), ran out leaving the City of Pacific Grove with a large bill and an even greater amount of wasted time of both staff and citizens.

Those that thought they were actually building Project Bella recognized that the ATC location was adjacent to a place worthy of recognition as a World Heritage Site.

I would argue that the ATC is actually worthy of being part of this World Heritage Site dream too along with Hopkins and the Aquarium from its' shared land connection to the Chinese fishing village and later like the Aquarium, the ATC site buildings built on the original Chinese fishing village site were tied to the rise and fall of the massive sardine industry.

102-1

The Monterey Bay Aquarium had a wonderful 15 minute deck show for the last 4 or 5 year summers before Covid called "Turning the Tide."

Through video interviews, historic photos and live actors an important story was told as a cautionary tale about the earliest fishing historically in the Monterey Bay through the wildly booming sardine fishing and canning industry and ultimate bust from overfishing decimating the sardine population.

As the ATC was the American Can Company that was built for manufacturing and providing the cans for Cannery Row's packing and shipping of sardines, it was an integral part of that experience.

Saving most of the factory saw tooth roof building in the current ATC proposed hotel plans and recognizing its' unique architecture helps to keep that part of our history and important ocean conservancy lesson alive.

But, It would be an improvement to leave the saw tooth roof factory building's entire original footprint rather than cut out a large junk for the pedestrian entry.

102-2

(Note: The outside front deck along Ocean View Blvd. was not part of the original, but built in the early 1970's).

The ATC site history is connected to the rise and fall of Cannery Row's sardine industry, but it is separated from the current day Cannery Row's busyness physically and lies in Pacific Grove.

The proposed hotel will sit on the opposite side of the Aquarium away from the hectic pace of Cannery Row. Facing the ocean it looks directly across the open quiet campus of Stanford's Hopkins Marine Research Lab along Ocean View Boulevard which will also ensure the hotel blue water views.

On the Eardley Avenue perimeter of the ATC site is a high bluff atop which is a market, large parking lot and a drive through restaurant.

102-3

On the rear of the parcel is a large parking lot that runs parallel to mostly single story commercial buildings along Central Avenue.

On the Dewey Avenue perimeter is a residential district.

Thus, the surrounding density of the ATC site is greatly decreased from that of Cannery Row's many shops and restaurants and not truly urban (except in traffic congestion from visitors.)

Located physically out of Cannery Row, the ATC gives visitors a different experience with all that Pacific Grove has to offer and a beautiful recreation trail along the ocean for miles.



This is worth emphasizing both for the hotel's own success and for Pacific Grove. Do you want this hotel to be a Cannery Row extension or to be part of Pacific Grove?

It does make a difference in the design of the hotel. Will it successfully become part of PG where we have family gatherings and events and relatives stay because it is part of our community or will it be only income?

I would vote for aiming for a win-win model over only income.

Why not have extreme noise restrictions to save the harbor seals and more trees as mentioned in an earlier letter?

Why not have height really limited to 40 feet including mechanical equipment and elevator shafts rather than closer to 50 feet in reality?

Why not think harder about protecting the residential district on the Dewey Avenue perimeter? Rather than sacrificing a neighborhood to the income cause, instead use mitigations as: decreasing the height of the proposed structures along Dewey Avenue, (as is required in the R-3 -M District when hotels or motels are in close proximity to residential homes), relocating the service entrance and limiting noise after 10:00pm.

Many pieces ultimately decide the success of any project where overtime one sees lasting quality. Quality that is valued both in a community and also as a place people will seek out to come and and soak in the past and present, as The Ahwahnee achieved in Yosemite. That is probably too high a mark, but the idea behind reaching high is that in a hundred years the ATC Hotel truly feels somehow that it fits right and reflects and enhances this historically significant place alongside Hopkins Marine Lab in Pacific Grove and The Monterey Bay Aquarium whose research and education together may ultimately save the planet.

Thank you,  
Janet Cohen

102-3  
Cont

102-4

102-5

citycouncil@cityofpacificgrove.org; citymanager@cityofpacificgrove.org

Janet Colson <pgdoglover@comcast.net>

Sun 9/27/2020 4:24 PM

To: R Mullane <rmullane@hrandassociates.org>

Hello All —

I write to express my concerns (and yes, dismay) at this proposed development at an already congested part of Pacific Grove. I'm not sure what is more concerning — the size and expanse of the development or the lack of any transparency on the part of our appointed and elected officials, all of whom have failed to adequately bring this project to the attention of the citizens they purport to represent. I urge everyone to go back to the drawing board and bring forth a project better suited to the location in question and in full transparency.

103-1

Thank you.

Janet Colson

PG Resident Grievance

JD CORPUS <joandcorpus@aol.com>

Mon 9/28/2020 11:11 AM

To: R Mullane <rmullane@hrandassociates.org>

Dear Mr Mullane,

Please recognize and evidence your support for my grievances regarding the American Tin Cannery Project.

The following are my comments regarding the project proposed at the ATC property. I feel that this hotel is too big for Pacific Grove, the last hometown. This is a city of trees and amazing wildlife. None of the options proposed mitigate the disturbance to wildlife or help with the destruction of 79 mature trees.

104-1

The Draft EIR fails to take into consideration the rookery directly across the street at Fisher beach.

Harbor seals are nocturnal and therefore must sleep during the day. Hopkins Beach and the area around Hopkins Marine Station is the safest and most appropriate for this colony of seals. You have not stated just how you plan to remove this large amount of granite rock. You mention having monitors there to watch the wildlife but once the disturbance happens it is already too late to mitigate it. So, just how do you plan to remove that much granite, with 130 truckloads a day going from that site and not disturb the seals on a daily basis? Putting up netting/perimeter fencing to block sound has not worked in the past and at this location, sounds travel in different ways, at different times of the day. We cherish this colony of seals and understand how sensitive they are to human disturbances. This project in this current form will drive the colony away. You also need to get a "take permit" to do this work because it will disturb the seals.

104-2

This EIR states some of the following mitigations to address the disturbances to both the harbor seals and black oystercatchers.

MM BIO-1.2 Timing of Demolition and Excavation

Demolition, grading and excavation of the site for sub grade construction shall take place between June 1 and February 1 (outside the harbor seal pupping and weaning season of February through May) to avoid potential disturbance of the local harbor seal population that may be using the beach area west of Hopkins Marine Station.

104-3

The timing for this demolition and excavation will disturb the very sensitive pregnant seals that will soon be resting back at Hopkins beach within a month. They have no other place to go and come from other areas at this time of the year to prepare to give birth. It is not just from March to the end of June but rather the pregnant seals are here beginning as early as October to prepare for birth.

MM BIO-2.1 Preconstruction Bird Surveys

The applicant shall schedule all on-site tree removal and grading to occur between August 31st and March 1st of any given year to avoid the Central Coast bird nesting season. If this schedule is not practical, the project sponsor shall fund the engagement of a qualified biologist to conduct preconstruction nesting bird surveys no more than two weeks prior to removal of trees and grading. If no active bird nests are observed, no additional measures are required. If nesting birds are observed, the biologist will establish a buffer zone where no tree removal or grading will occur until the biologist confirms that all chicks have fledged.

104-4

Again this proposed mitigation failed to mention the harbor seal rookery at Fisher beach. Harbor seals are very sensitive to loud noises such as chainsaws and wood chippers. The timing of doing this tree work could very easily cause the pregnant seals to abort their pups. It is unfortunate that you have chosen this site to do this kind of massive work because this is an extremely sensitive area for the wildlife, harbor seals, black oystercatchers, deer, and more.

With climate change raging, I cannot even imagine why you would consider removing 79 mature trees. This cannot be mitigated because whether you pay money to take down the trees with no replacement or you replant somewhere else, we will have lost the trees that matter to life on this planet forever and trees that are currently doing the most to combat climate change. The proposed newly planted trees may or may not make it where they are planted, because their chances are lessened by the effects of climate change and they will take years to get to the effectiveness these trees are doing now. So, how do you plan to mitigate that kind of loss? You cannot!

104-5

I ask that you downsize this project, work with the trees already there, remove the underground parking and leave Sloat street. Protect the reason that makes this place so special to begin with, the environment and the wildlife that live in it.

September 28, 2020

Rob Mullane, AICP, Consulting Planner  
<rmullane@hrandassociates.org>

Dear Mr. Mullane,

The achilles heel of the draft EIR’s otherwise good-faith environmental review of the ATC project is the City’s direction that erection of story poles cannot be used due to safety concerns. (DEIR §5.6.1, pg. 5-29.)

The City-approved Coastal Implementation requirement at §23.90.161(B)(1) *mandates* story poles for a project within the Coastal Zone. It states that at a *minimum* the visual analysis *shall* include:

105-1

(e) “Any other information deemed necessary to determine the visual impact of the proposed project, including but not limited to analysis of the heights of existing buildings within 150 feet of the proposed structure, story poles and netting showing proposed ridge lines; and visual simulations to help identify potential visual impacts.”

**THE DEIR SKEWS PORTRAYAL OF PROJECT VISUAL IMPACTS**

Lisa Ciani’s September 9 letter explains the following ways in which the DEIR skews visual analysis:

“The trees are not part of the size and scale issues, but they are being misrepresented. Since ALL the trees are planned to be removed, it should be easy to show none of the existing trees, and show trees of the size the project commits to plant there instead.

105-2

Look at the Central Avenue elevation. It’s depicted with muted twilight. That is not a typical depiction to show people what the project will look like in broad daylight, the usual view. And furthermore, **if you enlarge the rendering and look at the shadows, the light is coming from different directions, some places it comes**



**from the right, some places from the left. Sunrise and sunset in the same rendering. And the middle section is dark. Why is that? And there are different scales—look at the tiny people in front of the building. And there are phantom trees where none are proposed to be planted. This rendering aims to give a favorable impression, but not an accurate impression.**

**Look at the cross-section on page A-11 of the plans. The trees in that drawing appear to be 60 feet tall. That makes the building appear considerably less imposing than it actually would be. And this cross-section view is not consistent with the Central Avenue elevation.” [Bold added.]**

Ms.Ciani demonstrates that the DEIR provides a prejudicially-skewed portrayal of the project’s visual impacts.

#### **NO EVIDENCE OF SAFETY CONCERNS**

On September 8, I submitted Public Records Request #2009-003 requesting all documents relevant to the City’s position on story poles. My request states:

“This is a public records request for all documents relevant to the City’s determination that story poles at the ATC site would pose safety concerns, a statement which appears on page 5-29 of the draft EIR for the currently circulating “American Tin Cannery Hotel and Commercial Project:”

“Story poles — temporary lightweight poles with netting to demonstrate a proposed building’s location and height — were not erected per city direction due to safety concerns.”

This request includes, but is not limited to, the written report related to the referenced determination, the credentials of all person(s) involved in making the determination e.g. engineer’s license number(s), AICP credentials, etc. and any other documents having a

105-2  
Cont

105-3

bearing on the City’s determination about the referenced safety concerns.”

The City responded on September 15 with four documents which, at best, represent clumsy pretense that the City had valid reasons for its purported safety concerns.

105-3  
Cont

### Irrelevance

To be relevant, a responsive document would need to pre-date the July 30 release of the DEIR, it would need to be a statement by the person who made the safety determination, and it would need to apply to new construction. Instead of relevant documents, the City provided:

- a memorandum from John Kuehl **dated September 9, 2020**, which is six weeks after July 30,
- AICP certification of Anastazia Aziz, however Ms. Aziz did not make the referenced decision
- a Feb. 19, 2020 memorandum from Ben Harvey to the City Manager’s Story Pole Advisory Committee which states the Committee’s deliberations do not change the July 15, 2009 Council-approved Story Pole policy.
- the July 15,2009 Council-approved story pole policy titled “Applicant Requirements for Project Staking and Story Poles & Identification of Trees or Branches Proposed for Removal.” That policy pertains *solely* to “all projects involving building additions or modification of height.” The ATC hotel does not involve either building additions or modifications of height.
- the Pacific Grove Local Coastal Plan implementing ordinances adopted on January 15, 2020, which is precisely the document that mandates story poles.

105-4

On September 16, I notified the City Clerk and City Manager the City failed to produce evidence of a good-faith-based safety concern. I received no additional documents showing a valid concern.



## **Revision and recirculation required**

I regret the City's cavalier handling of the story pole issue because I consider this a good project that will benefit the City of Pacific Grove. However, an EIR must represent a good faith effort at full disclosure. (CEQA Guideline 15204). Unfortunately, the City's purported "safety concern" prevents the DEIR from complying with the Coastal Plan requirement §23.90.161(B)(1). and Ms. Ciani has demonstrated the prejudicially-skewed DEIR analysis of visual impacts. Thus, the California Environmental Quality Act requires revision of the DEIR visual impact analysis and recirculation of the DEIR.

Sincerely,  
Jane Haines

**105-4  
Cont**

# Letter 106

## ATC DEIR

Jung Hwa K. <familythatshopstogether@gmail.com>

Mon 9/28/2020 4:58 PM

To: R Mullane <rmullane@hrandassociates.org>

Please respond to the following questions regarding the Draft EIR of the American Tin Cannery (ATC) Hotel and Commercial Project dated July 2020 in vol. 1:

- 1. What data supports the statements on page 4-4 that the project a) could generate about 172 jobs and b) that the employees would be from regional residents? Please list the towns that the regional residents refers to. Relatedly, how and where will the employees travel to the jobs? If they're parking, where will they park their vehicles? **106-1**
- 2. In reference to p. 7-17, please describe the specific analysis that is planned and any that have already been done regarding the impact of the ATC project to the ocean and sea life, including the harbor seal population and oysters and cetaceans and sea otters. Noise affects wildlife in the ocean and the ocean itself during all phases of construction and operation. What data supports that less than significant impact will occur? What data from seismic surveys support that less than significant impact will occur? **106-2**

Please state when story poles and specific data that describe how the noise and traffic and water use generated from the construction and operation of this project will be mitigated and over what specific periods of time. **106-3**

Respectfully,

Jung Hwa Kim

Fwd: Request from Kleiss to extend the public review of DEIR of ATC building during this time of Covid Pandemic.

## Letter 107

Anastazia Aziz <aaziz@cityofpacificgrove.org>

Tue 9/29/2020 1:26 PM

To: R Mullane <rmullane@hrandassociates.org>; Alyson Hunter <ahunter@cityofpacificgrove.org>

Thank you.

### Anastazia Aziz, AICP | Director

City of Pacific Grove | Community Development Department

300 Forest Ave, 2nd Floor Pacific Grove, CA 93950

T: 831-648-3192 Main Reception: 831-648-3190

[www.cityofpacificgrove.org](http://www.cityofpacificgrove.org)

Due to COVID-19 [remote procedures](#) are in place to process City permits including building and planning permits. You can also view the Monterey County Health Officer's updated COVID-19 Shelter Order and FAQs [here](#).

----- Forwarded message -----

From: **Kerry Lindstrom** <[klindstrom@cityofpacificgrove.org](mailto:klindstrom@cityofpacificgrove.org)>

Date: Tue, Sep 29, 2020 at 11:46 AM

Subject: Fwd: Request from Kleiss to extend the public review of DEIR of ATC building during this time of Covid Pandemic.

To: Anastazia Aziz <[aaziz@cityofpacificgrove.org](mailto:aaziz@cityofpacificgrove.org)>

Public comment.

### Kerry Lindstrom, CMC

Deputy City Clerk

City of Pacific Grove

300 Forest Avenue, CA 93950

831-648-3109

*City Hall Business Hours: Mon - Thurs., 8am - 5pm. Closed on Fridays.*

----- Forwarded message -----

From: 'Jill c' via **City Council Members** <[citycouncil@cityofpacificgrove.org](mailto:citycouncil@cityofpacificgrove.org)>

Date: Mon, Sep 28, 2020 at 4:44 PM

Subject: Request from Kleiss to extend the public review of DEIR of ATC building during this time of Covid Pandemic.

To: <[citycouncil@cityofpacificgrove.org](mailto:citycouncil@cityofpacificgrove.org)>, <[dave@laredolaw.net](mailto:dave@laredolaw.net)>, <[heidi@laredolaw.net](mailto:heidi@laredolaw.net)>

Cc: Sally Aberg <[forthecolors@comcast.net](mailto:forthecolors@comcast.net)>, Lisa Ciani <[lisa.ciani@gmail.com](mailto:lisa.ciani@gmail.com)>

Dear Mayor and City Council Members,

Once again there is an opportunity for you to represent the residents. During this pandemic, with limited access to DEIR copies because copies are not available, or because residents are unable to access them due to their own health concerns in this pandemic. To provide full transparency, the public needs to have more time to review this extensive document and provide commentary. One extension was good. Another extension would mean that, perhaps, you do listen to the residents. Thank you for considering this request in such short notice.

Jill Kleiss

Sent from my iPad

107-1

## ATC Project Public Comments

Janette Loomis <janetteloomis@hotmail.com>

Sun 9/27/2020 7:58 AM

To: citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; R Mullane <rmullane@hrandassociates.org>; Rob Mullane <rmullane@cityofpacificgrove.org>

Cc: Jan Loomis <janetteloomis@hotmail.com>

Dear Council and Mr. Mullane,

As a resident of Pacific Grove, I am deeply concerned about the proposed hotel slated for the American Tin Cannery site. While I am not opposed to a project to replace the decaying American Tin Cannery, I have serious concerns about this particular project. Here are my concerns, in no particular order:

1. The size and scale of the project and the resulting issues that surround a project of this size.
2. The potential disturbances of protected Harbor Seals and species of concern, Black Oystercatchers.
3. The lack of public space slated for the project.
4. The removal of 79 mature trees.
5. The lack of story-poles and adequate notification of the public.
6. The lack of transparency on the part of the City of Pacific Grove.

108-1

With the history of the previous hotel project being poorly managed but the City, it would seem to me that this project would have much more transparency and communication which has not been the case.

1. Size and scale of project. One has to ask the question, does the City of Pacific Grove truly need a hotel of this magnitude? With affordable housing and a lack of rentals within our city, is it wise to be adding a massive hotel? Have we adequately addressed the traffic issues (keeping in mind we already have a significant traffic issue on weekends, especially during holidays and summer)?

108-2

2. Animal disturbances. There does not seem to be a clear procedure for animal (Harbor Seals and Black Oystercatcher), disturbances, how they are documented and the subsequent action plan? The 'qualified biological monitor' is also not clearly defined. What makes a biological monitor qualified? Can they just be a local volunteer? City employee? This very important task will need to be managed by a professional biologist who specializes in animal disturbances.

108-3

3. Lack of public space. It appears that there is no public access for this project and no public space proposed. Why did the City not consider having commercial space (retail) on the ground floor with public spaces incorporated into the plan and then housing (condominiums, some affordable) above? What about the model such as the Ferry Building in San Francisco or Stanley Marketplace in (Aurora) Denver with added housing above?

108-4

4. Removal of established trees, the majority of these trees protected per code. How can the City allow this many trees to be removed and replaced with non-like trees (in 5 gallon containers?) Monterey Cypress are a native, important tree along our coastal area and the removal of these very old trees will take years to replace. Not only does this destroy nesting and migratory bird habitats, it removes trees that the City desperately needs to keep. Are the trees being removed for convenience for the developer? How can they claim these trees 'lack the stratified understory' and thus no longer be considered sensitive resources?

108-5

5 & 6. Lack of story-poles and adequate notification of the public. How can a project of this magnitude not mandate story-poles? How do adjacent communities (Pebble Beach Co.) for example, require story-poles for every new large project and we don't? Citing a safety issue is simply untrue. It begs the question what is this project hiding? And not marking the trees for removal during the timeline that the project requires?

108-6

There are just too many red flags for my comfort level and this lack of transparency on the part of the City is making me wonder what is really going on. I am asking please for an extension of the public comment period as the renderings have just gone up last week and the trees slated for removal remain unmarked.

108-7

In closing, I ask that all members of the City Council and Mayor carefully examine this project and listen very carefully to the public comments.

Respectfully,

**DEIR Response - American Tin Cannery Hotel Development (proposed))**

Michelle Raine <mor1951x@gmail.com>

Mon 9/28/2020 12:21 PM

To: citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; dave@laredolaw.net <dave@laredolaw.net>; heidi@laredolaw.net <heidi@laredolaw.net>; R Mullane <rmullane@hrandassociates.org>

**City of Pacific Grove  
Community Development Department  
300 Forest Avenue, 2nd Floor  
Pacific Grove, CA 93950**

**Attention: Rob Mullane, AICP, Consulting Planner**

Dear Mr. Mullane,

My name is Jim Raine. We bought a home in Pacific Grove in 2014 after I retired from the construction industry and from one of the largest drilling and blasting companies on the West Coast. During that time I worked on many development projects that required achieving subterranean elevations. During my employment, I worked with development plans, EIRs, the Army Corp of Engineers and with both Federal and State regulations and requirements to meet all regulations for these projects.

**109-1**

This is the first big project with Pacific Grove being the lead agency for a development in the Coastal Zone. They spent the last 2-3 years getting these plans and regulations written, yet are not following their newly approved Land Use Plan and policies, Local Coastal Plan and Implementation Plan policies and implementing ordinances and their own General Plan and policies.

This particular DEIR is vague in the actual methodology that will be used for the site preparation and removal of overburden and the bedrock to accommodate this 225 room hotel development and underground parking for 260 cars. After enumerating the problems, their conclusion is "less than significant impact" on almost every issue raised. Within the Geology and Soils section of the DEIR, the developers are emphatic that no drilling or blasting will be required. Years of experience in rock removal for development projects tells me that there is no way to achieve the elevations outlined without blasting. The environmental studies should have had a comprehensive drilling program to locate underground bedrock as part of this DEIR. Possibly the newest standard of using LIDAR to map underground rock formations could be employed. Without a comprehensive mapping of the bedrock formations, I don't see how the rock can be dismissed as insignificant. Drilling is mentioned for the project, but to what end? There is no explanation of what is being achieved because you don't just drill holes to have holes. Precise and accurate information on how much rock is proposed to be removed is necessary and will impact all the reports contained in this DEIR. Regardless of how the rock is ultimately removed there is no mention of seismic monitoring devices being placed at all nearby houses and businesses and on critical underground piping, such as sewer, gas and water. These are standards employed by most major earthmoving and construction companies when working in an urban environment. This is really necessary to protect not only the businesses and homes, but to show due diligence for the protection of person and property and help insulate against lawsuits that happen in these situations. The DEIR vaguely mentioned that if the elevations could not be met, they would pursue a different course which is not outlined and does not address any possible environmental and legal issues that would result from this change. This brings us back to the problem of not having an underground mapping of the rock to be removed.

**109-2**

I could find nothing about testing and studies for hazardous material in the soils. Since the building has been there for almost 100 years as an industrial business, testing should be done to determine if there are contaminants that can be brought up and released into the ocean through runoff from the site when the rains come. Hazardous materials cannot be released into our storm drains for ultimate release into the ocean and could result in a serious violation of regulations for discharge. This could also result in fines for the developer and the City and possibly other legal actions.

**109-3**

Traffic and road studies and mapping of the bedrock are inadequate to determine the actual number of truck trips to remove overburden, rock and demolition debris to an off-site disposal area and the many truck deliveries to the site. They list the number of tons of debris and overburden to be hauled, but without adequate mapping of the bedrock, these numbers cannot be accurate. Massive amounts of dirt, dust, road damage and noise will be generated during the 24 month construction period. Dampening and covering loads and cleaning trucks before leaving the site raises concerns of where that water washing will be done and if any hazardous materials will end up in the bay and could result in environmental violations. More testing and study must be done of the soils at depths involved in the excavation to test for hazardous materials and other toxic substances.

109-4

Adjacent to this proposed development are many beautiful homes. These property tax paying residents will not be happy with the noise, dust, hazardous materials, vibration and other problems with a large construction project next to their homes for a two year period. Even after construction is complete, living next to a huge hotel with outdoor lighting at night instead of the moon and stars is not a change that anyone is likely to be happy with in this beautiful residential neighborhood. I will not try to speak for them but will just let them submit their comments and lawsuits.

109-5

I now spend my days enjoying this beautiful area and volunteering as a shoreline naturalist. The marine mammal protection act violations and threat to the harbor seal rookery and haul out sites that this project will generate are dismissed as "not significant" in spite of the fact that these protections are enshrined in the recently enacted Local Coastal Plan, the Pacific Grove Land Use plan and General Plan.

I have prepared my own comments but want to join in and affirm the comments submitted by my wife, Michelle Raine, and those of Thom and Kim Akeman.

Thank you for your consideration of my comments.

James Raine  
1310 Buena Vista Avenue  
Pacific Grove, CA  
831 747-1666

## Federally protected species impacted by Hotel Project

Joshua Reyes <reyesjoshuacruz@gmail.com>

Mon 9/28/2020 4:37 PM

To: R Mullane <rmullane@hrandassociates.org>; citymanager@pacificgrove.org <citymanager@pacificgrove.org>; citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; aaziz@cityofpacificgrove.org <aaziz@cityofpacificgrove.org>; ahunter@cityofpacificgrove.org <ahunter@cityofpacificgrove.org>; Kevin.Kahn@coastal.ca.gov <Kevin.Kahn@coastal.ca.gov>; alexandra.mccoy@coastal.ca.gov <alexandra.mccoy@coastal.ca.gov>; dave@laredolaw.net <dave@laredolaw.net>; heidi@laredolaw.net <heidi@laredolaw.net>

Hello,

There is serious concern that Sea Otters housed at Hopkins, under the parking deck of the back lot at the aquarium, and on the Roof of the main aquarium will be negatively impacted by the construction noises and day to day noise pollution brought on by the operation of the proposed hotel.

More often than not, otters pups are housed just across the street from the Tin Cannery.

Please acknowledge that you have been made aware of federally protected species in proximity to the site of the proposed hotel.

I would appreciate any information regarding what is known of the impact they will face.

Thank you

110-1

## ATC Hotel project

jstarsolutions <jstarsolutions@aol.com>

Mon 9/28/2020 4:46 PM

To: R Mullane <rmullane@hrandassociates.org>

Dear Mr. Mullaney,

I'm writing as a local 16-year PG resident, currently living adjacent to the ATC on Dewey.

I was shocked to learn of the devastation planned to remove 100+ trees surrounding the ATC project, & surprised an actual Hotel is still in the works during these distressed times!

Having been in Hospitality Sales for over 40 years, 25 of which have been at hotels on the Monterey Peninsula, including Pebble Beach Resorts & Asilomar, I'm appalled that our community would support another competitive hotel property when so many existing hotels are struggling to remain open! There is "0" group business, so everyone is relying on transient business to fill them. And how do you think thats been going for properties like Asilomar which was an 85% group property? Not good, I assure you!

111-1

Also, how & where are the Coastal Commission's approvals for the removal of so many trees? They won't even allow Pebble Beach to cut up fallen trees, much less take a tree down unless its diseased, & these trees that I view out my window daily, are very healthy!

111-2

I've been retired for 2 years, & the thought of hearing daily construction for several years...not being able to open my windows to breath our fresh Monterey Bay air ...and see the devastation of historic trees...is unacceptable! Not to mention the dust particles traveling in the air that are sure to be filled with asbestos from that old structure...do you have a substantial contingency fund set aside to pay for my medical bills when I sue the City for negligence related to health issues from this construction project, or my estate sues upon my possible demise? Does that sound outrageous.... well can you 100% guarantee my health & safety from such a large project at my front door? No, I don't think so!

111-3

I assure you...I am going to be a very vocal resident & will not be quietly allowing another small town to fall into submission to corporate monies, all in the name of making more tax dollars for PG and at the expense of my well being, and that of my neighbors, & the beautiful Monterey pines!

111-4

WE DO NOT NEED ANOTHER HOTEL...WE DO NOT NEED TO DESTROY NATURE IN THE NAME OF GREED & TAXES!!! STOP THIS INSANITY NOW & GET CREATIVE WITH OTHER OPTIONS!

A VERY CONCERNED RESIDENT,

Jackie Shaffer  
841-277-8568

Sent from my Verizon, Samsung Galaxy smartphone

## Water Usage- Offsite Laundry Service - ATC Hotel - Public Comment

Kimberly Brown <thegoodkimberly@comcast.net>

Sun 9/27/2020 4:09 PM

To: citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; citymanager@cityofpacificgrove.org <citymanager@cityofpacificgrove.org>; dave@laredolaw.net <dave@laredolaw.net>; heidi@laredolaw.net <heidi@laredolaw.net>; aaziz@cityofpacificgrove.org <aaziz@cityofpacificgrove.org>; ahunter@cityofpacificgrove.org <ahunter@cityofpacificgrove.org>; R Mullane <rmullane@hrandassociates.org>

Cc: alexandra.mccoy@coastal.ca.gov <alexandra.mccoy@coastal.ca.gov>; Kevin.Kahn@coastal.ca.gov <Kevin.Kahn@coastal.ca.gov>; Lisa Ciani <lisa.ciani@gmail.com>; jdittman@yahoo.com <jdittman@yahoo.com>

September 27, 2020

To All Concerned,

According to page 1179 of the Draft Environmental Impact Report, it is estimated that having laundry done at offsite facilities will reduce water usage by 3.06 AFY (8 pounds of laundry per room). There are 225 rooms projected. However, the calculation chart doesn't show projected water usage for the linens or the towels generated by the restaurant, pool, fitness club & spa. Therefore, the 3.06 AFY savings is invalid. Regardless of which entity does the laundry, the amount of water used doesn't change. The rendering to the public an accurate accounting of the water usage is the responsibility of the ATC Hotel no matter who does the laundry.

112-1

I hope you will take this into account in the Final Environmental Impact Report.

Sincerely,

Kimberly Brown  
Pacific Grove Resident and Registered Voter

EIR

Gersten <kevingersten@netscape.net>

Sun 9/27/2020 10:57 PM

To: R Mullane <rmullane@hrandassociates.org>; ahunter@cityofpacificgrove.org <ahunter@cityofpacificgrove.org>

Dear Mr. Rob Mullane,

Thank you for providing the opportunity to comment on the EIR and considering the following information/suggestions.

Data analysis can lead to incorrect conclusions if the improper assumptions are used. There are a number of issues with the data presented:

- 1. traffic analysis: This was performed on Nov 20, 2019. As this was the week before Thanksgiving, it represents an estimate of local only travel rather than including the typical volumes (local + tourist) the area sees. As a result, the data analysis significantly underestimates traffic issues for the area. During prime time (eg 3:00 pm -7:00 pm) in peak months it can take 30 minutes to travel by car on Central/Lighthouse from the Cannery to Fisherman's wharf (approx 1.5 miles). This creates gridlock on the adjoining/parallel streets. Failure to appropriately assess traffic levels that occur multiple months/year creates critical flaws in the current EIR's assessment of transportation/circulation, noise, and emergency evacuation. 113-1
  
- 2. noise: the measurement of noise at L2 on 9/13/19 is impacted by trash collection occurring at the Cannery during "nighttime" hours and typically is loud enough to wake up local residents. While this currently occurs once a week, similar events created by hotel deliveries/delivery traffic on Dewey/Sloat will significantly and negatively impact the adjacent residential areas. This could be mitigated in part by requiring pickups/deliveries at the planned Sloat dock to only occur from 9:00 am-5:00 pm on weekdays and 10:00 am - 5:00 pm on weekends. Preferentially using the planned secondary loading zone on Ocean or relocating the loading dock to the parking area off central would also minimize the impact (note these requirements would also aid adjacent residential access to/from their homes). 113-2
  
- 3. Parking: the EIR does not take into account the impact of the planned project on parking in adjacent residential areas. These areas will be significantly impacted (noise, traffic, decreased spots for resident use) during the 2 year construction phase (workers parking in these locations) as well as by hotel guests/employees looking to avoid paying for valet parking or lack of available hotel parking. These adjacent residential areas should become residential permit only parking with the hotel responsible for providing parking for construction workers, hotel guests/employees and meeting coastal access requirements. The EIR already discusses how hotel parking planning/promises fail to meet expectations (Clement-Monterey). The Ritz Carlton in Half Moon Bay is another regional example (promised but failed to provide parking for local access). It should also be noted that the "worst case hotel parking" scenario will occur more frequently than presented given the large number of significant tourist events that occur in the area (Concours, Big Sur Marathon, Pebble Beach Food and Wine Festival, Monterey Jazz festival, etc) 113-3

Sincerely,

Kevin Gersten

**I oppose the American Tin Project Proposal**

Kristen K &lt;kmkelle.mail@gmail.com&gt;

Mon 9/28/2020 2:50 PM

To: R Mullane &lt;rmullane@hrandassociates.org&gt;

Hi,

I'm writing to voice my opposition to the current development proposal for the American Tin Cannery. As a PGHS student, I had several summer jobs there, and have lived and worked in the neighborhood on and off since the 80's.

The proposed development is far too big. Both the number of rooms and the form factor of the building are ridiculous for the location. Please join me in opposing this project, which seems poised to dwarf Project Bella in its disastrousness.

Thanks,

Kristen Kelleher  
3rd Edition, Pacific Grove

**114-1**

**Attention Mayor and Council**

Karin &lt;wisteriagma@comcast.net&gt;

Mon 9/28/2020 1:18 PM

To: R Mullane <rmullane@hrandassociates.org>; citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; dave@laredolaw.net <dave@laredolaw.net>; heidi@laredolaw.net <heidi@laredolaw.net>

Cc: lisa.ciani@gmail.com <lisa.ciani@gmail.com>; Wendi Giles <wendigiles510@gmail.com>; Luke Coletti <ljc@groknet.net>

Regarding the ATC Site, I stand with Lisa and her tireless advocacy for a project review. The size is outrageous.

The project is:

way over-sized

not compatible with the character of PG, even though it will become the Lighthouse Avenue entrance to the City

destroys much of the significant historic buildings where the cans were manufactured for the canning industry on Cannery Row

intends to haul off the reinforced concrete from those well-built structures to the landfill instead of re-using all the historic buildings

clears the site of its entire tree population—79 mature trees, including 52 Monterey cypresses—to be replaced by mostly commercial landscaping type trees and NO Monterey cypress, although they take credit on their landscaping plan for 3 existing cypresses on a neighboring property, page 84/490, volume 1)

excavates dense granite for underground parking right across the street from harbor seal habitat and bird rookeries for 9 to 10 weeks at the start of construction;

noise mitigations surely are not realistic! Even the DEIR's Geological Report states that more geological investigation is needed to "develop design-level geo-technical recommendations and criteria for planning, design, and construction" and "to better understand the economics" of construction. (Appendix G, pages 373-381/1189, volume 2). This is hardly reassuring! Think seismic impacts!

no one yet knows what this extent of excavation would encounter (remember that the original Chinese fishing village was located right here!)

two swimming pools are a rather absurd amenity in PG's summer weather / fog

the City should not allow a city street (Sloat Avenue) to be used for the project, even with a lease agreement

the traffic problems the project would create both during construction and once the hotel is in operation

the proposal currently has no solution to providing affordable visitor accommodations as required by the Local Coastal Program

and what about sea water rise?

environmental destruction beyond belief — for both land and sea creatures, both during construction and forevermore

Historical degradation of one of the last remnants of our area's fish canning era

Traffic problems beyond description — keep in mind, the Aquarium is right there across from the ATC site

All of this mass would sit at the entrance to Pacific Grove.

Just imagine the traffic at Lighthouse and Central and at Lighthouse and David!

**115-1**



Thank you for your time,

Karin Locke  
Pacific Grove resident

**"We're reaching the point where the Earth will have to end the burden we've placed on her, if we don't lift the burden ourselves."**

**— Steven M. Greer**

Sent from [Mail](#) for Windows 10

## American Tin Cannery Project

Karen Neyman <kenrietto@yahoo.com>

Sat 9/26/2020 9:09 PM

To: R Mullane <rmullane@hrandassociates.org>; ahunter@cityofpacificgrove.org <ahunter@cityofpacificgrove.org>

I have a few concerns about the American Tin Cannery Project:

1. Removal of healthy mature trees (Lets keep the Grove in PG!)
2. Potential Impact of drilling to the harbor seals that call Hopkins (both West and East beaches) home!
3. Traffic Impact in an already congested area.

Keep it to scale! No doubt Pebble Beach will do a classy job with the resort/ conferance facility, but if you can't put up the story poles, sort of feels like maybe the plan is inappropriately big.

Thanks for listening!

-Karen Neyman  
910 Short Street  
Pacific Grove

**Your Focus Determines Your Reality**

116-1

116-2

# Letter 117

Fwd: American Tin Cannery EIR comment

Alyson Hunter <ahunter@cityofpacificgrove.org>

Mon 9/28/2020 5:04 PM

To: R Mullane <rmullane@hrandassociates.org>

Thank you,

**Alyson Hunter, AICP | Senior Planner**

City of Pacific Grove | Community Development Department

300 Forest Ave, 2nd Floor Pacific Grove, CA 93950

T: 831-648-3127 Main Reception: 831-648-3183

[www.cityofpacificgrove.org](http://www.cityofpacificgrove.org) | Planning website: [www.cityofpacificgrove.org/planning/](http://www.cityofpacificgrove.org/planning/)

*Due to COVID-19 citizens are strongly encouraged to conduct City business via email and phone. Remote procedures are in place to process City permits including building and planning permits.*

<https://www.cityofpacificgrove.org/sites/default/files/general-documents/community-development/remote-procedures050420.pdf> You can view the Monterey County Health Officer's updated COVID-19 Shelter Order and FAQs [here](#).

----- Forwarded message -----

From: **KL Parker** <[klparker@berkeley.edu](mailto:klparker@berkeley.edu)>

Date: Mon, Sep 28, 2020 at 4:59 PM

Subject: American Tin Cannery EIR comment

To: <[heidi@laredolaw.net](mailto:heidi@laredolaw.net)>, <[dave@laredolaw.net](mailto:dave@laredolaw.net)>, <[alexandra.mccoy@coastal.ca.gov](mailto:alexandra.mccoy@coastal.ca.gov)>, <[Kevin.Kahn@coastal.ca.gov](mailto:Kevin.Kahn@coastal.ca.gov)>, <[ahunter@cityofpacificgrove.org](mailto:ahunter@cityofpacificgrove.org)>, <[aaziz@cityofpacificgrove.org](mailto:aaziz@cityofpacificgrove.org)>, <[citycouncil@cityofpacificgrove.org](mailto:citycouncil@cityofpacificgrove.org)>, <[citymanager@pacificgrove.org](mailto:citymanager@pacificgrove.org)>

To whom it may concern:

My family and I are new transplants to Pacific Grove, and have learned there is a proposed project underway at the American Tin Cannery location.

I'm emailing to ask for a *proper* public comment period as required by law, and that the city extend the comment period beyond today.

Covid-19 had decimated the tourism and travel industry. Relevant think tanks have even declared there is no known period when this industry will recover. Ergo, please follow the law and extend the comment period to allow the community to read through & digest the 700+ pages of EIR.

Gratefully,  
K.L. Parker

117-1

## Proposed American Tin Cannery Project

Wilda Northrop <wildayikes@aol.com>

Sun 9/27/2020 5:23 PM

To: R Mullane <rmullane@hrandassociates.org>

Cc: citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; citymanager@cityofpacificgrove.org <citymanager@cityofpacificgrove.org>

 1 attachments (107 KB)

Hotel Project Info.pdf;

Dear Sirs,

We have been residents of Pacific Grove for 46 years. Our children went to school here, and we have always been involved with the heritage and the value of this unique town.

We have received information about this project that is very upsetting to us for the reasons mentioned in the attached pdf file.

Respectfully,

Lowell and Wilda Northrop  
312 Central Ave  
Pacific Grove, CA

Sent from my iPad

118-1

The **largest, most quality-of-residential-life-changing project ever to hit Pacific Grove** (yes, even more so than Nader Agha's original hotel plan—remember NO ON F?)

Far too many Pagrovians are still totally unaware of this proposed hotel...and there are reasons that this is so.

The hotel developers and the City do not want any resistance to this project.

They don't want us to respond to the Draft Environmental Impact Report (DEIR).

But if we do not express our dismay, it will appear that our quiet "City of Homes" does not oppose their plans.

Think of this new proposal, known as the American Tin Cannery (ATC) Hotel Project, as "The Original Bella Project, on Steroids."

**What does this project look like?**

118-1  
Cont

118-2

225 rooms  
3-stories height  
See picture attached below.

## **What does this project demand?**

Removal of over 79 trees (including protected Monterey Cypresses)

Excavation through solid bedrock for 260 underground parking spaces

“Take-over” of one block of Sloat Avenue (the portion currently behind the ATC building, turning it into a Service Entrance)

Construction time is estimated at two years

**YIKES!**

The DEIR is in **TWO VOLUMES!**

Volume One runs 490 pages.

Volume Two runs over 1,000 pages in Technical Reports.

**What was this project allowed a free pass on —things that are required of all other construction projects in PG?**

No story-poles—not even the helium balloons that were so useful in revealing the Holman Hotel project’s mass

No tree ribbons to call out these natural environment losses

118-3

**What will this project “gift” to Pacific Grove (besides new tax revenue, which in this New Covid World Order of greatly diminished travel, is no longer a given!)?**

Environmental destruction beyond belief — for both land and sea creatures, *both during construction and forevermore*

Historical degradation of one of the last remnants of our area’s fish canning era

118-4



Traffic problems beyond description — keep in mind, the Aquarium is right there across from the ATC site

All of this mass would sit at the entrance to Pacific Grove.

Just imagine the traffic at Lighthouse and Central and at Lighthouse and David!

The champion “resisters” in my eyes, who all together have worked hundreds of hours already on behalf of PG residents, finally won their argument that the City MUST erect large-scale renderings of this project’s plans in order to notify the public of what’s intended for this huge site.

You can go and view these two “displays” for approximately the next 48 hours on one of two corners of this development area: one near the dry cleaners across from Vivolo’s Chowder House and the other at the back corner of Nob Hill Market and Ocean View.

118-4  
Cont

118-5



NOTE: And had those champion “resisters” I mentioned just above not worked tirelessly to get the deadline extended until September 28 at 5 pm, our comments would have been due on September 14, *before* any large-scale renderings had been available for us to study!

118-5  
Cont

Don’t despair. Even though only the “champions”—with their extensive professional knowledge—have taken the time to go through the entire DEIR page by page, you don’t need to.

**The project is:**  
**way over-sized**

118-6



**not compatible with the character of PG,  
even though it will become the Lighthouse  
Avenue entrance to the City**

**destroys much of the significant historic  
buildings where the cans were manufactured  
for the canning industry on Cannery Row**

**intends to haul off the reinforced concrete  
from those well-built structures to the landfill  
instead of re-using all the historic buildings**

**clears the site of its entire tree population—  
79 mature trees, including 52 Monterey  
cypresses—to be replaced by mostly  
commercial landscaping type trees and NO  
Monterey cypress, although they take credit  
on their landscaping plan for 3 existing  
cypresses on a neighboring property, page  
84/490, volume 1)**

**excavates dense granite for underground  
parking right across the street from harbor**



seal habitat and bird rookeries for 9 to 10 weeks at the start of construction; noise mitigations surely are not realistic! Even the DEIR's Geological Report states that more geological investigation is needed to "develop design-level geo-technical recommendations and criteria for planning, design, and construction" and "to better understand the economics" of construction. (Appendix G, pages 373-381/1189, volume 2). This is *hardly reassuring!* Think seismic impacts!

no one yet knows what this extent of excavation would encounter (remember that the original Chinese fishing village was located right here!)

two swimming pools are a rather absurd amenity in PG's summer weather / fog



**the City should not allow a city street (Sloat Avenue) to be used for the project, even with a lease agreement**

**the traffic problems the project would create both during construction and once the hotel is in operation**

**the proposal currently has no solution to providing affordable visitor accommodations as required by the Local Coastal Program**

**and what about sea water rise?**

Re: ATC DEIR

Lisa Ciani <lisa.ciani@gmail.com>

Sat 9/26/2020 3:36 PM

To: R Mullane <rmullane@hrandassociates.org>

Cc: citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; Ben Harvey <citymanager@cityofpacificgrove.org>; dave@laredolaw.net <dave@laredolaw.net>; heidi@laredolaw.net <heidi@laredolaw.net>; Anastazia Aziz <aaziz@cityofpacificgrove.org>

Rob,

Thank you for your email.

Today, September 26th, you are promising an update on the anticipated timing of ribbons being placed on the trees that we were first assured on September 3rd would be arranged. That was well ahead of the public review deadline of September 28th. And on September 18th, you wrote to my husband regarding the on-site displays:

"The applicant team hopes to have these [full-sheet size displays of the project's renderings] installed sometime next week - most likely in the first half of the work week. City staff can also include a notice that these displays have been installed and where to view them on the bulletin board outside City Hall and on the website sometime next week. If any of these plans change, I can provide you with another update."

My husband has not been updated on a change in the noticing plans. I see no notice about the displays on either the CEQA website or the ATC webpage, and there is no notice on the City Hall bulletin board as of 2:15 this afternoon about the installation of the displays. Granted, you only said City staff "can" provide those notices. But the implication was that staff would do so. In any case, there will obviously be no notice until the public review deadline at best. And what are the chances of anyone seeing notices in time to check out the displays and respond before the 5:00 deadline if notices are posted on Monday? The City is not acting in good faith to inform the public about the project.

With the public review period for the DEIR ending on Monday, there are currently no tree ribbons despite their being required by the LCP for the visual analysis, as I documented yesterday, and therefore required for the DEIR Aesthetics section, to show the general public the trees to be removed. And there are only two full display boards at the huge project site (Eardley at Sloat, Ocean View at Eardley), posted Thursday afternoon, and only 1/4 of a display board on Central Avenue, posted late Thursday or Friday, so that the project is only partially displayed there, and the display is below eye level and difficult to "read". The Central Avenue elevation rendering is the only one displayed in the parking lot on Central; the renderings of the other three elevations (Ocean View, Eardley, and Dewey) are not provided there. The Central Avenue rendering is the one with a combination of dawn and dusk lighting depicted, with a mysterious shadowed area in the middle. Consequently, the rendering makes the existing buildings imperceptible, and therefore doesn't allow for a meaningful comparison of neighboring and proposed buildings. In any case, renderings of all 4 elevations need to be posted at that location, at eye level.

The public needs to have a reasonable amount of time to discover and study the on-site displays before the public review period closes. THE PUBLIC REVIEW PERIOD NEEDS TO BE EXTENDED to be two weeks beyond the date when the applicant provides the public with at least three COMPLETE display boards, which are a poor substitute for story poles as it is, AND ribbons on the trees that are proposed for removal.

Lisa

- > On Sep 26, 2020, at 7:12 AM, R Mullane <rmullane@hrandassociates.org> wrote:
- >
- > Lisa,
- >
- > Thank you for this additional comment. I will follow up with the applicant team and get an update on the anticipated timing of affixing ribbons to the trees proposed for removal.
- >
- > Rob Mullane, AICP, Consulting Planner
- >
- > HR & Associates
- > Phone: (805) 350-3282
- > email: rmullane@hrandassociates.org
- >

119-1



>  
 > From: Lisa Ciani <lisa.ciani@gmail.com>  
 > Sent: Friday, September 25, 2020 3:21 PM  
 > To: R Mullane <rmullane@hrandassociates.org>  
 > Cc: citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; Ben Harvey  
 <citymanager@cityofpacificgrove.org>; dave@laredolaw.net<dave@laredolaw.net>; heidi@laredolaw.net  
 <heidi@laredolaw.net>; Anastazia Aziz <aaziz@cityofpacificgrove.org>  
 > Subject: Re: ATC DEIR

>  
 > Rob,  
 >  
 > I found two posters with renderings from the DEIR, one on Ocean View Blvd near Eardley and one on Eardley at Sloat—the same misleading renderings as in the plans, and not very large. I could see no poster on Central Ave when I drove slowly by there twice, but my husband finally located the inconspicuous poster. It shows only one of the four views that are displayed on the other posters, the twilight view from Central. In other words, it doesn't display the whole project. This is not a good faith effort to provide an alternative to story poles. It's further evidence of the City's and/or applicant's reluctance to inform the public about this project.

>  
 > Furthermore, I see NO ribbons on trees as required in LCP IP section 23.90.160.B.1.c, despite your writing to my husband on September 3rd the following:

>  
 > "Thank you for noting the tree-marking component for trees proposed for removal. I will be contacting the applicant team to have them make arrangements for such tree-marking."

>  
 > Where are the required tree ribbons?

>  
 > As a reminder, IP section 23.90.160, which is now part of PG's municipal code, states:

>  
 > "B. Applications for Development in Scenic Areas. The following documentation and requirements shall be provided for all CDP applications within scenic areas, including those mapped in LUP Figure 4; all development on, seaward, or visible from Ocean View Boulevard, Sunset Drive, and the pedestrian recreational trails seaward of these roads; and any other development that may adversely impact public views:

>  
 > "1. Site-specific Visual Analysis. At a minimum, the visual analysis shall include the following:....

>  
 > "c. When trees defined as major vegetation are proposed for removal, ribbons showing the location of the removal MUST be installed." (emphasis added)

>  
 > Monterey cypress, all 52 of them, and most of the other trees slated for removal (79 trees in total), fit the definition of major vegetation in the LCP and/or "protected" trees in the City's municipal code.

>  
 > Perhaps you are at a distance and unaware of the lack of follow-through on the part of the "applicant team". I do not believe the City is doing its job effectively if it is not confirming the applicant's follow-through. And I do not believe the citizens of Pacific Grove are getting the information that's legally required at the DEIR phase in order to understand this project and its impacts.

>  
 > Lisa

>  
 >  
 > > On Sep 24, 2020, at 12:23 PM, R Mullane <rmullane@hrandassociates.org> wrote:

> >  
 > > Lisa,  
 > >  
 > > I was forwarded your September 22nd email to the Mayor and City Council and wanted to provide an update on the on-site displays that are being installed for the American Tin Cannery Hotel and Commercial Project.

> >  
 > > The displays along the Ocean View Boulevard and Eardley Avenue frontages should be up later today, if they are not already. A third display will be installed in the parking lot next to DiMaggio's Cleaners on Central Avenue this afternoon. Please have a look at the displays and see if they are helpful additions to the figures included in the Draft EIR.

119-1  
 Cont



> >  
 > > Hearings on the project are anticipated to start next month. You have been placed on the list of interested parties to ensure receipt of any upcoming hearing notices. You may also monitor the City's American Tin Cannery Hotel webpage for updates on the project. The direct link to that page is:  
 > > <https://www.cityofpacificgrove.org/living/community-development/planning/american-tin-cannery-atc-hotel-and-commercial-project>

> > Thank you again for your comments and participation.

> > Rob Mullane, AICP, Consulting Planner

> > HR & Associates  
 > > Phone: (805) 350-3282  
 > > email: rmullane@hrandassociates.org

> > From: Alyson Hunter <ahunter@cityofpacificgrove.org>  
 > > Sent: Tuesday, September 22, 2020 2:47 PM  
 > > To: Heidi Quinn <heidi@laredolaw.net>; R Mullane <rmullane@hrandassociates.org>  
 > > Cc: Anastazia Aziz <aaziz@cityofpacificgrove.org>  
 > > Subject: Re: FW: ATC DEIR

> > Thanks - I'm forwarding to Rob and filing.

> > Thank you,

> > Alyson Hunter, AICP | Senior Planner  
 > > City of Pacific Grove | Community Development Department  
 > > 300 Forest Ave, 2nd Floor Pacific Grove, CA 93950  
 > > T: 831-648-3127 Main Reception: 831-648-3183  
 > > [www.cityofpacificgrove.org](http://www.cityofpacificgrove.org) | Planning website: [www.cityofpacificgrove.org/planning/](http://www.cityofpacificgrove.org/planning/)

> > Due to COVID-19 citizens are strongly encouraged to conduct City business via email and phone. Remote procedures are in place to process City permits including building and planning permits.

> > <https://www.cityofpacificgrove.org/sites/default/files/general-documents/community-development/remote-procedures050420.pdf> You can view the Monterey County Health Officer's updated COVID-19 Shelter Order and FAQs here.

> > On Tue, Sep 22, 2020 at 2:39 PM Heidi Quinn <heidi@laredolaw.net> wrote:

> > From: Lisa Ciani <lisa.ciani@gmail.com>  
 > > Sent: Tuesday, September 22, 2020 12:39 PM  
 > > To: citycouncil@cityofpacificgrove.org; David Laredo <dave@laredolaw.net>; Heidi Quinn <heidi@laredolaw.net>  
 > > Subject: ATC DEIR

> > Dear Mayor Peake and Council Members,

> > I spoke at the September 16th Council meeting about what appears to be a deliberate effort to keep the public in the dark about the ATC hotel project, the draft EIR for that project, and the size and scale and view impacts of that project. You must be aware that a hotel project at ATC is a matter of significant public interest and that it requires greater than usual effort to get the word out during COVID-19 restrictions. But instead, the City has been reluctant to expend any effort on transparent practices. They did not even provide the online notice on the City's homepage that is normally afforded to DEIRs of this level of public concern.

> > Yesterday, for the first time, the City posted on their homepage the only notice they've posted there about the DEIR for the ATC hotel project—the Revised Notice of Availability—with a week remaining for public comment! They actually posted it twice, for good measure, as you can see in the screenshot below. The notices are dated September 21st, so there's no mistaking how

**119-1  
Cont**

delayed the posting is—the DEIR was released on July 30th, with no Notice of Availability posted on the homepage until yesterday's revised version. As long as I can remember, the City has always posted DEIRs for important projects in the NEWS section on the homepage—when they were released, not when the public review period was almost over. During COVID-19 restrictions, the May 28th Perkins Park Landscape Plan Community meeting was posted in the News section of the homepage—is the ATC hotel project not that important? CEQA review is a process that's supposed to encourage the public's input to help assure that all the potential adverse impacts are analyzed and mitigated. The last newspaper article about the ATC project was in February. How transparent has the City been with regard to the ATC DEIR?

> >

> > And we're still waiting for alternatives to story poles, which have been deemed too dangerous—perhaps too dangerous for residents to see....?

> >

> > Sincerely,

> > Lisa Ciani

> >

> > <Screen Shot 2020-09-21 at 8.33.03 PM.png>

September 28, 2020

Rob Mullane, AICP, Consulting Planner  
Community Development Department  
City of Pacific Grove  
300 Forest Avenue Pacific Grove, CA 93950  
Via email: [rmullane@hrandassociates.org](mailto:rmullane@hrandassociates.org)

## RE: American Tin Cannery (ATC) Hotel and Commercial Project - Draft Environmental Impact Report (DEIR) Public Comment

Dear Rob:

I appreciate the opportunity to comment on the draft EIR for the ATC hotel and commercial project in hopes that a better project will result from my comments and those of others.

While a hotel/commercial project could be an acceptable use of the ATC property, particularly as an adaptive reuse of the historic buildings there, the massive design of the proposed project creates significant adverse impacts of many different kinds: aesthetic, air quality, biological resources, historic resources, energy conservation, geology, greenhouse gas emissions, noise & vibration, transportation and circulation, and utilities, at the least.

120-1

The City and/or applicant has failed to provide any representation of the project on the site to notify the public until finally erecting 2 ¼ display boards 3 or 4 days before the close of the public review period. They've been unwilling to provide story poles, or any alternative that would provide sufficient information to the public, especially during COVID-19 reductions in travel around town by responsible residents. And they've failed to put the legally required ribbons on trees per LCP IP Section 23.90.160. All of this is a strong indication that there is a major insensitivity to the community character of Pacific Grove and to the concerns of its residents. Legal notice in the newspaper has not been seen by anyone I've talked to. Getting hard copies of the DEIR made available to the public, as would normally be possible at the Library, required persistent pressure by citizens. Below is a timeline of the City's slow "progress" toward informing residents in a minimal way about the project.

120-2

### TIMELINE:

**July 30** – DEIR released, online only, with September 14 public comment period end date; NOT posted on City's homepage

(The Notice of Availability on the City's CEQA page reads with respect to hard copies: "If individuals would like to purchase their own hard copy of either or both volumes of the document, City staff is working with the FedEx Office located at 799 Lighthouse Ave. in Monterey (Tel: 831.373.2298) to arrange for printed copies to be purchased. Individuals wanting to obtain hard-copies of the Draft EIR should contact FedEx staff directly to make arrangements and note that this is for the City of Pacific Grove's American Tin Cannery Hotel and Commercial Draft EIR." (FedEx personnel at that location are currently emphatically not

120-3



aware of this arrangement but upon request, indicated that the cost to print a color copy of a 1,700-page document would be \$910.05 plus binding.)

**August 17** – Member of public who requested a hard copy due to lack of a computer was told none would be made available.

**August 20** – R. Mullane reported that COVID-19 guidance OPR provides on their CEQA page acknowledges that given the current COVID-19 situation, it is not possible to meet all of the normal provisions for making a printed version of a CEQA document available for public review; nevertheless, City of PG decided to make one hard copy available for 5-day checkout from the police station following public comment at City Council meeting. (Note: CEQA COVID-19 guidance expired on June 21, 2020, more than a month before the DEIR was released.)

**August 21** – Notice of availability of hard copy posted online

**August 26** – Notice of availability of hard copy not yet posted on outdoor City Hall bulletin board (for those who have no computer, the ones who would most need a hard copy)

**September 3** – Public comment period extended to September 28; R. Mullane requested applicant make arrangements for tree ribbons per LCP IP Section 23.90.160, and said request for story poles is being considered, but renderings in plan set were considered sufficient to convey size and scale of proposed buildings.

**September 8** – R. Mullane again reported City staff would confer about installation of story poles.

**September 14** – R. Mullane reported City staff determined story poles should not be installed due to safety considerations per Building Official’s 9/9/20 memo in response to Director Aziz’s request; staff looking at providing other visual exhibits.

**September 18** – R. Mullane reported applicant preparing full-sheet size displays of plan renderings

**September 24** – Two on-site displays installed (on Ocean View near Eardley, and on Eardley near Sloat) in the afternoon with renderings of four elevations, and a third on Central with a rendering of a single elevation—public notice was not posted online or on City Hall bulletin board as promised

**September 26** – R. Mullane reported “update on the anticipated timing of affixing ribbons to the trees proposed for removal” would be requested from applicant (see Sept. 3 report from RM when tree ribbons were first requested of applicant).

**September 28** – Public review period for ATC DEIR is due to end – no ribbons have been provided on trees slated for removal

120-3  
Cont

## AESTHETICS

I disagree with AES-1 asserting no significant impact in terms of affecting or altering views as seen from a scenic vista. In fact, views from the Recreation Trail and the water would be

120-4

adversely impacted by the massive development. There are adverse impacts to aesthetic/scenic resources of many different types:

- 1) Demolition of historic buildings and the context they provide—historic resources are aesthetic/visual resources (LCP LUP SCE-3) and their demolition or defacement would result in the loss of historic visual resources;
- 2) Removal of the entire tree population of the property, including a total of 52 Monterey cypress trees, which are supposed to be preserved as character-defining trees for Pacific Grove—Monterey cypress stands are supposed to be maintained and enhanced in the Coastal Zone, and replanting of the same species in the same vicinity is required (LCP LUP BIO-7, BIO-18, BIO-19);
- 3) Views from Central Avenue to the sea, which are currently filtered through beautiful stands of “character-defining” Monterey cypresses, will be replaced with views through and around 3-story new buildings (since there are no story poles to give a real-life representation of the views, the photo simulations in the DEIR have to suffice, and they give a negative impression);
- 4) The massive design is out of character with Pacific Grove’s small town, low-scale residential character (General Plan, Land Use, Chapter 2; LCP LUP Section 3.1 Community Design) and needs to be broken up to allow for smaller components and preservation of a majority, if not all, of the character-defining and “protected” trees.

**120-4  
Cont**

The analysis of aesthetics completely ignores LCP policy SCE-3, which states, “Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses or are locally important historic areas.” Clearly, the gateway to Pacific Grove on the northeast, from the Cannery Row area of Monterey is an area of historic importance, not just locally, but also of statewide (see Page & Turnbull “Historic Resources Technical Report”) and national significance.

**120-5**

The setting and the surrounding area include:

- the site of the old Chinese fishing village where ATC and Hopkins Marine Station (HMS) are sited, and the Early Chinese Fishermen’s interpretive panel on a granite boulder along the HMS fence;
- the adaptive reuse of Hovden Cannery for the Monterey Bay Aquarium, and the adjacent Cannery Row;
- the historic Monterey Boatworks building and two historic fishing boats, at HMS, which also includes the historic Agassiz Hall and other buildings being considered for historic designation (such as Loeb Hall).

**120-6**

Pacific Grove benefits from the tourists who want to enjoy the tranquility and natural beauty of PG’s rustic Recreation Trail and coastal trail beyond that, in contrast to the concrete expanse of Monterey’s section of Recreation Trail or pedestrian- and traffic-congested Cannery Row.

In this humble historic setting, Pacific Grove needs a hotel and commercial project that would re-use the well-built and well-designed buildings, both those identified as historic and the NAFI building (Building #3) which is not yet identified as historic. Simply re-using part of the Can Company building and the office building (#0, Archie’s) strips the American Can Company complex of its significance. Sloat Avenue needs to remain a public street to preserve the traffic lane when Ocean View is backed up, with the trees remaining along the street. Sloat can be bridged, as it is now, which is compatible with the historic character of the site. Retaining Sloat as a public street would break up the huge mass of the project and preserve aesthetic resources as well as retaining the public’s right-of-way.

120-7

AES-3 regarding glare reduction provides no evidence that the non-reflective glass would be sufficiently effective to reduce the effects of glare from all that glass.

120-8

There is no Coastal Community Character Assessment in the DEIR per LCP IP Section 23.90.180.C.1, and the lack of this assessment is compounded by the lack of story poles (deemed unsafe, yet with no evidence that a story pole contractor was consulted). There is no justification for the determinations that the visual impacts are less than significant. The significance criteria in DEIR section 5.6.1 state that:

“An impact of the project would be considered significant and would require mitigation if it would meet one or more of the following criteria.

- Cause a substantial adverse effect on a scenic vista.
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway.
- Substantially degrade the existing visual character, coastal scenic resources, or quality of public views of the site and its surroundings. (Public views are those that are experienced from publicly accessible vantage points.)”

This project would substantially degrade the existing visual character, coastal scenic resources, and quality of public views of the site and its surroundings, including trees and historic buildings, as described above.

120-9

**AIR QUALITY:**

There will be dust, extravagant amounts of it due to the wasteful plan to remove useful reinforced concrete buildings, two of them that are identified as historic (part of Building #1 is

120-10



proposed for removal), and the other which qualifies as historic as well, based on my experience writing the historical report for the submission of a successful nomination form to the National Register. Removal of a significant portion of Sloat Avenue may also contribute to production of dust.

If the demolition work is done during wildfire season, which could be an extended season like we've experienced this year, then we may have copious amounts of dust mixing with smoke from wildfires. A plan is needed to NOT generate dust when AQI is above 50, for public safety. Since work interruptions would likely be very costly, it would be prudent to plan on not creating excessive amounts of dust. That could be accomplished by designing a smaller, more compatible project, more consistent with the historic context of the canneries for which ATC, the American Can Company, supplied the cans. This would allow the dust to be reduced to a minimum.

120-10  
Cont

#### **BIOLOGICAL RESOURCES:**

##### **1) TREES:**

The Mitigation Measures are not consistent with the Biological Resources Technical Memorandum and Habitat Assessment and the Tree Resource Assessment and Preliminary Landscape Plan, and it is very difficult to go back and forth to figure out how to address the inconsistencies.

Regarding trees, while the Preliminary Landscape Plan gives the impression that the 79 trees to be removed for construction will be replaced 1:1, although not with comparable trees, in fact the Mitigation Measure in MM BIO-3.2 allows for payment of In-Lieu Fees instead of tree replacement, or "replacing" somewhere else. In other words, the applicant can wipe out the urban forest, the entire tree population, on this huge property at a highly scenic and focal entrance to the City on the coastal road and across the street from Monterey Bay and plant trees that are not at all comparable to the character-defining and "protected" trees being removed, AND/OR pay an in-lieu fee to plant trees somewhere else, or not even that.

Removing the entire tree population of the property, 79 mature trees (or 86, depending on the section you read), is a highly insensitive plan, particularly ignoring the protected status of stands of iconic Monterey cypress, 52 total, as well as other native and otherwise beneficial trees. The design shows little sensitivity to the building site, with no plan that would preserve the cypress stands. It would just clear the site of all the "protected" trees and any others. This aspect of the project alone is devastating to community character. (The trees have been neglected by the property owners, as have

120-11



the buildings, and all would benefit from reasonable care.) I see no explanation of why the Biological and Tree Resource Assessments both speak of 86 trees to be removed, rather than 79, including 59 Monterey cypresses and 4 Coast live oaks. And the biologist states, “The project will remove a portion of the City’s urban forest.” This violates the City’s responsibility for protecting its urban forest and Pacific Grove’s community character.

Also, the Preliminary Landscape Plan lists 3 existing Monterey cypresses that are NOT on the project site. They’re on a neighboring property, and it’s duplicitous to include them on the project’s landscape plan. There are NO Monterey cypress trees planned to remain on the property—none of the existing trees, and no replacement trees. The stands of cypresses that are so characteristic of Pacific Grove’s coastline and provide a wonderful sense of PG from Central Avenue, and a historic ambiance, would all be destroyed, along with every other tree on the property. The City’s short-sighted plan to let the applicants incorporate a portion of Sloat Avenue into their project is part of the problem. Sloat Avenue needs to remain a public street. The trees need to remain along the street. Sloat can be bridged, as it is now, which is compatible with the historic character of the site.

In place of mature cypresses, red flowering eucalyptus, and a few others, there are planned to be 28 Melaleuca nesophila, 19 olive trees, 14 Cajeput trees, 10 Bronze loquats, and 8 Strawberry trees. Melaleuca nesophila is a lovely shrub or small accent tree, but definitely not a replacement for mature cypresses, nor are the 19 olive trees. They’re attractive landscape trees not particularly associated with Pacific Grove (most of the ones I’ve seen are not thriving). The (14) Melaleuca quinquenervia (Cajeput trees), are a popular commercial landscape tree, again with no association with Pacific Grove; and 10 Bronze Loquat trees, no association with Pacific Grove. Only the Strawberry Trees are a popular tree that is seen throughout Pacific Grove and thrives here, and 8 is plenty.

The plan is to strip the property of all its “protected” native tree species and the mature Red Flowering eucalyptus trees that are a beautiful flowering tree seen in various parks and gardens in Pacific Grove and along Pine Avenue. They create a delightful streetscape of 8 trees with brilliant long-lasting flowers along Eardley gracing the east wall of Archie’s Diner and continuing up Eardley as viewed when you enter Pacific Grove from Monterey on Wave Street. Instead the applicants propose 3 Cajeput Trees on that block, which have subtle, soft yellow flowers with no particular character as relates to Pacific Grove, and 8 more of them are planned to line Dewey, in place of the cypress trees at

120-11  
Cont



the corners of Ocean View and Sloat, which will presumably be sacrificed for the plan to widen Dewey.

The tree plan is unacceptable, and the project renderings are not consistent with the Preliminary Landscape Plan. The Eardley elevation depicts the existing trees in the proposed elevation despite the fact that they are all designated to be removed to replace the sidewalk. Consider creating a boardwalk instead of replacing the concrete sidewalk. Or consider another alternative. The eucalyptus there should not be removed.

120-11

Note: Wrapping the trunks of the cypresses on the neighboring property near Central is not sufficient protection. There needs to be fencing that protects the *canopy* of the 3 cypresses, and the CRZ if the pavement is going to be demolished. The fencing and any other necessary protection should continue throughout demolition and construction.

- 2) **LEED STANDARDS**: The letter of determination sent to the Coastal Commission on August 17 by Rob Mullane, states that, “The Project respects the community’s environmental values and will be constructed and operated in accordance with the LEED standards and strive to meet LEED Gold standards. I haven’t found that in the DEIR. In any case, it doesn’t seem possible to achieve LEED standards when the project will haul off so much reinforced concrete to the landfill unnecessarily. Sustainable practices during operation of the hotel and businesses would certainly be appreciated but could not make up for the extraordinary waste that would be generated during construction.

120-12

- 3) **WILDLIFE - HARBOR SEALS, BLACK OYSTERCATCHERS, AND PIGEON GUILLEMOTS**: Having spent many hours observing Harbor seals at Hopkins, while monitoring Black Oystercatchers, I am very aware of how sensitive they are to loud construction noise. They get used to many human sounds, not all of them, but machinery easily spooks them. If construction noise is continual, it amounts to harassment. Some harbor seals are using Fisher Beach directly across Ocean View Blvd from ATC, as a rookery in addition to the west beach. This needs to be addressed in the EIR.

120-13

Black Oystercatchers (BLOs) have been adversely affected by both recreational and scientific drones during nesting season. Drones a quarter of a mile away can flush a BLOY from its nest. When they’ve flushed, they often do not return to their nest for as much as half an hour. I am not aware of any data regarding how BLOs react to construction noise. Avoiding demolition of reinforced concrete structures and prolonged excavation of granite during harbor seal pupping season does not protect

120-14



BLOs throughout their nesting season which generally extends from March into September. They often have two or three nesting attempts during a season.

120-14  
Cont

There is no mention in the DEIR, including the Biological Resources Technical Memorandum and Habitat Assessment of the colony of Pigeon Guillemots (sea birds) that nest under the Aquarium immediately adjacent to Fisher Beach—that needs to be corrected. The Aquarium staff should be consulted regarding the Pigeon Guillemot nesting season. It’s hard to know whether construction noise and vibration would be magnified by the concrete formations under the building. A biological monitor would need to be able to monitor all three of these species, with no quick access between the west beach and Fisher beach. Would a single monitor be able to adequately monitor all three species? There are not enough volunteer monitors for the Central Coast Black Oystercatcher Project to provide day-long daily monitoring during the demolition and excavation. And I see that a monitor is only planned for “the initial demolition and excavation phases that generate higher noise and vibration levels”. Is that sufficient for the harbor seals at the west beach? Is it sufficient for the harbor seals at Fisher Beach? If the harbor seals leave Pacific Grove as a result of the extraordinary noise and vibration impacts over a prolonged period of time, there’s no opportunity to reverse that. Certainly, the project would not be redesigned once it’s underway.

120-15

The Marine Sanctuary’s current draft Management Plan addresses concerns about the cumulative impacts of all the stresses on marine mammals created by increasing human use of the shoreline and waters of the Bay, and they describe coastal development as increasingly adding to all the stresses. A project with the extraordinary noise and vibration impacts this project proposes, both in demolition of (perfectly useful) reinforced concrete buildings (the NAFA building, the historic warehouse, and part of the historic can factory) and in excavating into the dense granite for the underground parking structure, is way beyond anything we’ve experienced in Pacific Grove.

120-16

The DEIR is cavalier in proposing that fiberglass fabric plus another layer of material will reduce the sound sufficiently to avoid disturbance to the coastal wildlife. It recognizes part of the harbor seal pupping season but not the Black Oystercatcher breeding and nesting season which is generally March into September. There are 3 Black Oystercatcher nesting pairs on the Hopkins campus and another pair that nests on the bluffs to the southwest of the west seal beach.

120-17

The selection of a biological monitor or monitors should be undertaken in consultation with the Marine Sanctuary and the Central Coast Black Oystercatcher Project (Herrick

↓ 120-18

Hanks) and California Coastal National Monument (Bill Standley), at a minimum. However, it's not clear that the mitigation plan is realistic in terms of expecting a biological monitor to watch both Fisher Beach and the west beach at Hopkins. The mitigation says the monitor will observe "unusual stress" or "threat of relocation" and stop work if that's observed. What would that look like? If there are "additional noise/disturbance protection measures" that would be employed in the case of unusual stress or threat of seals relocating, those should be listed and evaluated in the EIR, not considered when work has been interrupted. Clearly, the applicant would not be patient about holding up the project to solve the problem at that point, and what if there's no solution? Better not to get into that bind. (See more in the geology section about further tests that Haro Kasunich said would be needed to "develop design-level geotechnical recommendations and criteria for planning, design, and construction".) There is not adequate evaluation of the actual techniques for and extent of excavation into the granite for the parking structure at the level of Dewey and Ocean View in order to assess the impacts. The assertion of reducing impacts to less than significant is not a realistic assessment with so little information.

120-18  
Cont

MM BIO-1.2 says, "Demolition, grading and excavation of the site for sub grade construction shall take place between June 1 and February 1 (outside the harbor seal pupping and weaning season of February through May) to avoid potential disturbance of the local harbor seal population that may be using the beach area west of Hopkins Marine Station." This does not take into account the Black Oystercatchers, or Pigeon Guillemots. The Biological Resources Technical Memorandum and Habitat Assessment says, "Schedule the noisiest construction at the closest point to the shoreline where seals and oystercatchers breed to occur during their non- breeding seasons which is from September 15 to February 1." So, the mitigation measure is not based on the biologists' recommendations. This is unacceptable.

120-19

#### **CULTURAL AND HISTORIC RESOURCES:**

The plan to preserve part of the historic can factory and offices is an improvement over the previous Project Bella, but Secretary of Interior's Standards are being disregarded. There is a failure to value the historic buildings for their importance to the community's history and for the attraction that historic buildings provide for tourism and the City's economy. Page & Turnbull have written a very good report for the most part, and identify the significant, unavoidable adverse impacts of losing all or part of the historic buildings. However, their Project Recommendations mistakenly conclude that the adverse impacts can be reduced to

120-20

“not significant” with one of three compromises. Just as Page & Turnbull have made some erroneous conclusions regarding their recommendations for removal of some buildings from the City’s HRI in their 2019 survey (which the Historic Resources Committee has reversed in public hearings), Page & Turnbull have made an erroneous conclusion regarding the expendability of the historic warehouse at ATC. It would be one thing if adaptive re-use were not possible for the warehouse building, but that is not the case. The project’s brutish approach simply doesn’t respect the historic setting of the project or the historic property itself. Page & Turnbull may have decided that a compromise is the pragmatic approach, but that compromise throws away considerations of Pacific Grove’s historic character.

120-20  
Cont

HABS documentation would be appropriate if buildings were too far deteriorated to be reused and building techniques and architectural features needed to be documented. But the buildings are intact and able to be restored and re-used.

**ENERGY CONSERVATION:**

Destroying historic, reinforced concrete buildings with excellent potential for rehabilitation and adaptive re-use, and hauling them away to the landfill is “wasteful” and “unnecessary consumption of energy resources during project construction”. It would have a huge adverse impact that cannot be reduced to less than significant. It’s not an acceptable plan.

120-21

**GEOLOGY AND SOILS:**

The 2018 geotechnical report by Haro Kasunich states on page 7 that, “Further investigation will be required to develop design-level geotechnical recommendations and criteria for planning, design, and construction.” And it goes on to say that further investigation is recommended “to better understand the economics related to the geotechnical aspects of construction”. So, the challenges of excavating in dense granite are not yet clearly understood. While this is apparently not a concern of the Geology and Soils impact analysis, it is an indication of the inability to fully assess the impacts of the proposed project at this time, and the potential for the City to approve incremental revisions to the project on an administrative basis (as they have done with the Holman condominium project).

120-22

Also, will all the granite excavated for the underground parking structure be hauled away to the landfill?

**GREENHOUSE GAS EMISSIONS:**

The trips required to haul all the reinforced concrete debris from the historic buildings to be demolished PLUS all the granite to be excavated for the underground parking structure cannot be ignored. Why is that impact not addressed?

120-23

**HAZARDS AND HAZARDOUS MATERIALS:**

According to the Phase I Environmental Site Assessment (ESA), there have been leaks of chlorinated dry-cleaning solvent PERC from the dry cleaners' property onto the ATC site (pay parking lot) and historic industrial uses may also affect the soil under the buildings. It says if redevelopment occurs there, soil and ground water management will be required during construction plus structural engineering controls. Environmental cleaning would have to take place to avoid contaminants getting into the sewer system. Presumably that also means to avoid runoff into the Bay. The report goes on to say that the cleaners' own property likely contains even greater contamination and may be subject to regulatory action.

Does the City have the staff to assure that the mitigations are carried out appropriately? We learned with the Holman project that the developer/contractor failed to carry out asbestos removal properly and was untruthful about it. Finding out about that violation after the fact is too late. Fines are not the point. That project was a couple of blocks from City Hall and should have been easy to monitor. How can we have any assurance that toxic clean-up will be carried out properly at the ATC property? We no longer have an Environmental Programs Manager, and when we did, was he assigned to this sort of monitoring? What about the code compliance officer? MM HAZ-2.2 and MM HAZ 2.3 only require the City to review and approve mitigation plans. What provision is made for monitoring of follow-through? I don't see that in mitigations.

120-24

**LAND USE AND PLANNING:**

Pacific Grove should be requiring affordable housing in all large projects. The NAFI building (Building #3) could be used for affordable housing, while also providing a transition to the residential neighborhoods across Dewey to the west. (In any case, the NAFI building should be retained and adaptively re-used.)

120-25

Sloat Avenue should remain a public street. That would contribute to breaking up the massive project into smaller components, more compatible with Pacific Grove's small-scale residential and commercial character. As currently designed, the project has many significant adverse impacts on the community. It does not recognize the economic value of the historic buildings in

120-26

terms of community character and Pacific Grove’s unique charm. Industrial buildings are being revitalized all over the country into delightful residential and commercial spaces. This would conserve resources and avoid adverse impacts related to destroying part of the façade and interior of the historic factory building, destroying the entire historic warehouse building, and destroying the NAFI building, all reinforced concrete structures. The City is irresponsible if it accepts this project just because it represents a lot of Transient Occupancy Tax revenue, without conditioning approval on much more environmentally and socioeconomically sound provisions. The applicant’s experience is in housing, not hotels. This project needs some affordable housing, which the applicant should be able to provide. As it is, there is not even a plan yet for affordable visitor accommodations. This project as designed is not in Pacific Grove’s best interests and does not meet LCP requirements.

120-26  
Cont

Also, does the plan to “widen” Dewey Avenue require removing the sidewalk, as suggested by the Dewey Avenue elevation? The Dewey widening plan (MM TRA-3.1) needs to be described and any removal of sidewalk needs to be evaluated for its impacts.

**NOISE AND VIBRATION:**

MM N-1.2 states, “The temporary noise barrier shall be designed to reduce construction noise by a minimum of 10 dB. To achieve this, the barrier may consist of steel tubular framing, welded joints, a layer of 18-ounce tarp, a two-inch thick fiberglass blanket, a half-inch thick weatherwood asphalt sheathing, and 7/16-inch sturdy board siding. Additionally, to avoid objectionable noise reflections, the source side of the noise barrier shall be lined with an acoustic absorption material.”

120-27

It’s not clear that this description is the one included in MM BIO-1.1, and it’s not clear if the noise reduction for wildlife will be adequate, as I’ve discussed in the Biological Resources section. Also, it only says it will reduce construction noise by a minimum of 10 dB. It doesn’t say what the the noise-reduction goal/requirement is.

MM N-3.1 states, “Prior to any ground-disturbing activities, the applicant shall fund the installation of vibration monitoring devices at the nearest Hopkins Marine Station tuna research tank(s). The applicant shall provide evidence acceptable to the City that the vibration monitoring devices have been installed.”

120-28

Who at the city has expertise to determine that appropriate vibration monitoring devices have been installed? If work has to be stopped due to adverse effects of excavation vibration, what additional vibration protection measures can be employed? They should be listed here and



considered as part of the analysis. The basic ground borne vibration reduction measures are poorly described to begin with.

120-28  
Cont

**TRANSPORTATION AND CIRCULATION:**

The intersection at Central and Eardley is already a serious traffic concern, with the community frustrated by backed-up traffic and neighbors asking Traffic and Safety Commission for relief. Clearly, both construction traffic (how many truckloads of demolition debris and excavation material is estimated will be hauled away over 9-10 weeks of preliminary work?) and hotel traffic promise to exacerbate the traffic issues in the area, impacting both Central Avenue and Ocean View Blvd. This is a serious adverse impact for residents both on a daily basis and for emergency evacuation with limited escape routes. It also has the potential to prevent visitors from coming into Pacific Grove’s historic downtown and discouraging tourism.

120-29

Congestion on Ocean View Blvd will be increased by the hotel entrance there, with no escape route via Sloat to Eardley as is currently available, and with Eardley/Central congestion increased as well. Ocean View is an important access route to Pacific Grove for tourists, and congestion there will likely reduce the tourist influx the City depends on.

**TRIBAL CULTURAL RESOURCES:**

Mitigations should be reviewed and approved by OCEN leadership or revised to meet their approval.

120-30

**UTILITIES – WATER:**

While residents are threatened with the prospect of water rationing in the future, perhaps near future, as our water options continue to be subject to controversy, this project proposes 2 swimming pools and a large spa. The pools are likely to be significantly underutilized in our cool climate. Are the pools advisable or necessary? Are the project’s water use projections realistic?

120-31

**ALTERNATIVES:**

The Alternatives proposed in the DEIR fail to consider a very different approach to a hotel/commercial project there. For a project to be suitable for the site and for the community, it needs to start from a vision of respect for the humble cultural setting of the former Chinese fishing village, along with Hopkins Marine Station and its historic buildings and other structures

120-32

and artifacts, the Marine Sanctuary/California Current which has been under consideration as a UNESCO World Heritage Site, the national significance of the American Can Company buildings, their related structures, and their connection to the sardine fishery, Cannery Row, and the adaptive re-use of the Hovden Cannery for the Monterey Bay Aquarium—and of course, the extraordinary natural beauty of the sea and shoreline and its wildlife.

**120-32  
Cont**

The City and applicant need to re-think this project and make MAJOR revisions to create a humble, charming hotel and commercial design that reflects the unique character of Pacific Grove and all the resources associated with the American Can Company setting, including the City’s urban forest there. It can be big, but not massive. The City of Pacific Grove needs to recognize the value of this site not just in terms of transient occupancy tax and the like, but in the economic value it can continue to generate as the significance of all the related history continues to become more meaningful over time with climate change upon us and Pacific Grove’s connection to ocean resources and conservation.

**120-33**

The failure of the City and applicants to provide story poles or adequate alternatives to assist the public in evaluating the size and scale of the proposed project and its impact on public views, and to provide tree ribbons to assist in understanding the impact of the loss of the entire tree population of the property—or even alert the wider public about the project during the public review period—is disgraceful!

Sincerely,  
Lisa Ciani

220 Walnut Street  
Pacific Grove, CA 93950

**DEIR for ATC hotel project**

Laura Hamill <laura@writingevolution.com>

Mon 9/28/2020 8:03 AM

To: R Mullane <rmullane@hrandassociates.org>

I oppose the project's "rush to the gate" that has transpired by

1. Not having the DEIR posted/available in a customary space where the residents could take the entire 30 days and review. It was moved twice - an ever moving target. If you really want us to have the time and space for a thoughtful review - make it available in a customary place with plenty of notice and availability.

2. The fact that it is already scheduled for a handoff to the planning group mere weeks BEFORE an election further embraces the "rush to the gate" attitude by the city. You want us to elect leaders with thoughtful and careful review - the same should be made for this large project. Wait until after the election. Be worthy of your constituents.

Laura Hamill

292 Junipero Avenue

Pacific Grove, CA 93950

(831) 200-6894

**121-1**

RECEIVED  
SEP 28 2020  
CITY OF PACIFIC GROVE  
COMMUNITY DEV DEPT

09-26-2020  
Pacific Grove, CA

**Letter 122**

Dear Mr. Rob Mullane, AICP, Consulting Planner.  
I am commenting on the current PEIR on the  
American Lin Cannery Hotel Project.

As I mentioned in my 12-13-19 letter, I do  
not believe this project should be built.

It is too dangerous for the nearby harbor seals.  
The noise alone would drive them away whether or  
not they were about to give birth. They might never  
return. Is this the way to care for protected marine  
mammals?

122-1

At a time of global warming, when millions  
of trees have been destroyed by fire, we need to keep  
our mature 75+ trees giving us all oxygen —  
not removing them & replacing them with small,  
ornamental trees.

122-2

Pacific Grove residents would also be adversely  
impacted by noise & air pollution.

122-3

Don't allow this project to be built.

Thank you for reading my letter.

Sincerely,  
Lynn Mason

831-372-8897  
P.O. Drawer 9  
Pacific Grove, CA  
93950

## Tin Cannery

Marge Brigadier <czchica66@gmail.com>

Mon 9/28/2020 3:21 PM

To: R Mullane <rmullane@hrandassociates.org>; Cc: citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; Ben Harvey <citymanager@cityofpacificgrove.org>; dave@laredolaw.net <dave@laredolaw.net>; heidi@laredolaw.net <heidi@laredolaw.net>; Anastazia Aziz <aaziz@cityofpacificgrove.org>

I have several reasons to oppose the Tin Cannery hotel.

The excavation and construction will surely drive the harbor seals to abandon their home at Hopkins Marine Station. We have lost half of our local seals over the last few years due to lack of food. Causing them to leave their safe little cove will further decimate their numbers. We have a unique situation that allows people to view the wildlife up close and many people come back every April for the spectacle.

123-1

A couple of years ago I posted a video of our plump seal pups, and just yesterday someone left a comment that seems perfect: "Best ways to encourage tourists to come, in order of **increasing** effectiveness: - Infrastructures. - A good nightlife. - A vibrant cultural environment. - Nature, animals and Wildlife Parks. - Amazing monuments. - Chonky baby seadoggoz.(some people call seals sea dogs)"

Traffic is already terrible in the area and parking is a big issue. Those living near the site will find parking on their streets to be unbearable.

123-2

I do not understand how this can be considered when there is no water available for the project. I would be furious if I was a homeowner on the water waiting list while the council is pushing for approval of this hotel.

123-3

The fact that story poles will not be put up tells me that you are aware of the reaction you would get.

123-4

Marge Brigadier

Sent from my iPad

# Letter 124

## Fwd: American Tin Cannery Project Public Comments

Michael Broome <mebpg12@gmail.com>

Mon 9/28/2020 10:23 AM

To: R Mullane <rmullane@hrandassociates.org>

----- Forwarded message -----

From: **Michael Broome** <[mebpg12@gmail.com](mailto:mebpg12@gmail.com)>

Date: Mon, Sep 28, 2020 at 9:55 AM

Subject: American Tin Cannery Project Public Comments

To: <[citycouncil@cityofpacificgrove.org](mailto:citycouncil@cityofpacificgrove.org)>, <[rmullane@cityofpacificgrove.org](mailto:rmullane@cityofpacificgrove.org)>

Dear City Council Members and Mr. Millane,

I wish to express my issues regarding the proposed hotel at the American Tin Cannery.

I am a volunteer BayNet person who helps interpret the local wildlife behaviour for out of town visitors as well as local residents I would hate to have to tell visitors that the big hotel they are staying at caused our famous Harbor Seal birthing beach(Hopkins) to be abandoned after decades and decades of use, caused by the ear-splitting construction noise and vibrations the expectant mothers and young seals have never experienced before.

Even though there is a chain link fence keeping people away from the beach, the seals are very nervous if people are loud and they swim away, often leaving the pups on the beach alone. They will come back to the beach after a small disturbance, but the many months of consistent very loud noise and vibrations will most surely cause them to not to come back at all.

This is why Pacific Grove is such a special small town to live in.

I am also upset that 79 mostly MATURE trees will have to be cut down for this project to be completed. This is an unacceptable plan and the number of affected trees must be mitigated. Planting small 2-3 foot replacements will not replace these mature trees and many will not make it to maturity anyway.

Thank you

Michael Broome  
Pacific Grove resident .

124-1

124-2

**Please Stop the Madness -The American Tin Cannery Project**

Michelle Gonsalves &lt;michellegonsalves@maykir.com&gt;

Mon 9/28/2020 4:54 PM

To: R Mullane &lt;rmullane@hrandassociates.org&gt;

Cc: citycouncil@cityofpacificgrove.org &lt;citycouncil@cityofpacificgrove.org&gt;; citymanager@cityofpacificgrove.org &lt;citymanager@cityofpacificgrove.org&gt;

Dear City of Pacific Grove and Mr. Mullane,

I am writing as a greatly concerned long-time citizen of Pacific Grove in protest of the monstrous American Tin Cannery Project. I just learned today that this was the last day that the city was accepting comments on this project — so my letter will be brief. I write to ask that the city not approve this project that will literally destroy this historical building and site only to replace it with a gargantuan structure that is grossly out of character with the City of Pacific Grove. It is incomprehensible that this proposal would be considered as a benefit to our lovely town and community. When will the destruction stop? When will PG learn to focus on restoration of commercial properties as opposed to just requiring residents to restore and abide by tight regulations on their private residences. Is it not feasible to consider a project that restores and thoughtfully expands this site in a manner that accentuates the lovely history of our community? Can we look to what has been done in other cities (San Francisco's Pier 39, for example)? A marketplace with small shops and restaurants within the same building (restored), possibly outdoor seating overlooking the coastline) would be far more appropriate. But instead we are on our way to a project that will not only serve to destroy the very essence of our city, but also the real reason that tourists flock to our area in the first place (much like we have already done with Cannery Row). Please do not approve this project. It is grossly oversized, not compatible with the character of Pacific Grove, destroys much of the significant historic buildings where the cans were manufactured for the canning industry, decimates the entire tree population of 79 mature trees - including our treasured Monterey Cypressess, only to be replaced by unattractive generic landscaping. It will be a sight that could be dropped anywhere else or any commercial business park in America - nothing will tie it to Pacific Grove. It does not belong here. Please stop the madness and save Pacific Grove!

Sincerely,

Michelle Gonsalves and Michael Kirch

122 13TH Street, Pacific Grove

**125-1**

**Tin Cannery Hotel comments**

May Jernigan <mjernigan95@gmail.com>

Sun 9/27/2020 9:40 PM

To: R Mullane <rmullane@hrandassociates.org>

Hello,

I'm writing to comment for the seals of Hopkins beach, and urge you to consider not moving ahead with the tin cannery hotel project.

As a student in Monterey, it was my pleasure to have opportunities to visit Hopkins beach- especially during pupping season. I learned much about how disruptive human activity is for the seals giving birth and rearing young in this special spot. The seals have had a rough go in the history of Monterey, and the fact that they have come back is incredibly important—and we need to protect them. They are priceless.

From my own personal experiences at Hopkins, everything from loud motorcycles to home construction across the street disturbed the mother seals. Babies can be abandoned, mothers have no where to go. They need a quiet secluded area, and a construction zone would have a catastrophic event on them.

This is important ecologically as well as morally, it's a sanctuary in the middle of a busy city where we can still find some solace and peace in nature.

For Pacific Grove to put a stop to this project would ensure that they care utmost for the lives and safety of the animals that call PG home, and that profits don't come before conservation.

Thank you for reading and considering my input,

May Jernigan  
CSUMB alumni

**126-1**

## Comment on the Tin Cannery Proposed New Site / Development

MegM <megmcwhinn@gmail.com>

Mon 9/28/2020 4:30 PM

To: R Mullane <rmullane@hrandassociates.org>; ahunter@cityofpacificgrove.or <ahunter@cityofpacificgrove.or>

Hello Alison,

I'm a science degree-holding PG resident. I'm opposed to the development of this space at the Cannery Row Retail area. Lodging is beyond well covered in the area. There is no need for this expense, loss of trees and stress on wildlife. Hotel space is a generic commodity well covered in the surrounding area. What's not generic - and only here in spades - is the sealife and nature anyone and watch and enjoy. Harbor seals are incredibly sensitive to disturbance and our native cypress takes generations to regrow. They could possibly vacate the beach for good. Development is a long term losing plan for the essence of Pacific Grove. It's that very essence that attracts outside tourist dollars - not a new hotel.

Thank you, Meg McWhinney

127-1

## Proposed development of American Tin Cannery site

Melanie Moreno <melaniemoreno@yahoo.com>

Mon 9/28/2020 12:44 PM

To: R Mullane <rmullane@hrandassociates.org>; ahunter@cityofpacificgrove.org <ahunter@cityofpacificgrove.org>; citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>

Dear Alyson Hunter, Rob Mullane, and Pacific Grove City Council members,

I am appalled that the City of Pacific Grove, known for its legacy of excellent environmental stewardship, would consider permitting the massive development of the American Tin Cannery site.

Aside from the obvious impacts to an already overwhelmed traffic corridor and neighborhood streets, the impact of this proposed development to the sensitive wildlife areas nearby would be enormous. The harbor seal rookery at Hopkins Beach, less than a block away from the development site would be catastrophic. The seals spend the day on this beach resting because they must hunt at night. Each time loud noises from construction or traffic reach the seals, they must flee into the ocean and stay in 54° water for several hours to be sure the area is free of predators. During the pupping season dozens of harbor seal pups would be separated from their mothers. Countless animals would die as a result of the continual disturbances from construction and the resulting increase in traffic. To bring so many tourists into such a concentrated area would create yet more disturbances for the only harbor seal rookery in the Monterey/Pacific Grove area. Tourists already routinely disregard boundary warnings and enter beaches during the pupping season. If you put hundreds of tourists right next to the rookery, the impact will be profound.

128-1

Not only will this out-of-proportion to Pacific Grove development affect coastal wildlife, the plans call for removal of dozens of legacy trees! Do the architects not know how to draft plans that keep these magnificent trees intact and healthy? Did the city not require it? Does the City of Pacific Grove no longer value the natural beauty of our extraordinary community?

128-2

I understand that Pacific Grove is concerned about the potential income generated by this development. Must we sell our souls to get it?

Sincerely,

Melanie Moreno

## American Tin Cannery Hotel (Proposed) - Request for Extension of Comment Period

Michelle Raine <mor1951x@gmail.com>

Mon 9/28/2020 1:54 PM

To: R Mullane <rmullane@hrandassociates.org>; citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; dave@laredolaw.net <dave@laredolaw.net>; heidi@laredolaw.net <heidi@laredolaw.net>

**City of Pacific Grove  
Community Development Department  
300 Forest Avenue, 2nd Floor, Pacific Grove, CA 93950**

**Attention: Rob Mullane, AICP, Consulting Planner  
Email: [rmullane@hrandassociates.org](mailto:rmullane@hrandassociates.org)**

**RE: ATC Hotel (proposed)  
Lack of Notice/Request for Extension of Comment Period**

Date: September 28, 2020

Dear Mr. Mullane,

I would like to strenuously object to the lack of notice for this huge development project on our coast. Because of medical issues from November until March of this year, I was not even aware that this hotel development was back and had a DEIR out for review until the first part of this month. I have spoken with neighbors and friends since I learned about this project and many of them are also totally unaware that a hotel development at the American Tin Cannery location is back before the planning department and that there is a DEIR with comments due today.

Most of America has been focusing on issues of great import like the fires all over the county, the pandemic, being out of job, trying to run a business in the time of Covid 19, and our upcoming elections. Instead of going out of your way to make sure people who could be affected by this huge development are aware, your department has gone out of its way to be even less transparent and provide only minimal required notice; not provide a hard copy of the DEIR for those with no computer access (the Library is closed now too because of remodeling); no story poles and netting because of "safety" concerns, and a few very recently posted display boards at the site itself. Notice about these display boards was supposed to be given on the CEQA website and/or ATC webpage and a notice was to be placed on the City Hall bulletin board. As of 9/26/20, that had not been done. I would like to know what methods were used to test installation of at least one story pole for this large development to determine what the safety concerns were? When people are driving by they are unlikely to notice bulletin boards, but they do see story poles and netting that are required for every other development in Pacific Grove. How many people will even see the notice about the new display boards on the bulletin board at City Hall since City Hall is closed and all City Hall meetings are being done on Zoom and not in person? The mandatory requirement for ribbons for the removal of trees on the site and next to the site have not been done either, in spite of promises to do so on September 3rd. Here is the notice that was posted online about the availability of the DEIR and documents for this project:

Document Availability: DUE TO SHELTER IN PLACE REQUIREMENTS AND COVID-19 SAFETY PROCEDURES ENACTED BY THE CITY, THE COMMUNITY DEVELOPMENT DEPARTMENT IS CURRENTLY CLOSED TO THE PUBLIC. HARD COPIES OF DOCUMENTS WILL NOT BE AVAILABLE AT NORMAL PUBLIC LOCATIONS. DOCUMENTS CAN BE ACCESSED AND REVIEWED ON THE CITY'S WEBSITE:

This notice has been amended and after much badgering. Hard copies of the DEIR were finally supplied to check out for those requesting them in early September sometime and the comment period was extended until 9/28/2020.

This project is located just ½ block from the boundary with the City of Monterey and there are so many residents and businesses that will be negatively impacted by this project in the City of Monterey, I believe that notice is just insufficient for a project of this size and in this very sensitive location.

129-1

The Cedar Street Times (the Pacific Grove free paper) dated September 25 - October 2, 2020 finally had a front page article about the review period ending today. Really too late to comment. I have been working on this since September 10th and I still feel I need more time to consolidate my comments, but will be sending them later today anyway.

Pacific Grove is now the lead agency for projects in the Coastal Zone and this is their first big project in their new role. I have been very disappointed with this DEIR, but I will be posting my comments shortly anyway. I think you should reconsider a better way to notify the areas along these haul routes and businesses within at least a mile or two from this proposed development.

Thank you for your consideration of this request.

Michelle Raine  
1310 Buena Vista Avenue  
Pacific Grove, CA  
831 747-1666

**129-1  
Cont**

## ATC Hotel - DEIR Comments

Michelle Raine <mor1951x@gmail.com>

Mon 9/28/2020 4:05 PM

To: R Mullane <rmullane@hrandassociates.org>; citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; dave@laredolaw.net <dave@laredolaw.net>; heidi@laredolaw.net <heidi@laredolaw.net>

📎 1 attachments (199 KB)

Final of DEIR for ATC.pdf;





**City of Pacific Grove  
Community Development Department  
300 Forest Avenue, 2nd Floor, Pacific Grove, CA 93950**

**Attention: Rob Mullane, AICP, Consulting Planner**  
**Email: [rmullane@hrandassociates.org](mailto:rmullane@hrandassociates.org)**

**RE: ATC Hotel (proposed) - DEIR Comments**

Date: September 28, 2020

## **DEIR COMMENTS**

### **3.0 PROJECT DESCRIPTION**

Interiors of this hotel have not been provided. Are the two swimming pools, a fitness center and a spa only for hotel customers? The 90% build out of this project on their much enlarged site is only authorized in the LCP IP if the project contains specific public amenities but it doesn't list those public spaces and amenities. No specific businesses or end users of the retail space have been identified and there must be some accounting for those impacts in the DEIR. You cannot piecemeal these impacts and they need to be considered as part of this development. I think a lot of businesses in Pacific Grove have been disrupted by this pandemic and our existing businesses are hurting. It is important to know how this approximately 20,000 square feet of retail space will be used and if there are intended clients and types of businesses in mind. This is important information to know in determining if this is the best option for the use of all these parcels within the coastal zone for the residents of Pacific Grove and the public at large. Is this really the best place for a spa and fitness center? We have water issues in this area and swimming pools, spas and fitness centers are very water intensive. We currently have no fitness centers open and some possibly folding up. We are eating in makeshift outdoor spaces during this pandemic. How much longer will it go on? We need a pandemic update on all this truck traffic with people eating out in the open on the street. Construction for the proposed project would begin 2021 and last approximately 18-24 months. The timeline for control of Covid 19 and return to normal business practices is mid to late 2021. There is a definite conflict between this project and the required adjustment of businesses for operation during this pandemic.

130-1

The applicant is seeking a Use Permit, Architectural Approval and Tree Permit applications, and a Coastal Development Permit. The project also includes a long-term lease agreement or similar instrument for use of a portion of Sloat Avenue and encroachment onto Ocean View Boulevard. Under what authority is the City authorized to enter into a long term lease agreement with a private party for a city street and limit access to residences that use that street for access to their homes?

130-2

Construction activities are anticipated to last approximately 18 to 24 months and initial site grading, preparation and excavation is expected to last approximately nine to ten weeks. They propose that construction activities would generally occur Monday through Friday and be limited to the hours of 8:00 a.m. to 7:00 p.m. on weekdays and from 9:00 a.m. to 4:00 p.m. on Saturdays. No work would take place on Sundays or federal, state or local holidays. This is ridiculous. Seals do not have hours like humans. **The hours of work for humans are the hours of sleep for seals.** Because of the location being their haul out beach, this would be analogous to construction being scheduled next to your bedroom at night. This is where the seals sleep during the day. Absolutely no regard has been given for the animals that reside in this area and the people writing this report have deferred biological study on the problems until after the DEIR has been approved and a permit is granted. They have given about one sentence of interest to their impacts on the seals, their rookery and haul out area. The information that they have cited is insufficient, incorrect and inadequate. This puts the cart before the horse. I do not think these significant issues can be overcome and must be studied and included in depth in the DEIR.

130-3

The existing ATC is located on 2.864 acres. With the addition of the other parcels and portions of Sloat Avenue for this development, the total acreage is 5.59 acres. **That makes the footprint for this development almost twice the size of the existing one.** They also are developing it to 90% of the land capacity. The project is oversized for the location and acreage and will create traffic problems in neighboring communities and businesses on Lighthouse in New Monterey and on traffic routes to Highway 1. There has been totally insufficient notice to many people who will be adversely affected by this development because of the traffic, dust, noise and other impacts. This site is located only ½ block from the Monterey city limits and there are already many PG residents who are not aware of this proposed development. We need public hearings with stakeholders, business people and residents in a large area around this proposed development. The Aquarium has been closed for months now and the lack of business is already hurting them. What will another two years of construction across the street do to them?. All of the reports in this DEIR were prepared pre-pandemic and they need to be updated because of all the problems with existing struggling businesses. Special care is needed to address negative impacts that could push more businesses over the edge. Surrounding businesses are trying to eat outdoors. Dust and hazardous materials in the air would not be a good combination for outdoor dining.

130-4

They only mention the on-site equipment in the demolition and site prep phase. The biggest problem is going to be the number of trucks hauling demolition debris, overburden and construction materials to and from the site. This will create a traffic boondoggle at the ocean entrance to the City during construction and even after, during times of high usage and when there is any problem or work on Hwy 68. We just lived through the Highway 68 improvements with the roundabouts and all know how bad this can get. Adding all these truck trips to Lighthouse and environs will be horrible especially for all the local businesses that are trying to deal with the pandemic and dine al fresco. I believe that the reports on this are inadequate and deal mainly with operational traffic.

130-5

### 3.4 Requested Entitlements, Permits and Easements

CCS Pacific Grove Manager, LLC, has filed applications with the City of Pacific Grove for approval of a Use Permit, Architectural Approval, Coastal Development Permit and **Tree Permit** applications. Also proposed is a **long-term lease agreement or similar instrument for development and project use of 19,699 square feet of the southeastern portion of the Sloat Avenue Right-of-Way (ROW), as well as an agreement to allow encroachment of approximately 3,000 square feet along the Ocean View Boulevard frontage. The remaining portion of Sloat Avenue would require an easement to allow continued access to three existing properties that are not part of the project.** Project construction and operation would require all associated grading, building and occupancy permits. As the lead agency, the City of Pacific Grove has the ultimate authority for project approval or denial. A **Water Permit from Monterey Peninsula Water Management District (MPWMD)** is also required for the construction of this project.

130-6

### Local Coastal Program Zoning and Implementation

*The City's Zoning Ordinance implements the land use designations of the General Plan. The Implementation Plan (IP) of the LCP sets forth the zoning requirements for areas within the Coastal Zone, and the IP has been codified as Chapter 23.90 of the City's Municipal Code. The project site is zoned as C-V-ATC and C-2, with specific development and design standards for Visitor Serving (V-S), including for the American Tin Cannery project site. The IP's standards that are specific to the American Tin Cannery project site are set forth in Subsection 23.90.180.C.5.g of the City's Municipal Code. City staff, in reviewing the project, must consider these regulations and standards.*

Under what authority does PG have the right to give a long term lease of a city street (and cut off three residences)? Why is the City giving away a street and encumbering the City for how long in this lease? What if this developer fails? Is this transferable? Too many questions about these "deals" that have been struck and too little information is getting to the public about those deals. Why are they asking for a waiver for setbacks for 3000 square feet of frontage? Why does the lead agency think this is a good plan? This report needs more detail and why this encroachment is necessary or preferred. This is one of only two designated scenic streets in Pacific Grove. The lead agency is acting like they are part of the development team. I have talked to several PG residents and others who will be affected and they are not aware that this project is back and in the DEIR review process. They are taking advantage of this pandemic, the fires and the myriad other issues (our elections) to get things through while everyone is engaged elsewhere. I think Pacific Grove is leaving itself open for litigation if they cut off access to a city street and private homes for the benefit of a private hotel.

130-7

From Luke Coletti's scoping letter:

For the water permit the District will require the City to make CEQA findings in support of a determination of "special circumstances". If actual water use exceeds the preliminary Water Use Capacity estimate, then the District will debit the Jurisdiction's Allocation (PGLWP entitlement - MPWMD Ord 168). Prior to issuance of the Water Permit by the District, the Jurisdiction must

130-8

acknowledge in writing the potential debit to its Allocation, as well as authorize the District to issue a Water Permit based on a finding of Special Circumstances consistent with CEQA compliance for the proposed Project.

The Water Demand Analysis must be done prior to any approval of this DEIR. What special circumstances exist for this private development to risk a potential debit to our public water allocation? Our water supply is on the line here for a private enterprise venture. There are too many water intensives features in this project and full analysis needs to be done and included in the DEIR. The residents of Pacific Grove need more information on this water deal and how it might affect our water allotment in the future.

130-8  
Cont

We have tree ordinances and much has been discussed and studied by the City to protect our existing tree canopy. Trees that are 50-60 years old cannot be replaced in our lifetimes. A stand of Cypress trees should not be cut down and none of these are being replaced. Instead they have a rendering of trees that will not exist or are depicted of a size that won't be used. Under what special circumstance is a tree permit to be issued for this project as proposed? Because the "forest" is fragmented, that does not mean you should be able to cut every tree on the property and even take down street trees that might shield this project from direct view. Every day I drive around and see more and more beautiful mature trees that are taken down. On paper you value trees, but your intent is what shows and it is not good. We need an accounting and inventory of where every tree is located, both on the site and on the neighboring streets that will be cut down so that the public is aware of the full impact and import of how the skyline and views will be altered by this project. I just learned on 9/26/20 that the promised ribbons on all the trees that are to be cut down has still not been done and this is mandatory.

130-9

This proposed development does not comply with the General Plan goals and protections of scenic views and resources outlined in LUP Scenic Views 2.3.2 Coastal Act Policies:

### **City of Pacific Grove General Plan 5.5.3 Local**

#### **Land Use**

Goal 2: Repair and upgrade the City's infrastructure.

- Policy 1: Seek to preserve Pacific Grove's traditional "hometown" qualities.
- Policy 2: Ensure that new development is compatible with adjacent existing development.
- Policy 4: Enhance city entrances and major commercial nodes.

#### **Urban Structure and Design**

Goal 2: Enhance the relationship between the city and the Pacific Ocean and Monterey Bay.

Goal 3: Maintain and enhance the quality of the city's landscape and streetscape.

- Policy 8: Endeavor to protect the tree canopy created by mature trees by planting replacement trees.
- Policy 9: Use street trees to enhance and soften the visual character of major streets within the city.

#### **Natural Resources**

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Goal 3: Preserve public visual access to the ocean. selection of building materials, and protection or replanting of trees that are “visually integral” to the scenic quality of the coastline.

#### PG LUP Policies 2.1.4 - Coastal Hazards and Sea Level Rise

*The following Land Use Plan policies on shoreline hazards supplement existing City policies and regulations by providing for: **New development and redevelopment that is sited and designed to be safe from potential coastal hazards and in a manner that may not require future shoreline protective devices;***

Excerpt from letter of Moses Cuprill - Coastal Engineering Analysis and Evaluation of Potential Coastal Hazards (DEIR Appendix):

*“Hopkins Marine Station is the oldest marine science station on the west coast and was established on its present site in 1917, over a century ago. **It is anticipated that over time, as coastal hazards threaten the facility, they will take appropriate remediation to protect this historic and valuable facility,** further reducing the potential for wave run-up related threats to the areas landward of the station, **including the planned hotel site.** We have estimated wave forces along the coastal bluff at Cross Section A from the present through the year 2100 and have determined that these forces are and will be considered ordinary for design of coastal armoring in that location for the foreseeable future. **In other words, it is and will be feasible to design armoring to protect the Hopkins Marine Station if deemed necessary in the future.**”*

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So rather than design something that will be safe from potential coastal hazards, they will just rely on Hopkins to get armoring to protect their facility and that will protect their underground parking from being flooded as well? All of their experts seem to use boilerplate statistics and facts and are not very thorough or specific to this project.

#### PG LUP Scenic Views 2.3.2 Coastal Act Policies - Scenic Resources

The Coastal Act addresses visual access and protects the visual qualities of coastal areas as a resource of public importance. As stated in Public Resources Code §30251, “Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. **New development in highly scenic areas** such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government **shall be subordinate to the character of its setting.**” Scenic Areas designated by the City as having special scenic significance are to be protected; however, it is also the policy of the

130-11



City to consider and protect the visual quality of all scenic areas that are part of the public viewshed, whether designated or not, as a resource of public importance.

When you actually look at the pictures of the existing site, there is charm that exists here and could be taken advantage of, like Ghiradelli Square in San Francisco. Inside it is sweltering and muggy when hot and cold and damp when it is cold. I often wondered why the owner did not make better use of the property, but that was by design, I believe. If you let it molder and turn into an eyesore, then it is easy to make the argument that a bigger and glitzier development would be superior to what exists. Improvements could be done with much less demolition and destruction and on a smaller scale. This monster will stick out like a sore thumb and is not subordinate to the setting. I know the City of Seaside still regrets the big ugly hotel that you can see for miles. Please don't do that here. We need story poles for the Executive Wing side that will face Central Ave and that the public will have to look at forever instead of trees and ocean. We need much better renderings of the actual elevations without fake trees added to soften the actual appearance of what will be the reality of this development on opening day. We need public hearings so that people in Monterey on the Lighthouse corridor can be involved along with the residents of Pacific Grove. We must weigh all the pluses and minuses of this development and look at it through the future lens of what we now know about pandemics and climate change and how this will affect demands and businesses going forward. Who benefits and who will be hurt by this development and what is the highest and best use of this coastal treasure, located within the coastal zone of the MBNMS? We currently have a viewpoint for watching local seal rookeries and nesting areas for black oystercatchers that would unquestionably be negatively affected, the very heavily used and wonderful coastal recreation trail and we have the Aquarium almost across the street. Why is the lead agency not following their own general plan goals and coastal act policies and who is benefitting? Setback rules cannot just be waived and set-aside. There is not enough information in this report to make an informed decision. This is the entrance to our City and Pagrovians love our seals and our birds, we love the unspoiled ocean views and do not want a Cannery Row extension at our City's ocean entrance. How much access will there be to the public in this high-end hotel? This area is a resource of great public importance and should not be turned into another enclave for the only the wealthy elite.

130-11  
Cont

### 3.6 Project Components

The street retail uses would retain and incorporate portions of the existing industrial structure complex. No specific businesses or end users of the retail space have been identified. Why has nothing about the "retail businesses or end users been included in the DEIR? I think it is an important factor that needs to be considered by the decision makers and the public. What kinds of stores will be there? Are these stores open to the public? What is the price point of the commercial space? Are existing tenants given any preference? How much traffic will they bring and is parking sufficient with fewer spaces available?

130-12

How can this be reviewed in a vacuum? These issues need to be disclosed and addressed. This is very important for residents to make informed decisions on what will be located here, how does PG benefit and at what costs to the residents of PG? There is public access to the current spaces, but how much public space will there be in the new development? My understanding is that this Hotel will be upwards of \$700 per night. There certainly will be other effects that should be discussed and commented on when the nature and draw of these commercial spaces is made clear. You cannot piecemeal this development and the DEIR is deficient since it fails to look at the cumulative effects of these commercial spaces.

130-12  
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## INTRODUCTION TO ENVIRONMENTAL ANALYSIS

### 4.2 Effects not found to be significant

#### 4.2.3 Population and Housing

While the proposed project would not displace residential housing or people per se, it does displace existing businesses that are not likely to be able to afford new rents. It also removes parking from an area that is already short of parking for the remaining businesses.

130-13

#### ***U.S., California and AMBAG Region Demographic Trends to 2040-AMBAG 2018***

*The AMBAG region has more residents per job than the state or nation and that is expected to continue to 2040. AMBAG residents commute to jobs outside the region, principally to jobs in Santa Clara County. This net out-commuting means there are residents in the region not connected to AMBAG region job growth. Net out-commuting surged between 1990 and 2000 as the “dot.com boom” pushed Silicon Valley (Santa Clara County) job levels higher. Out-commuting declined after 2000 as jobs levels in Silicon Valley fell. The Association of Bay Area Governments projected a 28.2 percent increase in Santa Clara County jobs between 2010 and 2035, which, combined with high housing prices in Santa Clara County, will increase the incentive for people to search for cheaper housing in portions of the AMBAG region.*

130-14

This DEIR asserts that PG will have a 16% job increase over the next 20 years and they will be a part of that statistic, yet they state “*project employees would likely consist of service and hospitality staff already living regionally, rather than resulting in a new influx of employees within the City*”. Thus the increase in employment of 16% that they cite would not necessarily be from the local population and more likely from surrounding areas, not PG residents, so that 16% increase they want credit for being a part of, is not even applicable. Since these employees will likely be from outside the City of Pacific Grove, their claim that the proposed hotel would not directly induce substantial, unplanned population growth might be true, but they will be providing no great employment benefit to Pacific Grove residents either, while burdening them with two years of construction problems and the long term problems of traffic, parking, noise, lighting and damage to the local wildlife and loss of native trees. While they could generate approximately 172 hotel, commercial and restaurant jobs regionally, these jobs are not premium pay jobs and would



probably require some, if not most, of the jobs to be filled by people outside of Pacific Grove and will induce more traffic and parking problems for the City in an already congested area. This is also going to create real problems for the people who live in the neighborhoods next to this development as far as congestion and parking long term and forever. This does not even touch on the problems of two years of construction. If you look at the jobs that are available in Pacific Grove like tourism, restaurant, small businesses, their rate of growth are much lower than the 16% cited. In light of the above demographic trends, this AMBAG report indicates that this region will become a bedroom community for Santa Clara County. While the jobs that are cited for this proposed project are jobs that would likely benefit the entire AMBAG region, they are not a direct benefit to Pacific Grove residents, while they will suffer the most burden and loss from this development. This area has narrow streets and limited parking and this project will just amplify and increase those problems. The location is too small for this very large proposed project and has too many other environmental issues with this site in particular, for this location to be a viable option. Those jobs could be just as easily provided with this project located elsewhere. The fact that they want to put this oversized project in an area that is already strapped for parking and where public use and demand is extreme makes their conclusion that there would be no impact incorrect.

130-14  
Cont

### 4.3 Cumulative Impacts

All of these reports were done “pre-pandemic” and do not address the cumulative effects of construction on businesses that have been closed for some time. Many are just trying to re-opening and will suffer negative traffic and other impacts from this proposed project immediately upon the start of construction. We also have to consider the very real and present problems of climate change and whether the 90% development, that is twice the size of the existing one and located next to some of our local seal pupping and haul out areas, is really the best use of this area. Any undermining of the granite underpinning so close to the shoreline is questionable, let alone for an underground parking lot. Water demand for the project as proposed is probably high but this report gives insufficient analysis of the demand. The paid consultant is already talking about coastal armoring (not for them, of course, because private development is not allowed to do that) by Hopkins Marine Station that they will benefit from. New development and redevelopment should be sited and designed to be safe from potential coastal hazards and in a manner that may not require future shoreline protective devices. This project is already planning on coastal armoring to be installed to protect Hopkins Marine Station which they will benefit from to protect their own underground garage. This is just a bad location for an underground parking garage. They bring few jobs for local residents and they bring a myriad of other problems including traffic, noise, pollution and the diminution of our local animal habitat and tree canopy. There is also a very jarring visual impact at the entrance to our City with the added height and breadth of this project and does nothing to preserve Pacific Grove’s traditional “hometown” qualities. The building design is done to give the most rooms with the most views and does not honor the original structures or Pacific Grove’s Victorian past. It is just an overlarge eyesore.

130-15

#### 5.4.1 City-Wide Visual Landscape

The City is characterized by its historic buildings, quaint neighborhoods, urban forests and stands of trees, Monarch butterfly habitat, rugged coastline, and dramatic ocean views. Pacific Grove's scenic resources within the Coastal Zone include nearly continuous unobstructed views of the sea and sea life in the Bay. Year-round residents and visitors enjoy the recreation trail and the sandy beaches at Lovers Point. This project honors none of these. The modern built-out facade that is proposed, creates a monolithic presence that blocks your first coastline views as you enter the City limits on Central Avenue and certainly alters the cityscape that visitors see of Pacific Grove from the tour boats and sailing in the Bay. I see no historical reference to any period in Pacific Grove history in the architecture of this building. All trees, including mature cypress trees and stands of cypress are to be cut down and replaced with smaller decorative varieties. There is no differentiation between an 8" diameter and a 55" trunk diameter tree in their report. They are all being cut down and we are even losing street trees with no accounting for their size and the visual appearance of this area after they are cut.

**5.4.3 Scenic Vistas** In the immediate vicinity of the project site, ocean views from the recreation trail provide ocean vistas. From the hills inland of the project site, views are primarily from private property. With the exception of views from public roadways, **there are no obvious public vistas such as elevated parks, vista/lookout points, or similar visits in the immediate vicinity of the ATC project site.**

**(I will try to attach photos of views from ATC walkway to show that there ARE obvious public vistas, contrary to what the DEIR indicates)**

130-16

#### 5.4.4. Key Viewpoints (KVPs)

*KVP 1 – Ocean View Boulevard/Monterey Bay Coastal Recreation Trail (north of project site). The changes in appearance to the project site from this location would focus on the replacement of the warehouse and NAFI building with the Group/Family Wing of the hotel. **The proposed hotel would be 37 feet above existing grade at its highest point, which is comparable to the height of the existing warehouse and NAFI building. By comparison, the new structures would be more prominent from this viewpoint, primarily because the NAFI building is set back approximately 120 feet from Ocean View Boulevard, while the new building would be about 30 feet from the roadway, but in terms of visual character, aesthetic changes from this location would be less than significant. The new structures would have a newer, more modern appearance, and would be of a similar mass and scale. These changes would not be considered a substantial degradation of the visual character.** [This is from Section 5.6.3 under Operations]*

*Viewer Exposure: High. In this location approaching the Monterey Bay Aquarium, daily visual exposure to the site from Ocean View Boulevard and the recreation trail would typically be high. The site is highly visible, heavily traveled, and visual for a long duration while traveling in this*



direction. However, this exposure is tempered by the low visual quality of the viewpoint. Duration would obviously be longer for pedestrians and bicyclists.

*Overall Visual Sensitivity: Low to Moderate. While viewer exposure is high, the quality of the existing views of the structures with a focal point away from the coastline renders the overall sensitivity of the viewpoint as low to moderate.*

If you look at **Figure 5.2** it shows the outline of the project going all the way to the road along the frontage, but the specifics of the encroachment mentioned under permits in Section 3.4 of the DEIR have no details. Section 5.4.4 is the first mention of KVP 1 and does not mention the encroachment. **Subsection 23.90.180.C.5.g of the City's Municipal Code** mentioned on Page 337 in Section 14.4.2 Zoning and Implementation purports to control but I could not find that Code Section in the PG Muni Code on-line. Someone thought that a new muni code was passed on 9/16/20 that covers this, but I have not seen the code because it is not on-line yet and I have not had time to try to contact the lead person on this as it is a weekend to find out how this came before the City Council. They do not discuss this encroachment in the first reference to KVP 1 in Section 5.4.4 but it is finally found in Section 5.6.3 under operations as stated above. It seems they are trying to bury the lead here. If they have passed a new Municipal Code to facilitate this project, I would like the details of this and why. The City had a special election and rezoned this property to allow for a hotel and got stuck for the costs because the previous developer went belly up. **Now it appears that they may be enacting a new Muni Code for this development. Why? This waiver for the setback doesn't follow PG LUP 2.3.2 for Scenic Resources, or the PG General Plan 5.5.3 Local or the following LCP Policies SCE-2, SCE-3, SCE-5 that are listed in Table 14-1 (pages 14-12 and 14-13) in Section 14 Land Use Planning under Subsection 14.6 References. What overriding circumstance would allow them to grant an encroachment that is clearly not allowed under LCP and LUP policies.** There seems to be a need for more transparency and notice with this entire project.

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I saw comments from Will Bee dated 12/12/19 that were sent for the scoping session regarding a possible problem with how the starting baseline measurements were arrived at by measuring from the middle of the street instead of the property line. I am not sure that I know exactly what he means, but hope this issue was addressed and if has not been, it should be addressed.

#### **LCP Policies (from Table 14-1 Local Program Consistency Analysis)**

***SCE-2 Preserving and enhancing the scenic qualities of the Coastal Zone is a priority in all City actions and decisions. Development that could adversely impact public views and scenic coastal areas shall only be allowed where it protects, preserves, and, if feasible, enhances such scenic and visual qualities.***

*Consistent. The project site complies with the Visitor Serving Commercial Development standards with respect to site coverage, setbacks, and building heights as identified in the LCP Implementation Plan. The project will also replace warehouse structures with structures of enhanced architecture and design.*

130-17



**SCE-3 Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses or are locally important historic areas.**

*Consistent. The project will modify, but retain, the ATC factory structure, identified as a structure eligible for historic status.*

**SCE-5 The City will designate scenic areas of the Coastal Zone, including those areas in Policy SCE- 3, as areas having special scenic significance requiring the imposition of project-specific development standards designed to protect these scenic areas (refer to Figure 4, Scenic Areas).** *Development standards for such special scenic significance areas shall include, but are not limited to, **special siting and design criteria including height and story limitations, bulk and scale limitations, screening and landscaping requirements, natural materials and color requirements, minimizing lighting that spills into nighttime public views, avoiding glares from windows and reflective surfaces, requirements to prepare landscaping plans utilizing drought tolerant and native plants that protect and enhance scenic resources; minimizing land coverage, grading, and structure height; and maximizing setbacks from adjacent open space areas.** Clustering to maximize open space views may also be considered. Development within visually prominent settings, including those identified on Figure 4, and **on all parcels that abut Ocean View Boulevard and Sunset Drive, shall be sited and designed to avoid blocking or having a significant adverse impact on significant public views, including by situating buildings, access roads, and related development in a manner and configuration that maximized public viewshed protection, and through such measures as height and story limitations, and bulk and scale limitations.** Clustering development to maximize open space views may also be considered.*

*Consistent. The ATC Tin Cannery site complies with the Visitor Serving Commercial design standards for site coverage and for building height as identified in the LCP Implementation Plan. The plan as proposed is consistent with these standards, and does not block or have a significant adverse impact on significant public views. See EIR Chapter 5, Aesthetics Policy*

This writer of this DEIR finds this project consistent with these policies, but I don't think they are consistent. They will be demolishing much of the historic building and retaining artifacts and pictures to create an archive. That is not the same as honoring a historic building by keeping and respectfully modifying it. The site is twice as large as the existing ATC development and they will be utilizing 90% of the much larger site, they are not increasing setbacks, but are actually **decreasing** setbacks and have asked for a waiver for 3000 feet of setbacks on Ocean View Blvd for this development. The proposed project is not similar in size and is being moved CLOSER to one of only two designated scenic drives and this new huge building will create a canyon "effect". How will this larger face and height affect how sound travels? None of this is good. **What extenuating circumstance exists to consider a waiver that is at odds with their recently adopted LCP Policies?** A recent Municipal Code was passed on 9/16/20 that might have to do with this issue. This section should be

130-17  
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amended to reflect the correct code reference and to explain why the lead agency is implementing code changes for a project that has not been approved.

### *KVP 8 – Inland View from Monterey Bay*

*Views from Monterey Bay: This analysis also reviewed several viewpoints from the grounds of the Monterey Bay Aquarium, specifically the publicly (visitor) accessible concrete viewing platforms on the north end of aquarium, were generally out of the way from the main traffic pattern of aquarium visitors and observed to be scarcely used even during a busy weekend. The upper platform has a more direct view of the project site and attracts more visitors outside; exterior. There is an upper platform accessed through the Splash Zone, and a lower platform that wraps around the aquarium's main level. While these locations provide interesting views of the project site from a location accessible by aquarium visitors, the locations from where the ATC site could be seen were generally out of the way from the main traffic pattern of aquarium visitors and observed to be scarcely used even during a busy weekend. The upper platform has a more direct view of the project site and attracts more visitors outside; however, visitor attention is naturally directed toward the water, sea life and sights within the bay rather than back inland toward the shoreline. Views from these locations are shown in Figure 5-3; **however, they were not selected as "key viewpoints" of the project site for the reasons stated above.***

The **mission** of the Aquarium is to inspire conservation of the ocean. It is a place for young children to learn about the wonders of the ocean before they are able to explore it on their own. It is a teaching facility for many, many schools and other organizations. It fosters conservation of resources and protection of species. It is a place to train and learn for those wanting to make oceanography a career. It is a place for people with a love of the ocean and the marine ecosystem to volunteer. The ocean is the largest ecosystem on Earth and it is the planet's life support system.

The fact that they have not chosen this as a "key viewpoint" and the fact that they only looked at the number of people who were at these view sites on **just two days** (11/17/19 and 11/21/19) just **shows how skewed and inadequate this report is.** Typical November weather would not have many people or tour groups outside viewing. As a teaching tool, describing the factories and death of this Bay are significant. Read *The Death and Life of Monterey Bay* if you want to find out how far we have come since the 1950's and how easy it is to destroy this fragile ecosystem. The Aquarium is a teaching tool and the history of this Bay shows how easy it is to destroy an entire ecosystem and how many years of management it took to restore it. **When you look out those platforms to show people where this happened, the historic Boathouse at Hoskins will no longer be flanked by the historic cannery structure, they will be dwarfed by an ultra-modern 240 room hotel that does not fit with this environment in any way and bears no resemblance to the structure it replaces.** When visitors come to our area and have a tour, they ask about the history of the area and learn that it was an industrial area for canning fish and the Bay was almost dead. This is the revival story of this whole area. As a Bay Net docent I have recounted this many times to visitors. Nature can heal itself if we let it.

### 5.5.3 Local City of Pacific Grove General Plan

The Pacific Grove General Plan designates two scenic drives in the city: Ocean View Boulevard and Sunset Drive between Ocean View Boulevard and Asilomar Avenue. The project site directly on the frontage of Ocean View Boulevard. **This proposed project does not conform to the General Plan as follows:**

#### Land Use

Goal 2: Repair and upgrade the City's infrastructure.

- Policy 1: **Seek to preserve Pacific Grove's traditional "hometown" qualities.**
- Policy 2: **Ensure that new development is compatible with adjacent existing development.**

#### Urban Structure and Design

Goal 1: Emphasize and promote the overall visual attractiveness of Pacific Grove.

- Policy 1: **Develop a cohesive and aesthetically pleasing urban structure for Pacific Grove.**
- Policy 2: Continue to **require citywide architectural review for all new structures**, and for exterior changes to existing structures.
- Policy 3: **Improve the visual quality of Pacific Grove's major boulevards.**
- Policy 4: **Enhance city entrances and major commercial nodes.**

Goal 2: **Enhance the relationship between the city and the Pacific Ocean and Monterey Bay.**

Goal 3: **Maintain and enhance the quality of the city's landscape and streetscape.**

- Policy 8: **Endeavor to protect the tree canopy created by mature trees by planting replacement trees.**
- Policy 9: **Use street trees to enhance and soften the visual character of major streets within the city.**

#### Natural Resources

Goal 3: **Preserve public visual access to the ocean. selection of building materials, and protection or replanting of trees that are "visually integral" to the scenic quality of the coastline.**

I can find no architectural review in this DEIR. Has there been a review as required or is that something else that will be done later?

### 5.6.1 Significance Criteria

*An impact of the project would be considered significant and would require mitigation if it would meet one or more of the following criteria:*

- **Cause a substantial adverse effect on a scenic vista.**
- **Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway.**
- **Substantially degrade the existing visual character, coastal scenic resources, or quality of public views of the site and its surroundings. (Public views are those that are experienced from publicly accessible vantage points.)**
- **In an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.**

130-19

130-20

- **Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.**

*A significant aesthetic impact could occur if the proposed project's incremental aesthetic impact would be cumulatively considerable (sic) considered?*

130-20  
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**This project's impacts should be considered cumulatively and the impact IS considerable.**

### **Impact Assessment Methodology**

*To determine potential impacts, the impact significance criteria identified above were applied to the construction and operation of the proposed project. Impacts are identified as being either short-term or long-term in nature.*

**An adverse aesthetic (visual) impact occurs within public view when: (1) an action perceptibly changes existing features of the physical environment so that they no longer appear to be characteristic of the subject locality or region; (2) an action introduces new features to the physical environment that are perceptibly uncharacteristic of the region and/or locale; or (3) aesthetic features of the landscape become less visible (i.e. partially or totally blocked from view) or are removed. Changes that seem uncharacteristic are those that appear out of place, discordant, or distracting. The degree of the aesthetic impact depends upon how noticeable the adverse change may be, and conclusions can be subjective.**

130-21

All opinions are subjective but saying there are **NO significant environmental impacts after mitigation is really stretching things beyond subjectivity into patronage. Out of 60 Significant and Less Than Significant issues identified with this project, only two were found to be Significant and Unavoidable after mitigation:** The disturbance of the construction and changes to this scenic area and the destruction of the historic structure itself. Their mitigation is to provide screened fencing during construction and to create an archive of photos and a public display of artifacts of what this area once was. They say absolutely nothing about the loss of our seal rookeries and negative impacts on the local seal and bird populations. They propose protections for the seals that do nothing to protect them and will not work. Loud noises can cause the entire beach to flush. Seals sleep all day and hunt all night. Seals do not have bankers hours and this beach is their bedroom. Their hours of construction over a two year period will disturb them every day that noisy work happens and will definitely harm the local seal population. It could endanger their health through stress and lack of proper resting periods during the day or just drive them away permanently. **This must be addressed in the DEIR.**

### **5.6.3 Impacts of the Proposed Project**

**The pictures KVP 1 - KVP 8 are all inadequate to notify the public of the full extent of the proposed changes, the number and amount of trees that will be removed and how the elevations of the new construction will affect the horizon views especially when all the trees**

130-22

are gone. **No story poles, even though required, have been provided to notify the public of the extent of the changes due to unstated “safety concerns”.** They discuss views from traveling motorists having no concern or loss with any of the changes. Where is the discussion of how the people who live here will respond to these changes as they walk to the store? No trees, no views, just the flat face of a huge building. Not once, do they discuss the loss of this many mature trees as anything of consequence. They seem to have the notion that a tree is just an obstruction to a view and has no value in and of itself. Each and every picture and issue is reduced to “not significant” after mitigation. Their mitigation is cutting down every tree and grading the entire site, removing tons of debris of the historic cannery they have demolished with other overburden and building this huge monolithic building. **It seems that the hotel itself is their mitigation.** The only view they feel is significant is the view of Pacific Grove from the ocean and they dismiss that too because it won't be seen by that many people. This proposed development, when completed, will be visible on the other side of the bay from the glare on the glass. Something as ugly as the Dream Inn (or whatever it is called now) could never get approval now. As we approach Pacific Grove on Lighthouse Avenue, how far away will we see this development? We need to know and these story poles should be provided. Obviously, it will drastically change the oceanview of Pacific Grove, as this project will dominate the space and dwarf the Hopkins Boatworks and other historic buildings. It will be the first thing you see as you enter Pacific Grove on Lighthouse Avenue and is outsized for this location and space. They plan to double the size of the existing ATC and raise the elevation to 48' (including units on top that are supposed to be screened). This is too tall and too large. **It does not comply with the General Plan goals and protections of scenic views and resources outlined in LUP Scenic Views 2.3.2 Coastal Act Policies.**

130-22  
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The DEIR states: *“The primary “scenic vista” associated with the ATC hotel project is the open, dramatic view from the Monterey Bay, (looking) inland toward the project (KVP 8). As described and shown in the existing setting, this vista shows the topography of Pacific Grove in the background, the ATC buildings in the foreground, a thick canopy and tree line of urban forest, and the dramatic, rocky coastline. Besides public roadways, there are **no fixed public vistas or viewing areas in the vicinity (such as designated turnouts or public parks) with a view of the project site. Vistas provided from public roadways at higher elevations looking toward the project site are mostly screened by buildings, trees and other obstructions”.** However, later in the DEIR they allude to public views from the Aquarium's upper deck that are away from the main traffic areas (Figure 5-3).*

130-23

**Photo KVP 8 and Figure 5-3** show how much this will be viewable from the Aquarium and from the ocean. **The fact that not many people take boat trips or use the deck platforms at the Aquarium and look back at the intertidal areas and shoreline is not justification to list these issues as Not Significant.** Views from the Bay, from the Aquarium and from Central Avenue and the City entrance remain significant.

This hotel will dwarf the historic structures remaining and even dwarf the Aquarium. The changes on our coastline are substantial. The new buildings are not similar in scale or architecture and will

have a “new modern” appearance. It will dwarf the existing coastline and historic building that exists and should be considered a substantial adverse effect. They will be destroying a historic structure to replace it with a photo archive. The increased building height is not consistent with the character of the existing structures, denuded of all existing trees and trees that are in the range of 60+ years. These trees cannot be replaced with new trees. You will see a visual horizon that is this building without any trees to break that flat plane. Any visual integral of the heritage trees will be lost. The current site has a low visual quality instead of a building that measures over 40’. They propose to increase their encroachment on Ocean View Blvd directly across from the well used coastal trail which does not comply with their recently enacted scenic policy SCE-5: ***minimizing land coverage, grading, and structure height; and maximizing setbacks from adjacent open space areas.***

130-23  
Cont

Visual screening will do absolutely nothing to screen the noise, dust, truck and equipment activity for the 18-24 months of construction, nor will it do anything to protect the biologic resources because of the noise and how it will travel. The new building is much larger than the existing structure, would demolish much of the existing structure and would encroach further on Ocean View Blvd directly across from the very popular coastal trail. **This does not comply with LCP IP 23.90.180 (C) (5) (b).**

The loss of up to 52 mature Monterey cypress trees (and 79 trees in total) would significantly affect the visual character of the community specific to this location, as trees are a unique coastal resource. The lighting from the development and the glare from the windows will be seen across the bay at times. The project could produce new sources of glare from windows and reflective surfaces that are more intense than current conditions. Given the project (and Pacific Grove’s) location at the tip of the Monterey Peninsula, the project faces east/northeast. During several months of the year, clear mornings provide bright and dramatic sunrises on this section of the coastline in the early morning. Based on the project design and orientation, and extensive use of glass surfaces, increased glare could be experienced from reflection and glare along the Ocean View Boulevard and Eardley Avenue frontages. Recipients of glare could include the Andronico’s commercial site (not sensitive), and Hopkins Marine Station (potentially sensitive). The changes to the visual character from several viewpoints, the increased size of this development and the visual integrity of these four square blocks at the entrance to our city are a loss that we do not have to sustain. This project must be reduced in size or denied altogether.

130-24

#### **5.6.4 Cumulative Impact**

The geographic context for the analysis of cumulative aesthetic impacts includes the project site viewshed and the visual character of its surroundings in the City of Pacific Grove. Cumulative impacts include: An almost 50% increase in size (too large) for the existing ATC and an increase to the previous Leeds certified proposed development (Project Bella), loss of trees, lighting and glare, traffic problems, location too close to residential areas, traffic, air quality, loss to species habitat and the possible loss to the species themselves. The cumulative impacts are significant and are not outweighed by any benefit to residents in Pacific Grove or Monterey. Hazards such as sea level rise, tsunamis, earthquakes and flooding are all deemed not significant based on no

130-25



apparent information. They plan on relying on coastal armoring by the Hopkins Marine Station to protect this development also. Viewer concern and interest for the viewscapes in this area is very high and the local recreation trail is directly across from the entire frontage of this property and extends for miles in each direction on either side of that frontage. The size and height of this proposed development will dwarf and overpower the other buildings nearby. Mature trees that soften these hardscapes will all be cut down in favor of small decorative trees that are planned for this development. This proposed development will present massive blocky structures with glass fronts and little charm and will block the ocean view as you enter Pacific Grove. This space could be a beautiful, vibrant, charming and visitor friendly environment on the coast for everyone to enjoy. Instead it has been allowed to deteriorate and become an almost derelict space so that a much larger development might look appealing. The footprint of ATC would go from 2.864 acres to 5.59 acres and will be a much larger project that would encompass 90% of the larger site. The DEIR found that before mitigations there were **19 Significant** areas of impact and **41 Less Than Significant** areas of impact. Of the 60 total areas of concern in the DEIR, only two remained as Significant and Unavoidable after mitigation in their DEIR: the destruction of the historic building itself and the degradation of the existing visual character of the site and its surroundings. Their mitigation: Screened fencing around the construction area and take pictures and create and archive to show the building that used to be there. They want to use drones to map the area which is in violation of the PG codes without a permit and would certainly result in the flushing of all the seals and a violation of the Marine Mammal protections. How many loads will it take to get rid of the debris and how much noise will that cause? This entire DEIR is just boilerplate cut and paste language from every other DEIR that we have all waded through. It is a joke and not very funny one, that has been signed off on by the lead agency as ready for review. This is the first "big" project where Pacific Grove is the lead agency and there are many instances I have cited of them not even complying with their own policies. They have not been very transparent with notification requirements and have even used the pandemic as a reason for not providing hard copies of the DEIR and safety concerns (unproven) for not even installing one story pole. This is just too big, too rushed and not enough notice to the public or information to make an informed decision.

130-25  
Cont

**HAZ-1.** This information is based on flood maps from 2017 and seal floor mapping data from 2012. These should be updated based on current data.

130-26

**HAZ-8.** The creation of a parking garage that would be 18 feet above sea level, or about 10 feet below existing grade and the removal of an unknown amount of granite to provide for this lower level needs further study and reporting. *Development shall minimize risks to life and property in areas of high geologic, flood, and fire hazard. Development shall also assure stability and structural integrity, shall not create nor contribute significantly to erosion, geologic instability, or destruction of the site, and shall not substantially alter natural landforms.* None of these issues have been fully addressed in this DEIR.

130-27

**HAZ-9.** *Development shall be sited and designed to avoid impacts from coastal hazards, including but not limited to, erosion, episodic and long-term shoreline retreat, flooding, inundation, storm waves, high seas, tidal scour, and tsunamis, including in relation to sea level rise, over the life of*

130-28

*the development.* The fact that the applicant shall record a deed restriction acknowledging that the development may be subject to coastal hazards. This does absolutely nothing to protect the public from a development that may start taking on water and could expand or accelerate the instability of the bluff and create a disaster at the entrance to our city

130-28

**HAZ-11.** *In order to minimize potential damage to life and property from coastal hazards, development and the use of land below the 20-foot elevation (as measured from mean high tide) shall be limited to coastal dependent and coastal related development, open space, low intensity public recreational access facilities and uses, public infrastructure, allowable shoreline armoring and coastal access facilities, and, at Lovers Point, Hopkins Marine Station, and Monterey Bay Aquarium, coastal dependent development. **Other legally established existing development and uses below the 20-foot elevation may remain, but shall be relocated above the 20-foot elevation (or simply removed) should it become threatened by coastal hazards or should they redevelop.*** This project proposes to include subterranean parking below the Group/Family Wing at the corner of Ocean View Boulevard and Dewey Avenue. The resulting elevation of the garage would be 18 feet above sea level, or about 10 feet below existing grade. **This underground parking to this depth should not be allowed.**

130-29

**HAZ-12.** *Development proposed in potential hazard areas, including but not limited to those that are mapped as hazardous in Figure 3, shall be evaluated for potential coastal hazards at the site, based on all readily available information and the best available science. If the initial evaluation determines that the proposed development may be subject to coastal hazards over its lifetime, a site specific hazards report prepared by a qualified geologist/engineer is required, the purpose of which is to ensure that such development can be built in a manner consistent with applicable LCP coastal hazards policies. **This brief synopsis is not sufficient to meet this requirement.***

130-30

**Where is this report for this project?**

**HAZ-14.** *New shoreline protective device development (including replacement, augmentation, addition and expansion associated with an existing device) shall only be allowed where required to protect public recreational facilities (e.g., public parks trails, and paths), public infrastructure (e.g., public roads, sidewalks, and public utilities), and coastal dependent development (e.g., certain Hopkins Marine Station development) in imminent danger from erosion. Such devices shall only be utilized if no other feasible, less environmentally damaging alternative is available, such as relocation, beach nourishment, non-structural drainage and native landscape improvements, or other similar nonstructural options. Shoreline protective devices shall not be constructed to protect non coastal-dependent development, other than public recreational facilities and public infrastructure that do not otherwise constitute coastal-dependent development, or where other measures can adequately mitigate erosion hazards.* This development is planning on protections being updated at Hopkins Marine Station (Letter of Moses Cuprill dated 1/17/19 Item 9) to provide protection for this development also. **I do not think that can or should be relied on as possible protections from hazards for this private development.**

130-31

## 6.0 AIR QUALITY

The data here is understated and insufficient. Large truck hauling will create traffic backups that will contribute detrimentally to air quality and be significant during construction. What traffic route will be designated for these large trucks? **We need to know which routes will be designated for these large truck hauls so that traffic impacts can be determined.**

130-32

*Demolition, site preparation, rock excavation, and grading would occur first. The project would require approximately **10,015 tons of demolition** for the existing buildings and pavement onsite, over a period of approximately five weeks. The proposed project would require grading of the entire project site over a period of approximately nine to ten weeks. Earthwork is estimated to be approximately 47,100 cubic yards (cy) of cut material, 400 cy of fill for a total of **46,700 cy of net export**. Substantial portions of the cut will be in weathered or intact granodiorite bedrock. CalEEMod estimates that the project would generate up to 195 worker trips and 77 vendor trips per day for building construction. For grading, the model estimates approximately **5,838 hauling trips over 45 days** which would result in approximately **130 daily hauling trips**. During the grading phase there would be approximately 20 daily worker trips. Therefore, a total of **150 daily trips** would occur during the grading phase. Fugitive dust emissions are associated with land clearing, ground excavation, cut-and-fill operations, rock excavation, demolition, and truck travel on unpaved roadways. Dust emissions also vary substantially from day to day, depending on the level of activity, the specific operations, and weather conditions. Fugitive dust emissions that may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the project vicinity. Fugitive dust from grading and construction is expected to occur during the approximately 18 to 24-month construction phase of the project, but would be concentrated within the first months. It would cease following completion of the initial development. Additionally, most of this fugitive dust associated with construction, grading, and excavation activities is inert silicates and is less harmful to health than the complex organic particulates released from combustion sources. **Dust (larger than ten microns) generated by such activities usually becomes more of a local nuisance than a serious health problem. However, excessive amounts of finer PM10 generated as a part of fugitive dust emissions is a concern and requires mitigation.***

130-33

I have worked at construction sites and know how much dust can be generated by large trucks hauling demolition debris and overburden. Lighthouse Avenue will look like a mining construction haul road with all these daily truck trips. I also work with glass powders and have to use an N-95 respirator when I am working with glass dust because of the silica. When people breathe silica dust, they inhale tiny particles of the mineral silica. Over time, the silica dust particles can cause lung inflammation that leads to the formation of lung nodules and scarring in the lungs called pulmonary fibrosis. **Their assertion that this is just a health nuisance is not correct.**

*The MBARD's 2008 CEQA Air Quality Guidelines provides criteria for determining cumulative impacts and consistency. The CEQA Air Quality Guidelines note that a project which is inconsistent*

130-34

with an Air Quality Plan would have a significant cumulative impact on regional air quality. As discussed above, the project is consistent with the Air Quality Management Plan for the Monterey Bay Region. The project would not exceed quantitative thresholds for either of these ozone precursors. **Similarly, PM<sub>10</sub> thresholds also would not be exceeded for construction or operation of the project.** Therefore, the project would not make a considerable contribution to this existing, cumulatively significant impact. This is a less than significant impact.

130-34  
Cont

There is not enough information or study in the DEIR to support this conclusion. Just saying that they aren't going to exceed guidelines does not make it so.

### MM AQ-2.1 Reduce Fugitive Dust

They propose to limit grading to 8.1 acres per day, and grading, demolition and excavation to 2.2 acres per day. *Water graded/excavated areas and active unpaved roadways, unpaved staging areas, and unpaved parking areas at least twice daily or apply non-toxic chemical soil stabilization materials per manufacturer's recommendations. Frequency should be based on the type of operations, soil and wind exposure. Prohibit all grading activities during periods of high wind (more than 15 mph). Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).*

130-35

**The entire site is only 5.59 acres so where did they get a limit of 8.1 acres per day and excavation of 2.2 acres per day.** Is this a cut and paste from agricultural grading standards or what? What chemicals will be applied to the soils? Will these end up in the ocean when it rains? **This section needs work.**

### MM AQ-2.2 Designate a Dust Compliance Monitor

A compliance monitor is only after the fact when you already have a problem. There is not enough data to determine if their plan has enough preventative measures or if the project as designed can be compliant. Not good.

6.5.4 Cumulative Impact Analysis The number of large truck hauls of debris, overburden and supplies, not to mention employee trips, will result in making Lighthouse Avenue a parking lot for several months. Carpooling, walking and biking will not help this problem. Traffic idling, especially large diesel trucks will be a significant source of emissions. **This section needs much more analysis and work.**

130-36

## 7.0 BIOLOGICAL RESOURCES

Trees are a valuable resource. I would defer to other commenters regarding the issue of the loss of our urban canopy and the wanton disregard for all the trees on this site and would join in the comments of Cosmo Bua regarding the loss of trees and the fact that they have still not marked the trees slated for destruction with ribbons as is required. Many street trees will also be lost and those have not even been discussed. Now, more than ever, we need to save our trees. The DEIR asserts *that no significant long-term impacts to the urban forest ecosystem are anticipated due to the fact that the trees being removed are planted landscape trees which can be replanted or*

130-37

*otherwise mitigated through accepted methods such as payment of in-lieu fees.* In-lieu fees are not trees and the removal of these trees would constitute a significant impact under CEQA. The writer of this DEIR wants to dismiss the trees as inconsequential but adds the offhand comment, *“However, as the site is within the Coastal Zone, existing trees must be considered for both biological and aesthetic considerations.”*

130-37  
Cont

## **7.5 Environmental Impacts and Mitigation Measures**

I join in the comments from Thom and Kim Akeman respectively, regarding the problems that will result from this proposed development with our local harbor seal population. None of the mitigations proposed will alleviate the problems. The DEIR reports the proximity of the seals incorrectly and the mitigations proposed are inadequate to stop the noise which is the greatest disturbance for this area. I can tell you from my own personal experience that the noise from the road area travels down to the beach and I have personally seen harbor seals that alert to just the sound of a child squealing in delight on seeing them. The sounds of jackhammers and other loud construction noise will be very detrimental and will definitely flush the seals. Enough disturbances could make them abandon the rookery. The work hours for construction are the hours that the seals need to haul out and rest, so the long term problem is their being able to rest enough to feed at night and maintain their health. As stated by Kim Akeman the rookery may be 400 feet but there are seal haul out sites within a 200 yard radius also. More study must be done on noise levels at this sensitive location. Their assertion that changes in the noise environment at these levels is not expected to be significant enough to modify harbor seal behavior. A better biological study must be done with the correct locations for harbor seals and black oystercatchers in the vicinity of this project. A study of marine mammals done in 2018 is not necessarily applicable to harbor seals that are very skittish of noise disturbance even if that noise disturbance is screened. The timing of the work needs to be investigated because some seals are still nursing on June 1 and disturbances have caused early delivery of stillborn pups as early as January. These species are already under great stress because of climate change, warming waters and scarcity of food. A biological monitor is closing the barn door after the cow is out.

130-38

## **10.0 GEOLOGY AND SOILS**

I join in the comments posted by my husband, Jim Raine, that were previously submitted and incorporate them by reference here..

130-39

## **12.0 HAZARDS AND HAZARDOUS MATERIALS**

Part of this construction requires the removal of overburden and granite. This site has been an industrial site for almost 100 years and has had many different businesses located on these parcels. Soil samples need to be taken at various locations to determine if there are any toxins or other hazardous materials in the soils before removal begins.

130-40

## 13.0 HYDROLOGY AND WATER QUALITY

### 13.5 Environmental Impacts and Mitigation Measures

*This section describes the project's potential to adversely affect local hydrologic conditions (drainage patterns and runoff volumes), surface and groundwater quality, or cause the release of pollutants due to inundation from flooding. Due to the unique location of the project and in light of available data regarding future sea level rise, coastal hazards are also addressed in this section. The project site is designated by FEMA as Zone X, which indicates minimal risk of flooding. As discussed above, the project site is located near, but not within, the City's tsunami inundation area. As discussed in Chapter 12, Hazards and Hazardous Materials, the project does not involve the storage of large quantities of hazardous materials, fuel tanks or similar sources of contamination that could be released within inundation. The project would, however, include subterranean parking below the Group/Family Wing at the corner of Ocean View Boulevard and Dewey Avenue. The resulting elevation of the garage would be 18 feet above sea level, or about 10 feet below existing grade.*

130-41

Report of Moses Cuprill indicates in item (7) that following an extreme storm event or drop in tide level, the water from wave run-up would subside and any remaining standing water would percolate through the coastal bluff terrace deposits between Ocean View Blvd and the bluff, infiltrate to the granite bedrock the slopes towards the shoreline and then flow seep seaward until daylight at the open bluff face. There is very little chance that it would change the seasonal groundwater regime around the below grade parking garage.

***Policy INF-12*** *In order to minimize impacts from coastal hazards as well as to avoid impacts to water quality, public access, and scenic and visual resources, there shall be no net increase in beach outfalls and the City will seek and pursue opportunities to consolidate and/or eliminate reliance on storm water outfalls that convey storm water onto the beach and/or into Monterey Bay or Pacific Ocean.*

130-42

We need soils reports for hazardous or toxic materials since this has been an industrial site for 100 years or more. The percolation system that is described in their Evaluation of Hazards does not describe how waters will be filtered of any contaminants from the development before they percolate and end up in the ocean. How are they complying with Policy INF-12 to minimize stormwater outfalls and how do they ascertain that toxins from their development aren't incorporated in the storm water runoff?

From Luke Coletti's scoping letter:

For the water permit the District will require the City to make CEQA findings in support of a determination of "special circumstances". If actual water use exceeds the preliminary Water Use Capacity estimate, then the District will debit the Jurisdiction's Allocation (PGLWP entitlement - MPWMD Ord 168). Prior to issuance of the Water Permit by the District, the Jurisdiction must acknowledge in writing the potential debit to its Allocation, as well as authorize the District to issue

130-43

a Water Permit based on a finding of Special Circumstances consistent with CEQA compliance for the proposed Project.

The Water Demand Analysis must be done prior to any approval of this DEIR. What special circumstances exist for this private development to risk a potential debit to our public water allocation? Our water supply is on the line here for a private enterprise venture. There are too many water intensive features in this project and full analysis needs to be done and included in the DEIR. Two swimming pools, a spa and a fitness center on top of a 225 room hotel are very water intensive features. The size and scope of this proposed development begs a better water demand analysis be included in this DEIR. The residents of Pacific Grove need more information on this water deal and how it might affect our water allotment in the future.

130-43  
Cont

## **14.0 LAND USE and PLANNING**

### **14.3.3 Adjacent Land Uses**

The area and neighborhood around the ATC site experiences significant tourist activity, but is also the location of an established residential neighborhood west and northwest of Dewey Avenue. These are the properties that will be negatively affected by this large hotel complex that is incompatible with these homes.

130-44

### **14.5 Environmental Impacts and Mitigation Measures**

In the previous sections I have enumerated how this proposed development does not follow the General Plan, the LCP and LUP and Policies adopted by the lead agency. I incorporate all of the comments stated previously, here by reference. Many of the reports are inadequate and the mitigation measures useless.

130-45

## **15.0 NOISE AND VIBRATION**

### **15.5 Environmental Impacts and Mitigation Measures**

In previous sections I have enumerated how the noise and vibrations will affect the local wildlife and I incorporate those comments here by reference. I think the residents and businesses in the vicinity of this proposed development are going to be very unhappy if this development goes forward as proposed. I have talked to various Pacific Grove residents about this DEIR and very few people in Pacific Grove and in this area are even aware that this project is at the DEIR review stage. Because it is located only ½ block from the border of New Monterey, I think much wider notice should go out and there should be some public hearings on this very large and very impactful proposed development. Impacts are minimized and many of the mitigations won't work.

130-46

## 17.0 TRANSPORTATION

Most of the transportation impacts and statistics in this report have to do with traffic after construction. I would point you to the stats on truck loads in the Air Quality section that I previously commented on and incorporate here by reference. Lighthouse Avenue will become a mining haul road for several months or longer. Our surface roads will suffer and the people who have to travel those roads will suffer too. Businesses on these haul routes will be impacted also. This section needs to be redone to have a more realistic evaluation of the impacts of all these trucks on our surface roads and intersections. We all have recently lived through the Highway 68 upgrade and know how bad Lighthouse can get as one of only two roads for access to Highway 1.

130-47

## 19.0 UTILITIES and SERVICE SYSTEMS

*Currently, Pacific Grove has extremely limited water available for new water allocations and maintains a Water Wait List for such allocations. Water is allocated in accordance with Chapter 11.68 of the City's Municipal Code. If a project requires additional water beyond on-site water credits recognized by the Monterey Peninsula Water Management District, an applicant may apply to place a project on the Water Wait List. To ensure that unanticipated water demands will not preclude coastal priority uses, Local Coastal Program (LCP) policies support water conservation and demand reduction. The MPWMD monitors and regulates the region's adjudicated groundwater resources through a system of pumping restrictions, permitting and measured water allocations or credits. MPWMD currently recognizes the project site as having current on-site water credits that total 18.53 acre feet of use per year (AFY).*

130-48

We need a Water Demand Analysis for this project and should look at modifications to the project to reduce water demand. I would include my comments from Hydrology and Water Quality on this subject here by reference.

***Policy INF-12*** *In order to minimize impacts from coastal hazards as well as to avoid impacts to water quality, public access, and scenic and visual resources, there shall be no net increase in beach outfalls and the City will seek and pursue opportunities to consolidate and/or eliminate reliance on storm water outfalls that convey storm water onto the beach and/or into Monterey Bay or Pacific Ocean.*

130-49

There are existing 12-inch and 18-inch storm drains that extend along Eardley Ave from Sloat Avenue to Ocean View Boulevard. Existing 20-inch and 21-inch storm drains extend from the intersection of Eardley Avenue and Ocean View Boulevard. An existing 10-inch storm drain extends along Ocean View Boulevard. **How are these storm drains being modified to assure that there is no net increase of storm water onto the beach and or the bay and ocean?**

## 20.0 ALTERNATIVES

I think a much smaller project that updates this building with more public spaces, no underground parking and a much smaller footprint with inside and outside dining options would be preferable and could be very lovely.

**Comment on proposed hotel development**

mary Doshay <marym7sf@hotmail.com>

Mon 9/28/2020 11:23 AM

To: R Mullane <rmullane@hrandassociates.org>; ahunter@cityofpacificgrove.org <ahunter@cityofpacificgrove.org>

Dear Mr Mullane And and Ms. Hunter,

I am writing in response to the open comment period regarding the hotel development being planned in Pacific Grove at the American Tin Cannery site, across from the harbor seal rookery.

I want to share my concerns about the impact the construction noise and crowds will have on this fragile population of harbor seals. For a few years now the seals are having increased premature births resulting in deaths and the adult seals are having more and more challenges finding food, resulting in thinner and seals that have a more difficult time successfully reproducing. This seals face so many threats already, please reconsider your plans and take their well being and continued existence into account.

**131-1**

Also, the removal of the cypress and other trees for the underground garage is the exact opposite thing we as a society should be doing in the face of climate Change. We need to plant more trees , not remove heathy exisiting ones.

**131-2**

While I think it's great to transform the space into something that can brings jobs and business to the area , I do have so many concerns about the scale and extent of the construction and development project being planned and hope you will take significant steps to reduce impacts to these fragile wildlife that already have such a hard tome thriving due to human impacts and loss of safe habitat.

**131-3**

Thank you  
Mary Doshay

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The Tin Canary Hotel

Nan Heller <hellernan@gmail.com>

Sun 9/27/2020 11:36 AM

To: R Mullane <rmullane@hrandassociates.org>; citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; citymanager@cityofpacificgrove.org <citymanager@cityofpacificgrove.org>

Dear Rob Mullvane, Ben Harvey, & City Council members,

I am writing to express my wants and dislikes of the proposed hotel in the Am Tin Canary building.

The size of the proposal is too massive and not compatible with Pacific Grove. The traffic it will create is more than desirable at the corner of David & Lighthouse. Creating more congestion than is manageable, with additional traffic on Central going into downtown Pacific Grove. The structure of the Am Tin Canary was solidly built and I want the integrity of the building to be preserved. The massive destruction of 79 trees is appalling. We want trees in this town more than we want covered space. Two swimming pools in Pacific Grove is unnecessary and takes up too much space. One would suffice. And to mention the Sea Water Rising issue the city has addressed over the past few years.

132-1

We have fought oversized hotels in the past and I am disappointed the city does not respect or represent our wants by continuing to approve oversized hotels. We DO NOT want over sized structures in Pacific Grove even when it is on the outskirts. We DO NOT want our historic small town jeopardized with massive buildings. We DO NOT want to bring in 250 more cars to obstruct the flow of traffic. The city continues to try to get projects through that jeopardize the integrity of our historic town. **Please represent what we want. Represent your constituents. NO BIG HOTELS.**

132-2

Thank you,  
Nan Heller

# Letter 133

----- Forwarded message -----

From: **City of Pacific Grove Website** <[website@cityofpacificgrove.org](mailto:website@cityofpacificgrove.org)>

Date: Sat, Sep 26, 2020 at 2:16 PM

Subject: [Community Development] ATC Hotel Project

To: <[dgonzales@cityofpacificgrove.org](mailto:dgonzales@cityofpacificgrove.org)>

Nancy Parsons ([nancyparsons29@gmail.com](mailto:nancyparsons29@gmail.com)) sent a message using the contact form at <https://www.cityofpacificgrove.org/contact>.

Once again the residents of Pacific Grove are being asked to forfeit their peaceful community life for another oversized hotel project that will attract thousands of tourists. This project will be three stories, take over 2 years to construct, remove trees, impact traffic on David and Central which is already bumper to bumper all year round now. And the City of Pacific Grove is trying to sneak this through now during a pandemic when people are not paying attention. Shame on you!!! I am still upset about the new condos that are being built on the corner of Lighthouse and Fountain. Remember City Council, you work for the people of this community not the rich developers that want to exploit our last home town!!!! Thank you for your consideration.

133-1

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Best regards,

\_\_\_\_\_

Debbie Gonzales

City of Pacific Grove, Community Development Department

9/30/2020

Mail - R Mullane - Outlook

300 Forest Avenue, Pacific Grove, CA 93950

Direct 831.648.3183, Fax 831.648.3184

[dgonzales@cityofpacificgrove.org](mailto:dgonzales@cityofpacificgrove.org)

[www.cityofpacificgrove.org](http://www.cityofpacificgrove.org)

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# Letter 134

ATC

Patricia Addleman <patbuckcreek@gmail.com>

Mon 9/28/2020 4:54 PM

To: R Mullane <rmullane@hrandassociates.org>

I think the most ridiculous thing about the ATC project is the excavation of bedrock for a garage - maybe it could be stopped because we are not zoned for a quarry? (Or they can only dig it if they use it to build the hotel?)

Well, the other thing is the design's disrespect for cannery history which the Aquarium did a great job of incorporating into their project.

There must be someone with more imagination than what the city has come up with for all these big projects - and the integrity to put in the 'affordable' parts up front so they don't have to be called on it when it's too late and they need another floor —

134-1

Patricia Addleman  
119 Fountain Avenue

**Letter 135****Objection to ATC Hotel and Commercial Project in Pacific Grove**

Patty Pai &lt;singerpattypai@gmail.com&gt;

Mon 9/28/2020 1:13 PM

To: R Mullane &lt;rmullane@hrandassociates.org&gt;

Dear Mr. Mullane:

I am a 7-year resident of Pacific Grove and I live on Pine Ave. I am writing to voice my extreme concern at the proposed scale and other aspects of the ATC Hotel and Commercial Project at 125 Ocean View Blvd.

PG is a unique town, and the design of the project does not reflect its history or character at all. It is too large and falls too short on incorporating natural elements such as those currently present at the site. I believe that the site should be repurposed and rehabilitated to revitalize the area, but not in this way, especially right along the coastline. This plan was developed before recent upheavals in the economy and the natural environment. The plan should be revised and updated to reflect and respond to current conditions.

Plan notwithstanding, the massive scale of construction required may cause irreversible harm to the local aquatic ecosystem. Noise pollution from the construction and increased traffic after completion of the project will likely disrupt the breeding cycles of the harbor seals that haul out at Hopkins Beach, as well as the feeding and breeding habits of sea otters up and down the rec trail at the construction area. A major draw of PG for tourists is the abundance of seals, otters, and other wildlife. If we build a hotel that destroys the very things that draw the tourists to PG and, as a result, the tourists don't come, we'll have gained nothing but will have lost much more than money could ever buy.

I join the many citizens of Pacific Grove in urging the reconsideration of these plans. Please downsize, reduce the impact on the surrounding wildlife, ensure protection from noise pollution, and incorporate more natural elements such as retaining existing trees, so that this project is more suitable for PG than for downtown San Jose.

Regards,

Patty Pai

135-1

## AMERICAN TIN CANNERY PROJECT

Patsy Volpe <patsymelvin@comcast.net>

Sun 9/27/2020 8:28 AM

To: R Mullane <rmullane@hrandassociates.org>

Cc: citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; citymanager@cityofpacificgrove.org <citymanager@cityofpacificgrove.org>

Please, not again! The proposed project at the site of the Tin Cannery is entirely too huge, will destroy the nature of our little home town; you know, the one visitors seek out for its quaint charm. Really, do we need a huge hotel? Do we need to destroy native trees? Do we need to create horrific traffic jams? Do we need to disturb sea creatures and drill through the earth to create parking? What are you thinking? Please! I could live with a hotel the size and footprint of the current cannery and in keeping with the cannery's original look, though I really wouldn't want that either. But this gigantic structure is simply unacceptable.

136-1

The general public has no idea of this plan. Where are the story poles? The renderings of this project where residents will actually see it?

This is wrong and it seems you're trying to sneak this through when we're all in a weakened state due to our preoccupation with Covid. This is not the time and this is not the place for such a monstrosity on our beautiful bay. Please rethink this project.

Respectfully,

Patsy Volpe  
Melvin Beechman  
(Pacific Grove residents for 35+ years)

Sent from my living room.

**Comments on American Tin Cannery Hotel Proposal's Draft Environmental Impact Report**

Ricki Sara Bennett &lt;rrixxee@gmail.com&gt;

Mon 9/28/2020 2:40 PM

To: R Mullane &lt;rmullane@hrandassociates.org&gt;; ahunter@cityofpacificgrove.org &lt;ahunter@cityofpacificgrove.org&gt;

I am writing to share my concerns about this project and the adverse impacts it will have on marine wildlife, particularly the harbor seals at the beaches of Hopkins Marine Station, which are directly across the street.

Hopkins Beach and Fisher Beach are the long-time main harbor seal year-round haul out sites and rookeries in the area, and currently the safest places for harbor seals in the area. These animals are very sensitive to disturbances, and this project will harm them and destroy their ability to remain there safely.

The construction and particularly the underground parking excavation will flush these seals from the beach every day. The pregnant harbor seals are due to arrive to Hopkins soon, and the plan indicates that the excavations will occur during this time well into next year. These pregnant seals need to rest and gain strength prior to giving birth. Instead, they will be terrifically stressed and it would not be unreasonable to expect that this would lead to a dramatic increase in premature pup births and pup mortality. Once pupping season is over, due to the daily disturbances of construction, followed by the audible and visual noise disturbances this hotel would generate when built, the beach will no longer be a safe haven for the pups that do survive and the juvenile and adult seals that call it home year-round.

I am also concerned about the negative impact on other wildlife such as the black oystercatchers, and about the loss of mature trees, which may never be adequately fully replaced.

It is ironic to me that a city that has made an international reputation for itself due to the presence of the Aquarium — which is more or less a shrine to marine life and has conservation as a major part of its mission — would jeopardize the harbor seals in this manner. Harbor seals are covered by the Marine Mammal Protect Act, which makes it illegal to harass them. While the intent to harass may not be there, that will be the outcome if this project is approved.

I urge you to reject this project on the basis of the irreparable environmental harm it will cause to the resident harbor seals and other wildlife.

Thank you.

Ricki Bennett

**137-1**

## Comments on D-EIR for ATC hotel project

Robert Fisher <erfisher@lmi.net>

Sat 9/26/2020 3:20 PM

To: R Mullane <rmullane@hrandassociates.org>

Cc: citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>

Attention Rob Mullane, Consulting Planner,

Cc: Mayor and City Council

Here are my areas of concern regarding the ATC Hotel and Commercial Project:

### Impact on Harbor Seals

The drilling into solid granite and removal of bedrock is very detrimental to the harbor seals. We take pride in the fact that for many years the sandy beaches near this proposed project have provided a safe zone for these important mammals. Damaging disturbances such as loud noises and underground vibrations decrease their chances for survival. The mitigations are not adequate to address these fundamental problems.

138-1

### Tree Removal

The removal of so many (79) mature trees is injurious and unacceptable to the environment. Please consider redesigning the development in a manner that includes the 52 Monterey Cypress trees in the proposed changes. Replacing them with new trees does not take into account the slow-growing feature of this native species.

138-2

### Too Massive

It's really hard for us to see how this development comes under an urban classification. The massiveness of this project conflicts with the surrounding structures and PG's small-scale residential community character. It is too immense for this site, being so close to the water's edge. The bulky height, number of rooms and the swimming pools need to be significantly scaled back.

138-3

### Story Poles

Story poles are a necessary tool to show the public how the mass and bulk of the project will appear and how views would be affected. Pacific Grove can and should require story poles. Other coastal communities provide for story poles for commercial and municipal as well as residential projects, at heights of 40 ft.

138-4

### Chinese Fishing Village

The Chinese fishing village that existed at the site has been overlooked. An archaeological survey ought to be conducted to decide how any related tribal/cultural resources that may be unearthed should be protected. Archaeological and tribal monitors should be provided during any ground disturbance.

138-5

Thanks for your attention. Please confirm receipt.

Sincerely,  
Robert Fisher  
429 Lighthouse Ave.  
Pacific Grove

## Proposed hotel at old Tin Cannery

richard gelman <rbgelman@yahoo.com>

Sun 9/27/2020 6:08 PM

To: R Mullane <rmullane@hrandassociates.org>

Cc: city.council@cityofpaloalto.org <city.council@cityofpaloalto.org>

This proposed hotel is wrong for PG. for a multitude of reasons previously stated in many prior emails I just learned of this project this afternoon. I have been a resident of PG and moved here primarily because of the qualities this project will destroy. I will voice my opposition verbally at every future opportunity and will organize opposition among my neighbors as well. We are not done here.

Dr Richard Gelman

429 Spruce Ave

Sent from my iPhone

139-1

# Letter 140

## The ATC Project Public Comment

Rebecca Lee <rebeccalee311@gmail.com>

Mon 9/28/2020 9:15 AM

To: R Mullane <rmullane@hrandassociates.org>

Dear Mr. Mullane and Whom It Concerns regarding the American Tin Cannery Project,

I live in Pacific Grove and have great concerns that this project is not in the best interests of Pacific Grove as it is now designed.

1) It is so large with so many amenities, it is an end destination in and of itself and will not draw people into Pacific Grove but will encourage them to walk to the Aquarium and the beach and grass area by the Coast Guard Pier and Fisherman’s Wharf and perhaps rent bicycles from Adventures by the Sea on Cannery Row. Right on the edge of PG, its design does nothing to funnel traffic to downtown PG and it minimizes the businesses around it. I understand that the idea is to get tax dollars from this project alone but it may be an inadvertent slap in the face to our other PG businesses. I have heard that the smaller hotels downtown PG are concerned their business may be affected to the point of closing, when they draw people to downtown PG for dining and shopping on foot. The size of this structure isolates itself from PG; it is not integrated into the town and its self-contained design further isolates it.

140-1

2) It is so large, it dwarfs all other structures around it and so can’t accommodate large native trees like those it is tearing down; it doesn’t fit in. One can see from the drawings even the tree choices fit the building height and decorum and do not achieve anything of the natural wild beauty of what is and the essence of what is native and majestic here. The trees look small and like they were applied to a Disneyland style façade. To present itself as a representative of central coast’s wild beauty, the building ends should be pulled in to create space for a row or stand of Cypress Trees. It needs this tie in to the native trees here to not stick out like a tourist itself. Another way to do it would be to retain Sloat Ave., put the parking garage under the current parking lot and also another story on top and if more parking is needed, raise the hotel on stilts and have the parking with a bike rental underneath. That design would also protect against sea level rise. It would raise the height of the building but at this point it is so tall anyway, it would be better to have a smaller footprint and retain the current tall trees and plant more Cypress to mitigate the height effect in my opinion.

140-2

3) If the car entrance were on Eardley instead of Central, it would decrease backup on Central for those trying to reach downtown PG. Then a pedestrian entrance and small lobby could be put on Central Ave. to make a storefront that would enhance the businesses around it rather than sticking them with tailpipes as neighbors.

140-3

4) I would hope pervious concrete is used around the trees along the sides of the buildings where they are planted in true ground and not above the subterranean parking garage. Pervious concrete assures they are well watered deeply during rains so they grow beautifully. It is different than catching the water through storm drains that collect grey water. It is a direct positive impact on the trees who then in turn don’t need to buckle the concrete into the garage to get what they need.

It is a sin to cut down even one mature Cypress as it represents so much food for the wild animals and places for their homes. To cut down 40+ is beyond the pale and then to replace them with non-native trees that don’t produce food for wild creatures or their height for birds that need high nests is ecologically destructive in a way that can be avoided or fixed by choice. I understand the types of trees chosen may come from the city’s list but that list was designed for one to three trees coming down in a yard ..... for a project this size and considering the number of Cypress that are being removed, at least an entire row along the side of the building of already 20 feet tall Cypress needs to be required. Yes they are messy but the landscaping ground cover below them can be chosen to accommodate their twig fall.... with stepping stones to benches underneath to sit under their grace in their shade, a bite of peace in a busy world often needed by vacationers in close quarters with family. Again, this isn’t a plastic city in a plastic perfect state but a living wild central coast that blows with storms coming off the sea and has trees that match that magnificent splendor not cute little maples one after another in cute rows.

140-4

5) No trees should be trimmed or cut down during bird nesting season March 1- August 31 and this needs to be put in the developer contract to assure it will not be overlooked.

*Both the oversize issue and tree issues can be addressed by reducing the size of the buildings along the sides to make room for a row of Cypress trees as a contribution to the world oxygen supply and to integrate it into Pacific Grove, Monterey and the whole Monterey Peninsula with our native trees.*

140-5

Lastly, and I should have put this first, the time for public comment needs to be extended. You haven’t gone through the correct process to allow people time to process what is happening. I tried to check the DEIR from the police station and received no call as promised when it was returned. Finally I got the electronic version from a friend. Without story poles and with story posters going up just 6 days ago! that don’t have much text with them to inform passersby what they are about nor a date by which to comment on the project, people are just still coming to grips that something is

140-6

happening with this old property and expect to be able to research it next week and comment the following one at the very least. Given how late you've been on providing public materials, clearly the comment date needs to be extended.

140-6  
Cont

Thank you for hearing my comments. I greatly appreciate your trying to do the best for the city financially. However, this is a huge deal and needs to be thought through and not rushed because the effects of this project are essentially forever and not remediable once in place. Please trust that the new city council can pick this up and move forward with it just as competently as the current one and do not rush this for a quick pass. I understand things can get cantankerous in this town and the temptation to plough ahead but I think in the end that creates divisions long after your time will have expired and really all anyone wants is to be heard fairly and once acknowledged, they can then acknowledge fair defeat. Please don't cut the voices off before they are heard.

140-7

Sincerely,

Rebecca Lee

## Comments on the draft EIR for the American Tin Cannery Hotel Proposal

Rebecca Perry <rebecca@rebeccaperryleadership.com>

Mon 9/28/2020 3:46 PM

To: ahunter@cityofpacificgrove.org <ahunter@cityofpacificgrove.org>; R Mullane <rmullane@hrandassociates.org>

Hello Alyson and Rob,

I am writing to comment on the draft of the Environmental Impact Report for the American Tin Cannery Hotel proposal.

I am deeply concerned about two aspects of the current hotel proposal. It appears to me that:

1) the elimination of 79 trees to make a hotel is an extreme and avoidable act of destruction.

2) the inclusion of an underground parking structure can be reasonably expected to result in intensely disturbing levels of noise and vibration, thus negatively affecting the sanctuary-nature of the harbor seal beach at the Hopkins Marine Station.

Thank you for considering these and others' comments as you proceed with this assessment.

Best regards,  
Rebecca

Rebecca Perry Leadership  
Helping Leaders and Teams Grow. Transform. Thrive.  
[www.rebeccaperryleadership.com](http://www.rebeccaperryleadership.com)  
503-353-7400

141-1

141-2

**Re: Hotel.**

Bill Peake <bpeake@cityofpacificgrove.org>

Mon 9/28/2020 8:49 AM

To: R Mullane <rmullane@hrandassociates.org>

On Mon, Sep 28, 2020 at 8:28 AM Reidunn Raudstein <[rskeie@icloud.com](mailto:rskeie@icloud.com)> wrote:

Good morning. I am amazed how anybody in Pacific Grove would want to have the size of the proposed hotel! The traffic problem in itself should be enough to put a halt to the idea. The impact on the Harbor seals on Hopkins beach would be devastating. The construction noises going on for months(years) would be enough to send the poor mothers to be fleeing. And what about the water? Where is that coming from? Should something this large be up for public's vote. After all Pacific Grove is a hometown, not a tourist resort!!! R. Raudstein

142-1

Sent from my iPad

--

Bill Peake

Mayor Pacific Grove

RE: Proposed American Tin Cannery Hotel DEIR Comments, 27 September 2020

TO: Rob Mullane, PG City Council Members, and PG City Manager:

This unparalleled time in history demands an atypical response to this Draft Environmental Impact Report. That's because this project flaunts both an outrageous sense of entitlement and incredibly sneaky timing, implicating not only the developers but also the City.

In short, the proposed American Tin Cannery Hotel is absurd. It is greedy. It is an obsolete concept in the new world order. It ignores City guidelines and Coastal goals. And as currently designed, its size, design, and style are totally inappropriate for Pacific Grove, America's Last Home Town. It is as if the developers don't know or don't care who we are and why Pacific Grove is so special.

The voluminous DEIR is a perfect metaphor for the project itself. This hotel would outweigh and overwhelm the scale of everything that currently surrounds it, including the Aquarium itself, the golden goose that stimulates all of Pacific Grove's tax revenue.

The Covid-19 virus ushered in a new era. We are all still in the midst of this global pandemic for which none of us know the end date. Scientists promise there will be more pandemics to come.

Mother Earth is crying out for us humans to stop and contemplate. Glaciers are melting at a rate faster than experts expected. Sea levels are rising. The climate is changing faster than predicted. Unprecedented wild fires are raging across the West and around the globe. Earthquakes and volcanic activity are increasing. Droughts and fierce storms are more frequent. The balance of Nature is off-kilter.

Disasters and social unrest are increasing. The majority of people everywhere are experiencing financial hardship. Both homeowners and renters are losing the roofs over their heads. The gap between the wealthy and those just-getting-by is growing. As a result, the hospitality and airline industries have been heavily impacted. They recognize they must think differently and make big changes.

Many of those who are still traveling are making day trips. They more highly value outdoor experiences like camping or swimming in natural lakes over ostentatious accommodations and a property where they get to choose which of two cement/tiled swimming pools to splash around in. Spas are hurting—if not entirely closed down because of Covid mandates—and no one knows how long it will be—if ever—before having facials and massages will ever feel safe again. Conference Centers and business travel? These are also relics of the past that may never be revived.

Priorities are shifting. They have to. So long-held travel presumptions like those the ATC Hotel is based upon are no longer valid or viable. Now is not the time to build another big hotel. Pacific Grove is sought out for its quaint bed & breakfast inns and its incredible destination restaurants. Why try to compete with the very model that has made Pacific Grove so unique? And why try to move Pacific Grove retail to the very edge of our City and potentially destroy our Downtown retail?



And while I'm asking questions, why is this project proposing the very opposite of sustainable—proposing to tear down and throw away, not renew and reuse?

Why would anyone recommend removing a huge chunk of the granite infrastructure that lies beneath this site? It is our granite that has always made Pagrovians feel more secure than much of the rest of the Peninsula regarding seismic events. And furthermore, why would the City approve this granite removal for a parking garage when the project developers themselves cannot say with complete confidence just how much the loss of this amount of bedrock will disrupt or damage archaeological resources, the natural environment of our coastline, our Marine Sanctuary, and the conservation efforts of the Aquarium itself on behalf of sea life?

How can the City get an accurate “read” on the opinions of its residents towards this massive project without insisting that the developers erect story poles and place ribbons around the trees that will be destroyed at a time when we need trees more than ever?

Why is this project expecting to move forward, considering all of its transgressions? Its process couldn't be less transparent or more cruelly timed. Pacific Grove residents and existing businesses will be incredibly impacted, both during construction and forever after.

Where is the patience and compassion that we are all being urged to extend to one another to get through this time of isolation and loss?

Just as there are not enough adequate mitigations on earth to outweigh the harms mentioned above, there are also no solutions for the traffic that will choke one of Pacific Grove's two gateways into town.

Forging ahead with this preposterous project as it is currently conceived would be criminal. Please send the developers back to their drawing board. Consider other goals for this site. Don't be afraid of citizen input. You force us to resist when you present us with a project as archaic and ill-conceived as this one.

Please act responsibly towards Pacific Grove's future. We're all in this together, right?

Sincerely,  
Sally Aberg  
116 13<sup>th</sup> Street co-homeowner  
Pacific Grove

## Opposition to Project Bella

Sarah Diehl <ioniansd@yahoo.com>

Sun 9/27/2020 12:41 PM

To: R Mullane <rmullane@hrandassociates.org>

Cc: citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; citymanager@cityofpacificgrove.org <citymanager@cityofpacificgrove.org>

Dear Mr. Mullane:

I strongly oppose the new version of Project Bella. Its scale and ethos are totally wrong for the site, the original intent of the plan, the sensitive marine environment, and Pacific Grove.

144-1

First, the project is exploiting the prior approval of a much smaller project. This new project should have to go before the city's voters.

Second, the prior project emphasized its green character and its consistency with the cannery's history. This new plan is the opposite of eco-friendly. It would require cutting down one of the most scenic "brands" of the entrance to our town—a beautiful stand of cypress trees and not replacing them. Moreover the massive hotel would be across from sensitive coastal land that hosts pupping harbor seals, sea lions, otters, a range of shorebirds, and an occasional elephant seal. Construction of this scale will permanently destroy the landscape and harm the already stressed wildlife.

144-2

Third, this project will contribute to a traffic nightmare. That area near the Aquarium and shops is already clogged with vehicular traffic, bikers and walkers.

144-3

Fourth, any project in this location should look like a cannery and reflect and include the history of the site in a respectful manner. The current design ignores the local history as well as the sensitive environment.

144-4

As a 27-year resident, homeowner, taxpayer, and voter, I call for a thorough redesign and reconsideration by the citizens of Pacific Grove in a referendum.

Thank you for considering and acting on these points.

Sincerely,

Sarah Diehl  
431 Spruce Ave  
Pacific Grove, CA 93950

## ATC Project Comments/EIR, etc

Scott Miller <scottkmiller53@gmail.com>

Mon 9/28/2020 2:46 PM

To: R Mullane <rmullane@hrandassociates.org>

Please include my comments in the feedback on this project and the DEIR.

While I entirely support the concept of a mixed use hotel/retail project at the ATC site, I do have several concerns.

In summary, the scope of this project is severely oversized for the available space and the natural and historic setting. The project should fit on the existing footprint without the need to eliminate Sloat Ave behind the building. The massive amount of excavation, largely through granite, will cause damage and discomfort to the fauna in the neighborhood. Tree removal is excessive. If the project was sized for the existing footprint, no trees would need to be removed.

145-1

Lastly, this seems to be another important project being rammed through much too quickly during a pandemic, without public in person discussion. There should be some form of story poles, be it helium balloons or actual poles. The public needs to see and feel the scope of this proposed project more accurately to comment more wisely.

145-2

Thanks for taking my comments into consideration. I look forward to see what this project will become if done properly, with respect for our community, history and natural environment.

Sincerely,

Scott Miller  
910 19th St  
Pacific Grove, CA

Sent from my iPhone

September 28, 2020

Rob Mullane, AICP, Consulting Planner  
Community and Economic Development Department  
City of Pacific Grove  
400 Forest Avenue Pacific Grove, CA 93950  
Via email: [rmullane@hrandassociates.org](mailto:rmullane@hrandassociates.org)

**RE: American Tin Cannery (ATC) Hotel and Commercial Project – Draft  
Environmental Impact Report (DEIR) COMMENT ON CHAPTER 13. HYDROLOGY  
AND WATER QUALITY**

Dear Rob:

The proposed project is located in the watershed of the Monterey Bay National Marine Sanctuary and Pacific Grove Area of Special Biological Significance. In addition to the design and EIR recommendations:

**Ciani Comment WQ-1.** The development should be required to prevent **all** runoff, site and roof drainage from entering the watershed drainage system. | 146-1

**Ciani Comment WQ-2.** The development should be required to manage all subsurface drainage, including any de-watering that may be required for the development to prevent it from entering the watershed drainage system. | 146-2

**Ciani Comment WQ-3.** All sewage and drainage systems should be required to have an independently powered backup management plan with an overflow leading to on-site storage system with a total capacity of a minimum of one week, and/or connected directly to the adjacent municipal sewage system. | 146-3

**Ciani Comment WQ-4.** The hardscape surfaces should be pervious materials and/or directed to on-site subterranean filter vaults to capture debris and pollutants, with clean overflow into on-site bioswales. | 146-4

**Ciani Comment WQ-4.** The project should be required to provide and pay for a water quality management program to be approved as part of the CDP and fund an annual monitoring and reporting program of the development's water quality management program for the life of the project. | 146-5

Respectfully,  
Tony Ciani,  
Tony Ciani, 220 Walnut Street, Pacific Grove, CA 93950

Cc: City of Pacific Grove City Council  
Coastal Commission

September 26, 2020

Rob Mullane, AICP, Consulting Planner  
Community and Economic Development Department  
City of Pacific Grove  
400 Forest Avenue Pacific Grove, CA 93950  
Via email: [rmullane@hrandassociates.org](mailto:rmullane@hrandassociates.org)

**RE: American Tin Cannery (ATC) Hotel and Commercial Project – Draft Environmental Impact Report (DEIR) COMMENT ON CHAPTER 5. AESTHETICS**

Dear Rob:

I am experienced<sup>1</sup> in observing and analyzing the objective qualities of natural and manmade settings to understand the defining characteristics that establish their “sense of place.” The evaluation of the aesthetic qualities requires engaging neighborhood and community resident’s participation to evaluate how they perceive and appreciate their environmental surroundings. The sensory responses (sight, hearing and smell) inform their aesthetic emotions about the objective qualities of a place, such as the height, mass and relative scale (size) of development or open space and natural amenities can serve as a guide to land use planning policies for the protection, restoration or enhancement of those places.

The methodology utilized in the Draft EIR to assess the existing observable characteristics of site and surrounding area to compare with the artist renderings and simulated pictures of the proposed project to analyze the potential adverse impacts was wholly inadequate. It failed to identify and define the observable and quantifiable elements of the site and neighborhood as perceived by the people who live and work or visit the place. And, it failed to provide those people with an effective way to participate in making their own real life observations to judge the suitability of the proposed design and its potential impacts on the visual quality and cultural and scenic coastal resources of the existing small scale neighborhood and waterfront setting.

147-1

**Ciani Comment A.1.** The Draft EIR's assessment and discussion of environmental impacts is inadequate and unsubstantiated; it does not provide a common methodology for the assessment or substantial evidence to support the findings as provided in Table 1-1: Summary of Significant Impacts of the Proposed Project. (ATC – Draft EIR, July 2020, Page 1-3)

**Ciani Comment A.2.** The Draft EIR's discussion of environmental impacts is insufficient to describe the impacts to the tangible and quantifiable characteristics of the site and surrounding areas in meaningful terms to analyze the visual impacts and the significance of those impacts to the public’s aesthetic values.

**Ciani Comment A.3.** The Draft EIR's identification and discussion of all reasonable or feasible alternatives, including a “no project alternative” is inadequate for the purpose of informing the boards and commissions of the decision-making agencies, and the members of the public who want to participate in the decisions.

147-2

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<sup>1</sup> Resume: Anthony A. Ciani, Architect and Planner (Attached)

September 28, 2020

Rob Mullane, Consulting Planner

RE: American Tin Cannery (ATC) Hotel and Commercial Project –

Draft Environmental Impact Report (DEIR) **COMMENT ON CHAPTER 5. AESTHETICS**

Page 2

**Ciani Comment A.4.** As the lead agency, the City failed to follow its land use policies, codes, and administrative procedures to adequately inform in a meaningful and timely manner, the interested members of the public about the scope and specific details of the proposed project and the significance of its potential adverse impacts that could occur.

The City of Pacific Grove failed to follow the administrative procedures in its Local Coastal Program (LCP) Land Use Plan (LUP) to protect the Scenic Resources in the Coastal Zone pursuant to Implementing Ordinance 23.90.160.B.

***“B. Applications for Development in Scenic Areas. The following documentation and requirements shall be provided for all CDP applications within scenic areas, including those mapped in LUP Figure 4; all development on, seaward, or visible from Ocean View Boulevard, Sunset Drive, and the pedestrian recreational trails seaward of these roads; and any other development that may adversely impact public views:***

***1. Site-specific Visual Analysis. At a minimum, the visual analysis shall include the following:***

*a. A site plan that identifies all public view corridors and pictures of existing public views of and including the project site from public viewing areas, including all before and after public views of and towards the ocean.*

*b. Project plans that confirm height is within the requirements of the zoning district in which it is located. Exceptions are allowed only for chimneys, vents, and similar vertical extensions, not to exceed an additional 4 feet, and not to comprise more than 5 percent of a building’s roof area. In all cases, heights may be further limited in order to meet LCP scenic resource protection requirements.*

*c. When trees defined as major vegetation are proposed for removal, ribbons showing the location of the removal must be installed.*

*d. Illustration showing the colors, textures, and architectural styles to show the exterior facades are compatible with development on adjacent blocks and the City’s overall architectural character and do not cause the project to stand out from surrounding built and natural features.*

*e. Any other information deemed necessary to determine the visual impact of the proposed project, including but not limited to analysis of the heights of existing buildings within 150 feet of the proposed structure; story poles and netting showing proposed ridgelines; and visual simulations to help identify potential visual impacts.”*

147-3

September 28, 2020

Rob Mullane, Consulting Planner

RE: American Tin Cannery (ATC) Hotel and Commercial Project –

Draft Environmental Impact Report (DEIR) **COMMENT ON CHAPTER 5. AESTHETICS**

Page 3

The City and Applicant failed to provide at a minimum, items (c), (d), and (e). and the visual analysis in a meaningful and timely manner. Members of the public must submit the comments about their perceptions of the proposed project’s potential impacts on the aesthetic quality, without the benefit of the required quantitative information to inform them. Without tangible evidence to consider, how can people assess their response to the question of the aesthetic qualities and the magnitude of the project relative to their existing sense of place?

147-3  
Cont

**“Cities have the capability of providing something for everybody, only because, and only when, they are created by everybody.”<sup>2</sup>**

**Ciani Comment A.5.** Essential to CEQA’s purpose and intent are the following tenets which outline the importance to the general public for protecting the environment, and the importance for citizens to participate in the decision-making process, and the importance for local agencies to facilitate those procedures in a timely and meaningful way:

- 1) PRC Section 21003 (a) **“Local agencies integrate the requirements of this division with planning and environmental review procedures otherwise required by law or by local practice so that all those procedures, to the maximum feasible extent, run concurrently, rather than consecutively.”**
- 2) PRC Section 21001. Additional Legislative Intent:  
(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”**
- 3) PRC Section 21000. Legislature finds and declares as follows:  
(e) **“Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.”**

147-4

The public’s ability to make informed comments on the Draft EIR regarding the proposed project’s potential impacts to the aesthetics of the neighborhood, relies on the City to sufficiently carry out and enforce the review pursuant to CEQA and the laws of the land. In this case, that process has been substantially flawed.

**Ciani Comment A.6.** As indicated in comments A.1, A.2 and A.3 above, the Draft EIR does not include a detailed assessment of the observable characteristics that define the environmental setting; e.g., measurements and descriptions of the building types and forms and their spatial relationships; and, the height of the mature trees and width of their canopy, etc.

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<sup>2</sup> Jane Jacobs, “The Death and Life of Great American Cities”, p.238, (1961)

September 28, 2020

Rob Mullane, Consulting Planner

RE: American Tin Cannery (ATC) Hotel and Commercial Project –

Draft Environmental Impact Report (DEIR) **COMMENT ON CHAPTER 5. AESTHETICS**

Page 4

There are academic and analytical methods for performing a study of ecology and aesthetic values of environmental systems<sup>3</sup>, including developed areas, but there does not appear to be a reference that such a study for the ATC project was used, or when it was done, or who the preparer was, or what his or her training or qualifications are. The Draft EIR Appendices, vol. ii, does not have any report of a “Visual and Aesthetic Review”, or measurements of ATC and surroundings, such as those that are performed under the direction of a licensed professional pursuant to Caltrans procedures.<sup>4</sup>

Draft EIR Section **5.3 Determination of Existing Visual Quality** provides the basis for its findings, however it does not provide a method for the public’s use to compare their aesthetic perception of the qualities of the scenic area to the opinions purported in the EIR. They were not given an objective method or means to assess and analyze the characteristics that define the natural and built environment of the area under consideration, such as the one recommended by Caltrans: “Questionnaire to Determine Visual Impact Assessment (VIA) Level”<sup>5</sup>. Without the public’s personal observations to inform their attitudes and perceptions, association and feelings about the project’s potential effects in real life terms; their input may not be given equal judgement by the decision-maker agencies. How can those agencies balance the different attitudes and perceptions of the public in contrast to the applicant’s “expert opinions”, especially when considering significant adverse impacts or feasible alternatives to protect aesthetics?

**Therefore, I strongly suggest the public be provided an opportunity to participate in a viewer sensitivity workshop conducted by an objective, trained facilitator who is independent of the City administration or the Applicant.**

**Ciani Comment A.7.** The following is an outline of the Draft EIR Aesthetic analysis that is, in my opinion, inadequate or unsubstantiated by empirical measurements used to support the EIR findings in table 1-1: Summary of Significant Impacts of the Proposed Project (Draft EIR Vol I, 2020, page 1-3). As mentioned above, the primary basis for the observations and opinions in the Draft EIR appear to use a method for evaluating aesthetics solely within the framework of road or freeway projects. Section 5.5 Applicable Regulations, Plans, and Standards appears to provide a secondary background of Federal, State and Local policies that is incomplete and insufficient regarding pertinent information.

The Draft EIR states “**5.5.1 Federal – None Applicable**” implying there are no applicable governing federal laws. In fact, the Federal Coastal Zone Management Act (CZMA) was passed in 1972. “***This act, administered by NOAA, provides for the management of the nation’s coastal resources, including the Great Lakes. The goal is to “preserve, protect, develop, and where possible, to restore or enhance the resources of the nation’s coastal zone.”*** California is one of the state partners who must be consistent with the CZMA

<sup>3</sup> Aldo Leopold, “Conservation Aesthetic” discussed in “Sand County Almanac and Sketches Here and There” (1949)

<sup>4</sup> <https://dot.ca.gov/programs/environmental-analysis/standard-environmental-reference-ser/volume-1-guidance-for-compliance/ch-27-visual-aesthetics-review>

<sup>5</sup> <https://dot.ca.gov/programs/design/lap-visual-impact-assessment/lap-via-questionnaire>

147-4  
Cont

147-5

requirements under the CZ Management Program, like California’s Local Coastal Programs, including Pacific Grove’s LCP.

Moreover, Monterey Bay is a NOAA National Marine Sanctuary – the **Monterey Bay National Marine Sanctuary** (MBNMS) whose planning and implementing programs govern activities that may have potential adverse impacts on the environment, including impacts to the scenic and visual quality and its water quality protection program.<sup>6</sup>

*“The Secretary[of Interior] may conduct a Coastal and Estuarine Land Conservation Program, in cooperation with appropriate State, regional, and other units of government, for the purposes of protecting important coastal and estuarine areas that have significant conservation, recreation, **ecological, historical, or aesthetic values**, or that are threatened by conversion from their natural, undeveloped, or recreational state to other uses or could be managed or restored to effectively conserve, enhance, or restore ecological function. The program shall be administered by the National Ocean Service of the National Oceanic and Atmospheric Administration through the Office for Coastal Management.”*

The Draft EIR should address potential adverse impacts to the (MBNMS), as well as, any affected California National Coastal Monuments, under the Bureau of Land Management jurisdiction.

**Ciani Comment A.8.** Section 5.5.2 State considerations appear to be a clone of the section 5.3 which appears to address the project in terms of highways and roads. And, the description in 5.5.2 fails to include the **“California Coastline and Preservation Plan”**<sup>7</sup> that provides a thorough background of the regional and local natural, historical cultural and scenic coastal resources pursuant to the California Coastal Act section 30251 that states:

**“New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.”**

In fact, Section 5.5.2 fails to mention that the proposed project is in the State Coastal Commission’s appealable jurisdiction or attempt to investigate how the Commission’s past precedent CDP mitigation strategies could inform the development standards for historically significant properties as scenic coastal resources in the coastal zone. “Compatibility with surrounding areas” for CDPs typically use a radius of 300 feet from the boundary of a proposed project to analyze prevailing design characteristics, e.g., height, mass (FAR) and scale, etc.

**Ciani Comment A.9.** The genesis of the Coastal Act of 1976 is the 1975 California Coastal Plan which the Coastal Commission has used as a reference guide to defining “Special Communities” as that term is used in Coastal Act Section 30253 (e) and in the LCPs of areas designated to be Special Communities, such as Pacific Grove.

<sup>6</sup> <https://montereybay.noaa.gov/resourcepro/welcome.html>

<sup>7</sup> California Coastal Act Section 30251 and, <https://archive.org/details/CaliforniaCoastlinePreservationAndRecreationPlan/page/n1/mode/2up>

147-5  
Cont

147-6

The ATC Draft EIR analysis of the aesthetic qualities at ATC and its surrounding areas should be revised to articulate the California Coastal Plan Part II, Findings and Policies provided in the Coastal Appearance and Design and Coastal Development, Development and Natural Resources (pages 68-78):

- 1) Protecting Coastal Visual Resources
- 2) Design Guidelines for Viewshed Development
- 3) Special Communities and Neighborhoods

147-6  
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**Therefore, the Draft EIR should be revised and amended to examine the proposed project in terms of the elaboration of policies to protect Special Communities and incorporate those findings.**

**Ciani Comment A.9.** Draft EIR Section 5.5.3 analysis of the proposed project in terms of the City's General Plan (Plan) should include the Plan's two guiding principles:

*"Two organizing principles have shaped Pacific Grove's development*

- *keeping the shoreline open and accessible to the public, and*
- *a sustained commitment to a low-scale residential character in the built environment."* (General Plan, page 8-1)

147-7

The mass and scale, etc. of new ATC development should subordinate to the prevailing empirical measurements of the adjacent residential neighborhood. In my professional opinion, based on my observations and examination of the design documents, if implemented, the project would have the appearance of a massive intrusion that is incompatible to the overall character of the nearby homes, as well as the small scale commercial buildings in the surrounding neighborhood areas.

**Ciani Comment A.9.** The City's General Plan was adopted in 1994, and understanding of the land use and development standards have evolved, including the incorporation of the City's LCP (2020). This project is the first major commercial project to be reviewed, if not tested, based on the LCP policies and implementing ordinances. It is also the largest project. However, the Draft EIR section **5.6.2 "Summary of No and/ or Beneficial Impacts"** suggests that the ordinances provide a development "envelope" as the standard for aesthetic review.

*"As discussed in further detail below under "Design Standards, Size, Scale and Mass", the project is consistent with the recently certified development standards of the LCP and Implementation Plan. **These standards serve to define the development envelope of property, and by doing so address the scenic quality of this currently developed site.** As such, there would be no impact/conflict with these standards or this threshold of significance. (Draft EIR, 2020, Page5-29)*

In my professional opinion, the "development envelope" **does not** alone grant a passing grade in the test of significant impacts to the "scenic quality of this currently developed site."

September 28, 2020

Rob Mullane, Consulting Planner

RE: American Tin Cannery (ATC) Hotel and Commercial Project –

Draft Environmental Impact Report (DEIR) **COMMENT ON CHAPTER 5. AESTHETICS**

Page 7

The development envelope is only one of the guidelines for reviewing the project’s impacts on aesthetic character of the site’s scenic qualities or for that matter the “surrounding areas.” By definition,<sup>8</sup> and past precedent<sup>9</sup>, historical buildings are considered an important contribution to scenic areas.

147-7  
Cont

**Ciani Comment A.10.** The ATC Draft EIR states the criteria for assessing and judging the impacts to aesthetics “*were derived from the Environmental Checklist in CEQA Guidelines Appendix G.*” (DEIR page 5-28). However, I could not find any references in the EIR analysis that conducted a sensory study of the observable elements to define the characteristics of the site and surroundings including: topography; pattern of existing development; existing building coverages and floor area ratios; pedestrian flow patterns; or measurements of the existing buildings’ in the surrounding commercial and residential neighborhoods; including their heights, setbacks, and spatial relationships; the pattern and size (frequency) of openings and fenestrations; types, textures and colors of building materials; building types and number of stories; slopes of roofs; etc. - - to define the physical “context”, which is needed for the comparison of the proposed project design in relationship to the existing development of the surrounding areas.

147-8

**Thus, in my professional opinion, without the empirical information used to define the built and natural character of an area as it is perceived and appreciated by the public; the EIR lacks a credible basis for examining the project and conduct a test of its compatibility with the surrounding areas, and its impacts to aesthetics as perceived and appreciated by the public.**

**Ciani Comment No. A.11.** Critique of the proposed ATC Hotel and Commercial Development; the following is an outline of my opinions based on my observations of the site and surrounding areas and examination of the design documents and other illustrations provided by the applicant.:

- 1) The large-scale expanse and size of the proposed hotel and commercial complex would visually overwhelm the collection of relatively small-scale existing buildings along Central Avenue that were built individually over time which are representative of the pattern of development and their spatial relationships in small historic towns.
- 2) The proposed project will substantially degrade and diminish the scenic quality, and appreciation of the historic waterfront along Ocean View Blvd., west of Eardley Ave.,
  - a) demolition of existing scenic, historically and architecturally significant buildings or portions thereof, that are part of the larger historical maritime setting of Monterey Bay, including the site’s American Can Company Office, Factory and Warehouse;

147-9

<sup>8</sup> California Coastal Plan, “Certain communities and neighborhoods have special cultural, historical, architectural, and aesthetic qualities that are as important to the coastal zone as natural resources.”

<sup>9</sup> Coastal Development Permit Nos. 6-LJS-91-168- R and 6-LJS-91-168- R-2 (Green Drago Colony)

September 28, 2020

Rob Mullane, Consulting Planner

RE: American Tin Cannery (ATC) Hotel and Commercial Project –

Draft Environmental Impact Report (DEIR) **COMMENT ON CHAPTER 5. AESTHETICS**

Page 8

- b) and the adjacent Monterey Siino Boat Works building at the Hopkins Marine Station scientific research and education facility (DEIR Views KVP-1 & KVP-8); and,
  - c) destruction of the scenic historic vernacular landscape with its mature iconic Monterey cypress trees, and flowering Eucalyptus trees (DEIR Views KVP-1, KVP-2, KVP-3 & KVP-8).
- 3) The proposed, approximately 457-foot-long (x) 38' - 8" high "Executive Wing" building mass, depicted to be set back from and parallel to the Central Avenue level, will require removing the existing stand of scenic mature Monterey cypress trees; and, it would wall off and destroy the aesthetic quality of the existing panoramic public vista and the intermittent views to Monterey Bay, as seen from public vantage points (DEIR KVP-3, KVP-4, KVP-5, KVP-6 & KVP).
- 4) The DEIR repeatedly purports, without factual evidence or substantiation, that replacing mature trees with the new buildings will not result in a significant adverse impact to the visual quality of the public appreciation of the existing vista; to wit:

*"While the new structure, with a roofline 38 feet above existing grade, would be more prominent and different than the existing cluster of trees, the visual character of this urban, commercial viewpoint would not be significantly degraded". 5-34*

**What (and where) is the empirical data or documented public input to support opinion in the Draft EIR?**

**Ciani Comment A.12.** In my professional opinion, the surrounding area is a low-scale suburban neighborhood with a commercial strip of retail and restaurant uses with panoramic and intermittent views of the landscape in the foreground and Monterey Bay in the background. (I use Eardley Avenue as a North-South reference for describing the direction of views, etc).:

- 1) Pedestrian and motorists have unobstructed views from the north side of the intersection of Eardley Ave. and Central Ave. that overlook the large open parking lots of the Visitor Center and adjacent retail and restaurant spaces, and over the lower parking lots of the ATC; as well as, over Eardley Ave.
- 2) The general topography of the land of Central Avenue, and west of Eardley appears as level to slightly sloping plateau that extends from Central north to series of vertical and sloped steps in the land at the developed parking levels. This change in the natural grade is perceived as a continuous relatively steeply sloping street at Eardley. (This is an important feature of the visual landscape.)
- 3) Walking (or driving) west on Central Ave. level, the public can observe the existing one-story commercial buildings with low sloping gable roofs (Visitor Center,

147-9  
Cont

147-10

September 28, 2020

Rob Mullane, Consulting Planner

RE: American Tin Cannery (ATC) Hotel and Commercial Project –

Draft Environmental Impact Report (DEIR) **COMMENT ON CHAPTER 5. AESTHETICS**

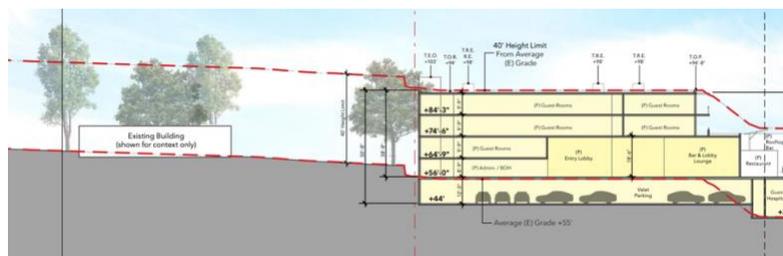
Page 9

Restaurant, Dog Training, and a Clothing Cleaner uses); then a wide tree-lined parking area with views north through mature trees toward the Bay; then a one and one-half story hipped roof, split level office building with the first floor raised about 30 inches above the sidewalk grade level (the building layout provides open deck areas facing the street that offer a relief to the building's façade; then the block finishes off with two more one story parapet buildings (Dog Day Care and a Yoga Studio); and then, a small one-story gable roof chapel. In summary, a short form visual assessment:

- The prevailing number of stories (floor levels) of the existing buildings of the nearby properties is one to two story.
- The prevailing roof forms of the existing buildings of the nearby structures is a mixture of sloped and flat or parapets.
- The uses are a mixture of residential and mixed commercial uses - small village area.

Thus, is small scale context of Central Avenue's existing buildings. There are several general public views across as mentioned above, across Eardley and open parking lots. There are also quasi-public views from existing commercial areas on both side of Central, and from the Chamber of Commerce Visitor Center located at the NW corner of Central - - all that can appreciate the stand of mature Monterey and Eucalyptus trees in the foreground with glimpses of the blue sky and sea of the Monterey Bay beyond, with those views framed by the trees.

**Ciani Comment A.13.** The proposed Hotel wing at the mid-block of Eardley north of Central (see figure A – 1 on page 9, below) has a roof top elevation of +94' which is about 30 feet above the grade of the adjacent land and can be seen (perceived to be) much higher than the one story buildings depicted in the applicant's cross-section "A-A".



**Figure A -1 Excerpt of Applicant's Section "A-A"**

Comparing the mass and height of the proposed hotel to the mass and height of the existing surrounding buildings in and around Central Avenue, the necessary CDP findings cannot be made that the development is compatible with the surrounding area. As viewed from Central Avenue and the surrounding public and quasi-public vantage points, the proposed project will substantially degrade the existing public views of the iconic mature 40-foot to 60-foot high Monterey cypress trees and their canopies, and public views through the trees to the sea and sky that are significant elements of the visual quality and scenic coastal resources. Further, the proposed tree replacement will not sufficiently mitigate the loss of the iconic tree canopy that

147-10  
Cont

147-11

September 28, 2020

Rob Mullane, Consulting Planner

RE: American Tin Cannery (ATC) Hotel and Commercial Project –

Draft Environmental Impact Report (DEIR) **COMMENT ON CHAPTER 5. AESTHETICS**

Page 10

is an important element that contributes to the scenic quality of the public viewshed along Central and Eardley Avenues.

Moreover, the plans, elevations and visual simulations are internally inconsistent or inaccurate and appear to misrepresent the proposed landscaping in the photographic imagery to be the same trees that are currently existing. Compare the pre-project and post-project views in Figure 5-5: Eardley Avenue Elevation (DEIR page 5-35). The post-project view depicts the trees located on the west side of Eardley Avenue between Sloat Avenue and Ocean View Avenue to be the existing mature flowering Eucalyptus trees; however, the plans specify their removal and replacement with 3 new Cajeput trees. See Applicant’s Landscape Preliminary Plan ATC DEIR Vol II, page 42. That rendering appears to misrepresent the proposed project would retain the same plant size, type and appearance as the existing.

Figure 5-8: Visual Simulation - From Monterey Bay (KVP 8) depicts the trees at the East and west ends of Sloat Avenue, to be the same existing mature trees in both the pre-project and post-project views; which contradicts the specifications to remove and replace them with smaller decorative ornamentals. See Applicant’s Landscape Preliminary Plan (ATC DEIR Vol II, page 42.) The “new” replacement tree canopies depicted in the various renderings to be approximately 40 to 50 feet high, are not representative of the size and types specified on the proposed landscape plans. It may not be realistic or possible to plant the trees in the court yards over parking a parking structure as indicated on Section C-C. (See Fig, A-2, P.10)

147-11  
Cont

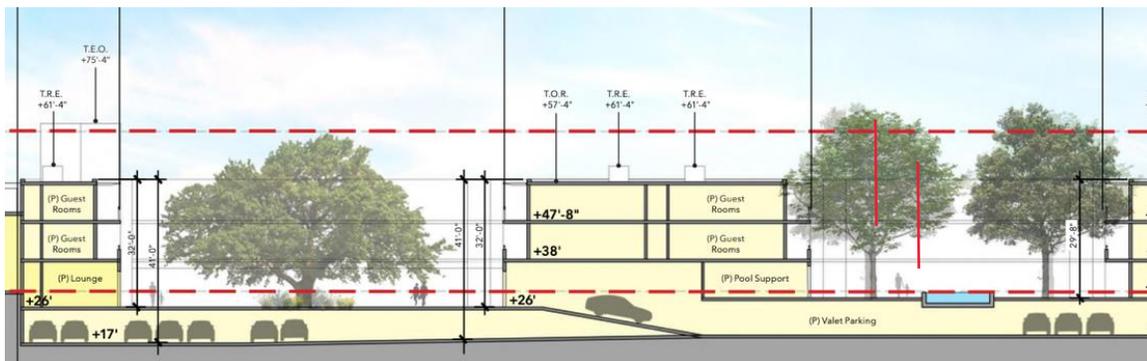


Fig. A-2 Excerpt: A-13-Site Section C-C

**Ciani Comment A.14.** I strongly disagree with this analysis: “This analysis acknowledges that the project could alter blue water views from some public roadway locations with the introduction of buildings and removal Monterey cypress trees. However, **the overall scale of the structure is consistent with the scale of the existing ATC factory and warehouse structures, and the introduction of hotel and commercial uses along the Central Avenue and Eardley Avenue corridors is generally consistent with the existing commercial character of the built environment the immediate area.**” (DEIR Vol I, page 5-41)

147-12

September 28, 2020

Rob Mullane, Consulting Planner

RE: American Tin Cannery (ATC) Hotel and Commercial Project –  
Draft Environmental Impact Report (DEIR) **COMMENT ON CHAPTER 5. AESTHETICS**  
Page 11

The expansive increase of the proposed large buildings totaling 343,932 sq. ft. of enclosed space and covering 122,500 sq. ft. of land, is relatively massive compared to the existing commercial enclave. In fact, the site coverage of the entire commercial complex would be 217,500 sq. ft. or, five (5) acres of land. The DEIR historical report describes the original subdivision as a “*Picturesque*” subdivision<sup>10</sup> with a pattern smaller lots that is reflected in the existing collection of smaller commercial buildings along Central Avenue. **Thus, the project cannot be found to be comply with the City’s design standards and guidelines or LCP Land Use Policies.**

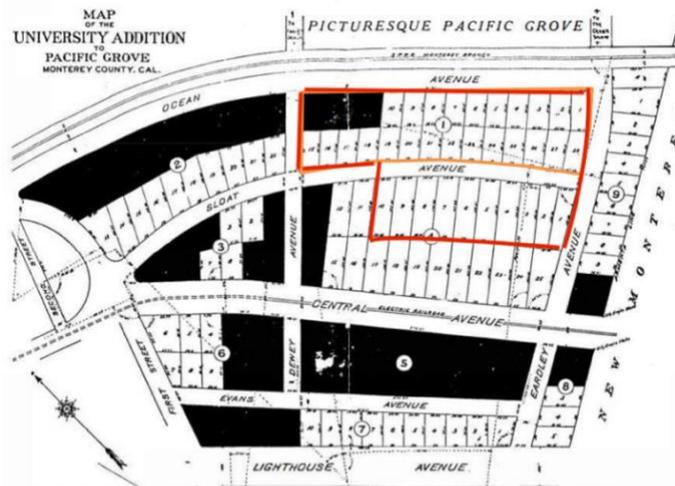


Figure 62: Map of the University Addition to Pacific Grove, 1910. Future ATC site indicated with orange outline. Source: *Board & Batten* (April/May 1987), edited by Page & Turnbull.

From, DEIR Vol II, page 27 (redlines added)

147-12  
Cont

**Ciani Comment A.15.** The cultural landscape at the Ocean View Boulevard level includes historically and architecturally significant buildings that retain their historical integrity from the historic period of their significance, which are part of the existing scenic coastal resources and visual quality of the environmental setting. The ATC Hotel and Commercial project propose to demolish one entire historically significant building and demolish a substantial portion of the center of the primary historic façade of second historically significant building. Yet, the Draft EIR analysis purports that:

147-13

<sup>10</sup> DEIR Vol II, page 27

September 28, 2020

Rob Mullane, Consulting Planner

RE: American Tin Cannery (ATC) Hotel and Commercial Project –

Draft Environmental Impact Report (DEIR) **COMMENT ON CHAPTER 5. AESTHETICS**

Page 12

*“From KVP 8, the viewpoint of the ocean that best meets the definition of a vista, the physical appearance of the project would permanently change. Compared to the existing condition, however, this change is not “adverse” and the project appearance is generally consistent with the surrounding built environment and scale of development. The project will be replacing buildings with new buildings of similar scale and more modern architectural design as seen from the ocean, but **this replacement would not be considered a substantial adverse effect.** For these reasons, changes to the most prominent vista – from the ocean – will also be less than significant with introduction of the project.”*

**That statement is unsubstantiated by the facts.**

Along the same theme that *“the existing [historically significant] ATC factory and warehouse structures, resulting in generally low visual quality of the site.”* the Draft EIR opines:

*“As described in the Environmental Setting, the visual quality of the site is dominated and compromised by the existing ATC factory and warehouse structures, resulting in generally low visual quality of the site.”* (Draft EIR p. 5-33)

However, Draft EIR section 5.3 Environmental Setting, does **not** describe the visual quality of the site to be “compromised” by the historic factory and warehouse. In fact, the historic buildings are representative of America’s maritime history associated with the fishing industry that convey an historical feeling and association with their historic period.

Therefore, it is my professional opinion, that the Draft EIR analysis of AESTHETICS is flawed with regard to an understanding and knowledge of the aesthetic value of humble historic buildings and the vernacular landscape, at least at the American Tin Cannery and its surrounding neighborhood.

**Ciani Comment A.16.** Ironically, the following statement in the Draft EIR regarding installation of temporary shrouds during construction elicits an opposite opinion:

*“Conclusion*

*“Temporary aesthetic effects from construction can be minimized with screening measures during the construction phase and are considered a temporary condition while the site undergoes larger visual changes. However, based on the potential changes to visual character from several viewpoints around the project, the visual change associated with placement of new hotel-related buildings throughout the project site and the removal of existing stands of Monterey cypress trees is considered significant and unavoidable. Although replanting and landscaping plans will help soften this impact and enhance the visual quality of the development, the loss of up to 52 mature Monterey cypress trees (and 79 trees in total) would significantly affect the visual character of the community specific to this location, as trees are a unique coastal resource as defined by*

147-13  
Cont

September 28, 2020

Rob Mullane, Consulting Planner

RE: American Tin Cannery (ATC) Hotel and Commercial Project –

Draft Environmental Impact Report (DEIR) **COMMENT ON CHAPTER 5. AESTHETICS**

Page 13

*the LCP. The City's trees and tree canopy, particularly created by native species, are considered "visually integral" within the LCP and contributors of the visual identity of the community per the Coastal Act. **For these reasons, the impact should be considered a significant and unavoidable visual consequence of the proposal, even with replanting and other offsets.***" (Draft EIR Page 5-47)

The proposed 457-foot-long building wing just north of Central is an integral part of the much larger hotel complex that would overwhelm the locale with an intrusive large-scale building mass that would substantially diminish the visual prominence of the humble, vernacular building elements on Central Avenue. It would impose a new building hierarchy that would dominate rather than subordinate to the existing environmental setting and aesthetic quality of the "Picturesque Pacific Grove" visitor destination.

147-13  
Cont

**Ciani Comment A.16.** Regarding, Glare; the Draft EIR states "Impact AES-3: "The project would introduce new sources of light and glare to the project site and project area. This is a less than significant impact with mitigation incorporated."

The Monterey Bay Marine National Sanctuary considered the "Serengeti of the ocean", is a visitor destination of world-wide significance.<sup>11</sup> Public views from the bay are appreciated by kayakers, whale watchers, pursuing fishing boats, and passengers on large cruise liners. The historic American Can Company factory, office and warehouse buildings are a visually prominent element of the shoreline setting. The Monterey cypress trees are a significant aspect of scenic quality to the background of the surrounding low-scale neighborhood character.

- A) the low-scale suburban area defined by a grouping of individual one to two story buildings with sloping and flat roofs of various architectural styles; and,
- B) the major vernacular mix of historic landscaping that has matured over time, including visually prominent groups of Monterey cypress (*Hesperocyparis macrocarpa*) and Eucalyptus (*Corymbia ficifolia*) that establish an observable historical theme for the
- C) entrance to Pacific Grove as seen from the Ocean View Boulevard and Central Avenue corridors and adjacent roads.

147-14

As proposed the project would result in:

- A) Substantial change of use and large-scale physical expansion to be a mixed-use hotel and commercial complex.
- B) Large scale size of the new development resulting in a substantial increase in the buildings' surface area, height, volume, and bulk, etc.

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<sup>11</sup> BIG BLUE LIVE, A BBC PRODUCTION WITH PBS, DISTRIBUTED BY BBC WORLDWIDE, 2015, <https://www.pbs.org/about/about-pbs/blogs/news/big-blue-live-a-pbs-and-bbc-co-production-brings-majestic-marine-life-of-the-california-coast-to-us-viewers-in-a-three-part-television-event/>

September 28, 2020

Rob Mullane, Consulting Planner

RE: American Tin Cannery (ATC) Hotel and Commercial Project – Draft Environmental Impact Report (DEIR) **COMMENT ON CHAPTER 5. AESTHETICS**

Page 14

Historic landscaping is a visual resource that is a key element used to define the visual quality of the coastal zone communities. California Coastal Plan, (December 1975). California Coastline Preservation and Recreation Plan (June 1971) State P&R objective *“preserving our heritage of natural and scenic landscapes, and cultural, historical and archaeological values.”* (page 18)

Pacific Grove is “GATEWAY COMMUNITY” candidate of the Bureau of Land Management. The site is at the waterfront entrance with an outstanding combination of scenic qualities including the existing panoramic vista upon arriving in Pacific Grove. It is not a static view, it is a live action moving public vista, walking, jogging riding a bike, or touring in a car or bus. Iconic Monterey cypress and flowering Eucalyptus trees, the historic can factory and warehouse and Boatworks building, Hopkins Marine Station - - are all part of the scenic elements of the public’s perception and appreciation of the setting. As viewed from the Ocean View Blvd. level, streets and sidewalks, the Recreation Trail and the sea, the project will have the appearance of an expansive mass sprawling over the land and out of scale with the existing conditions and sense of place. It will draw its neighbors.

The applicant’s and City Planners should work with the community to consider a moderate development and reasonable alternatives to achieve that goal, without destroying the historical and scenic resources of the area. They should consider:

- A significant reduction in the height to subordinate the new buildings in relation to the height of the historic buildings
- Retaining a representative selection of the existing mature trees **on site** to enhance existing public views
- Design south facing courtyards on the south side of the upper level along Central Ave. to create open spaces between building forms of the hotel
- Substantially reduce the height and increase the street yard setbacks along Dewey Ave.
- Retain all the historic buildings in the development
- Consider incorporating affordable residential units in the adaptive reuse of the NAFI building to create a compatible use adjacent to the residential areas.

According to City Planner, Jane Jacobs:

*“Cities need old buildings so badly it is probably impossible for vigorous streets and districts to grow without them.... for really new ideas of any kind--no matter how ultimately profitable or otherwise successful some of them might prove to be--there is no leeway for such chancy trial, error and experimentation in the high-overhead economy of new construction. Old ideas can sometimes use new buildings. New ideas must use old buildings.”*

Respectfully, Tony Ciani, Tony Ciani, Architect and Planner, (see resume below pages 15 – 17)

Cc: City of Pacific Grove  
Coastal Commission

147-14  
Cont

## **RESUME: Anthony A. Ciani, Architect**

In 1981, Tony Ciani co-founded Design with Conservation Associates, Inc., an architecture and planning firm specializing in sustainable design, environmental planning and historic preservation. Tony uses an interdisciplinary approach working with public agencies, individual clients, institutions, and/or citizen groups, to prepare environmental studies and master plans, architectural drawings, and historical assessments, in a timely and cost-effective manner.

Tony has participated in efforts to develop and establish standards and guidelines to protect, restore and rehabilitate natural and historical resources at the local, state and national levels. He has more than 40 years of experience in architectural design and construction, including the use of alternative energy systems and application of new conservation technology.

## **PROFESSIONAL LICENSE CERTIFICATION**

- Architect, California License Number: C-12317, Since 1981  
Qualified Architecture and Historic Architecture Consultant,  
The California Historical Resources Information System (CHRIS)
- California Apprenticeship Council, Journeyman Architectural Draftsman, 1972

## **EXPERIENCE - SELECTED PLANNING PROJECTS**

- “Whale View Point – Shoreline Restoration and Enhancement Master Plan” - Assisted La Jolla Conservancy Inc. (NPO), La Jolla, CA, 2007 – 2014
- Kaufman Desert House (Richard Neutra), Architectural & Historical Report and Supplemental Findings, National Register Nomination, Co-author with Vonn Marie May, Palm Springs, CA, 2008
- Carey Crest Historic Residence - Coastal Permit and CEQA Mitigation Monitoring and Reporting Program, La Jolla, CA, 2002 - 2008
- 215 South Oak Street Historic Preservation Plan - Adaptive Re-use of Four Historic Structures in a National Register Historic District, Historic Preservation Consultant, Telluride, CO, 2000 - 2001
- The Bishop’s School Historic Preservation Master Plan, Historic Preservation Consultant, La Jolla, CA, 1996 - 1998; Historic District Architectural Survey and Report, (Designated 1998), Historical Report by Gregg R. Hennessey); The Bishop’s School Campus Historical American Building Survey (HABS) Documentation (Photography by M. Barth)
- Marine Mammal Reserve, Advocate and Boundary Mapping, La Jolla, CA 1992
- “La Jolla Coastline Plan”, California Coastal Conservancy Grant, Co-chairman, La Jolla, CA, 1989
- La Jolla Waterfront Workshop and Design Charrette, California Coastal Conservancy Grant, Coordinator, La Jolla, CA, 1989
- Heritage Structures Preservation Element, La Jolla Planned District Ordinance,
- Advisor to implement historic preservation element of LJ LCP, La Jolla, CA, 1988
- “Gaslamp Quarter Code Cookbook” Historic Preservation Code Handbook, Co-author with Mel Green, SE, (City of San Diego), San Diego, CA, 1985

- Golden Hill Historic Survey and Evaluation for Historical District, Architectural Historian and Consultant to the City of San Diego, (Environmental consultant, Mary Somerville) San Diego, CA, 1984
- Ardath Road Enhancement Plan and Special Assessment District, Design Consultant, La Jolla, CA, 1984
- Kautz House (Irving Gill), Adaptive Re-Use and Addition for the “Bed and Breakfast Inn at La Jolla”, Architect, La Jolla, CA, 1984
- La Jolla Local Coastal Program, LUP Policies and Addendum, La Jolla, CA 1979 - 1983
- La Jolla Cultural Zone Study and Plan, SHPO Grant Product, La Jolla, CA 1982 - 1983
- Heritage Housing Relocation and Rehabilitation Plan, Chair Citizen Advisory Committee, Fay Ave., Site “C”, La Jolla, CA 1982
- La Jolla Historic Preservation Plan and Model Local Coastal Program Implementing Ordinance (SHPO Grant), co-author with Mary Somerville, La Jolla, CA, 1981 - 1982
- “Mission Beach Park Revitalization Plan”, National Trust for Historic Preservation Consultant Service Grant to University of San Diego, Consultant and Co-author with Mel Green, SE, 1981
- “La Jolla - Study of Natural and Manmade Resources”, State of California Planning Grant, Co-author with Mary Somerville, La Jolla, CA 1980/1
- Coronado Transportation and Circulation Study, Coronado, CA 1981
- Coast Walk Trail & Ecological Enhancement Plan, California Coastal Conservancy Grant, Co-author with Mary Somerville, La Jolla, CA, 1979 – 1980
- “La Jolla Coastal Zone Boundary Study” Report to California Coastal Commission and Senate Natural Resources Committee, Author, La Jolla, CA, 1979-1980
- Princess Street Trail to Beach, California Coastal Commission, Public Historical Use Documentation 1979 - 2015
- “Mission Beach Roller Coaster”, Historical Report and National Register of Historical Places Nomination (Designated), Co-author with Lisa Ciani, San Diego, CA, 1978
- La Jolla Coastal Public Access and Historical Trails Study, La Jolla, CA, 1978 - 1980
- La Jolla Local Coastal Program, Chair, Citizen Advisory Committee on Public Access, Historical, Cultural and Natural Resources, La Jolla, CA, 1977 – 1983
- “La Jolla Amphitheater” (NEC Grant), Concept & Grant, Assistant to Judith Munk, Grantee, La Jolla, CA, 1977
- “Old La Jolla Historical District” Nomination to the National Register of Historic Places La Jolla, CA, 1975
- “Red Rest and Red Roost (aka Neptune) Cottages” Nomination (Designated), Co-author Report to National Register of Historic Places, La Jolla, CA, 1975
- “San Diego International Peace Border Park”, Conceptual Design for The San Diego Peace Border Park Foundation. San Diego, CA, 1974
- La Jolla Community Plan Update, Citizen Advisory Committee on Historic Preservation, Cultural Zone and Circulation Elements, La Jolla, CA, 1971 – 1976
- “Central La Jolla - Traffic & Satellite Parking Plan”, La Jolla, CA, 1970 - 1972

## **LECTURES AND PAPERS**

- “Lost Colonies”, Story of Preservation in La Jolla, LJHS TimeKeeper, 2016
- “Irving Gill”, Lecture for the La Jolla Historical Society, La Jolla, CA, 2009
- California Historic Preservation Conference: “History of Surfing Culture and Globalization” Lecture, San Diego, CA, 2001
- “CEQA Workshop”, California Preservation Foundation, Berkeley, CA 1992
- “CEQA Workshop”, California Preservation Foundation, San Diego, CA, 1989

- "Waterfront Design Charrette", California Coastal Conservancy, Concept and Chair, La Jolla, CA, 1989
- "La Jolla: Natural and Cultural Resources Case Study" Lecture, The Bishop's School, La Jolla, CA, 1986
- "Golden Hill Historic District" - Public Participation Program, City of San Diego, 1984
- "How Will We Know It's La Jolla" Community Forum, Author and Coordinator, La Jolla, CA 1980
- California Historic Preservation Conference: "Historic Preservation and California Environmental Quality Act" Workshop, Sacramento, CA, 1980

## **HONORS AND AWARDS**

- San Diego Historical Resources Board Award for Historic Preservation Design Carey Crest Cottage, San Diego, CA, 2000
- Sierra Club Award of Merit for Public Coastal Access Advocacy, 1998
- California Historic Preservation Foundation, President's Preservation Award, Eureka, CA, 1992
- Save Our Heritage Organization (SOHO) Preservationist of the Year Award, San Diego, CA, 1992
- San Diego Mayor's Award of Appreciation, San Diego, CA, 1992
- San Diego City Council Award of Merit, Architectural Historical Report: Engine Co. 13 Fire Station, San Diego, CA, 1985
- SOHO Preservationist of the Year Award, San Diego, CA, ca. 1983
- San Diego Historical Society Award of Merit, (Red Rest & Red Roost Cottages) San Diego, CA, 1975

Anthony A. Ciani 220 Walnut Street Pacific Grove, California 93950  
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September 25, 2020

Rob Mullane, AICP, Consulting Planner  
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City of Pacific Grove  
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Via email: [rmullane@hrandassociates.org](mailto:rmullane@hrandassociates.org)

**RE: American Tin Cannery (ATC) Hotel and Commercial Project – Draft Environmental Impact Report (DEIR) COMMENT ON CHAPTER 8. CULTURAL RESOURCES**

Dear Rob:

I am a licensed architect with expertise in historic architecture<sup>1</sup>, and I submit the following information and comments to emphasize the importance of recognizing and protecting the cultural, historical and architectural resources of the American Tin Cannery (ATC) property and surrounding area for their intrinsic qualities and contribution to the cultural, aesthetic and scenic quality of the coastal environmental setting and City of Pacific Grove. The ATC, formerly the American Can Company, (ACC), circa 1927, provided the City of Pacific Grove with tremendous economic value that continues to the present time.

**Ciani Comment No. One:** It is my professional opinion, that the extant buildings of the American Can Company, aka, the American Tin Cannery are historically and architecturally significant and retain their integrity from the interpretive period of their significance. Furthermore, the subject site, buildings and landscape are an integral part of a larger realm of historical significance due to their location and association with the historical epoch of Pacific Grove – Monterey’s fishing industry, commerce, and literary culture during the late 19<sup>th</sup> century and early 20<sup>th</sup> century. If implemented, the proposed demolition of a central section of the factory building and demolition of the entire the warehouse building, as well as, the massive additions, would result in the direct, unmitigated and unavoidable significant adverse impacts to the cultural, historical and architectural resources of the site and setting.

The American Can Company was built in the context of an emerging fishing industry in Monterey Bay on land that had formerly been a Chinese fishing village, ca. 1853 -1906, and adjacent to the Monterey Boatworks, ca. 1916 – 1927, and Siino Boat Works ca. 1927 (now a part of Hopkins Marine Station) which were also built on the site of the fishing village.<sup>2</sup> (See Figures 1 and 2, on Page 2, below)

148-1

<sup>1</sup> Resume of Anthony A. Ciani, see Pages --- below

<sup>2</sup> <https://hopkinsmarinestation.stanford.edu/about/history>

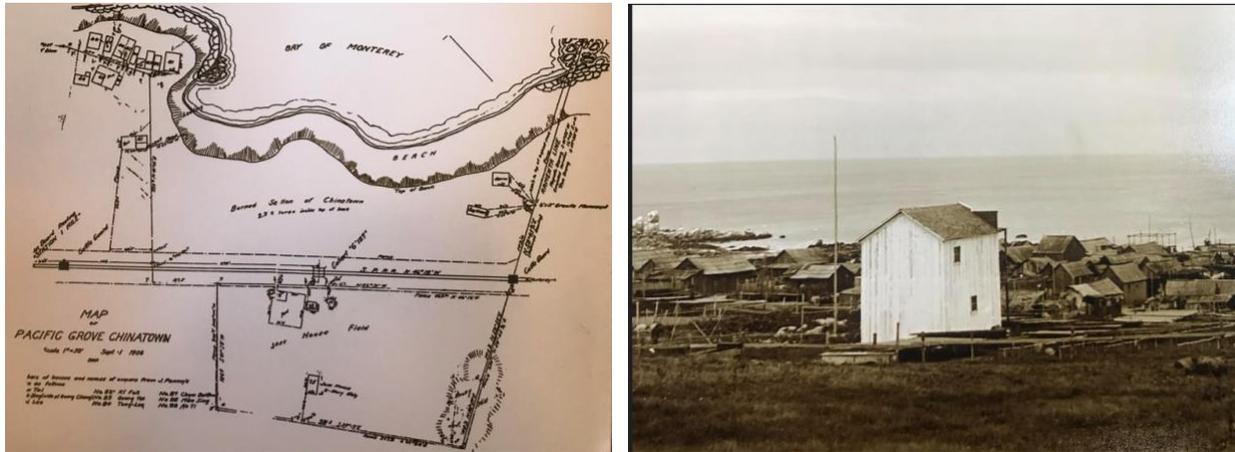


Figure 1. Map and photo of Chinese Fishing Village & Joss House Temple



Figure 2. American Can Company (Background) Siino Boat Works (Foreground) Credit: Pat Hathaway, California Views Collection

148-1  
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The American Can Company became an integral part of the maritime commerce in the Monterey Bay area and is directly associated with the industrial complex that developed at Cannery Row in New Monterey. The fishing and canning industry spanned the political boundary lines between Pacific Grove and New Monterey, just as it did in the survey study area for the “Cannery Row Cultural Resources Survey” that was limited to the geographical boundaries of the City of New Monterey.<sup>3</sup> Newspapers articles and two of John Steinbeck’s novels, “Cannery Row” (1945) and “Sweet Thursday” (1954), chronicle the life and events of the historical period of American Can Company’ significance. (Steinbeck lived on Eardley Avenue.)

The following is a selected summary of the findings that are provided in the Page & Turnbull, Inc. treatise, “**Historic Resource Technical Report American Tin Cannery**” (HRTR-ATC) in the Draft EIR for listing eligibility in the California Register of Historic Places and City of Pacific Grove Historical Resources Inventory of the subject property and buildings:

- 1) *“In terms of archaeological resources, the results of the assessment indicate the project location has high sensitivity for both historic and prehistoric resources.”* (DEIR Vol.1 p 8-36)
- 2) In terms of the **historic significance** of the ATC buildings: the Office Building, Factory Building and Warehouse Building; appear to be individually eligible for listing in:
  - (a) California Register under Criteria 1 (events): *“[T]he American Tin Cannery appears to be individually eligible for listing”* (DEIR Vol.1 page 8-25 & 26).
  - (b) Pacific Grove Historic Resources Inventory (Municipal Code §23.76.025) under local eligibility criteria A, C, E, H, and I (DEIR Vol.1 page 8-26 & 27).
- 3) In terms of their Integrity; *“The American Tin Cannery [ATC] retains six out of seven aspects of integrity<sup>4</sup> - location, design, materials, workmanship, and feeling [and association] — and thus retains integrity overall.”*

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<sup>3</sup> Architectural Resources Group Architectural Resources Group completed the Cannery Row Cultural Resources Survey for the City of Monterey in 2001. This survey identified and described multiple historic contexts relevant to the Cannery Row survey area, which directly abuts the New Monterey survey area. As part of the survey process, properties within the survey area were evaluated to determine their eligibility both as potential individual historic resources and as contributors to four potential districts. Two of the proposed districts – the North Cannery Row Historic District and the Literary Core Historic District – were deemed National Register-eligible, while the other two – the South Cannery Row Historic District and the Cannery Row Industrial and Residential Historic District – were deemed California Register-eligible.” (New Monterey Historic Context Statement and Reconnaissance Survey DRAFT, April 2012, Pages 3-4.)

148-1  
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4) The (HRTR-ATC) analysis of the proposed project's potential adverse impacts on the existing historic buildings that concluded, in part: (DEIR Vol.1 page 8-24).

(a) *"The project would result in a substantial adverse change in the significance of a historical resource as defined by the significance criteria established by CEQA. A proposed, project impacts are considered **significant and unavoidable.**"; and,*

(b) *"Thus, as proposed, the American Tin Cannery Hotel and Commercial project will create a significant and unavoidable impact on the historic resource as currently proposed."*

148-1  
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**Ciani Comment No. Two:** The Draft EIR finding that the American Can Company Buildings (re-named the American Tin Cannery in 1988) does not retain the integrity of the setting because the surrounding area was developed into a low-scale, urban mixture of commercial and residential buildings, **is in my professional opinion, unsubstantiated.**

**My reasons for supporting the integrity of the setting and the architectural character:**

- 1) The building alterations and additions that occurred after the 1920s did not, and do not now, interfere with the public's appreciation of property's authentic historic industrial character. (DEIR Vol.1 page 8-28 & 29). The changes, that were made over time, did not substantially diminish the historical significance and integrity of the site and buildings. The additions, including the NAFI Building, the skybridge, adjacent parking lot, elevated promenades and new entrance canopy did not reduce the historical significance of the site, buildings and setting. Rather, they have become part of the ATC complex and setting as perceived by the general public. The historical sense of place also remains for the adjacent Cannery Row and literary Historic Districts in New Monterey<sup>5</sup>.
- 2) Moreover, the development of the surrounding areas progressed over time to become a small scale, residential and commercial neighborhood. That suburban pattern of development was consistent with the 1910 University Addition Subdivision, where ATC is located, and those physical changes subordinate to and are compatible with the historical scale and character of ATC.
- 3) Thus, a fair argument can be made that the ATC-ACC site, the three historic buildings, and the vernacular landscape retain their integrity and the integrity of their architectural characteristics from the interpretative period of their historical significance. **Therefore, they may also be eligible to the National Register of Historic Places.**<sup>6 7</sup>

148-2

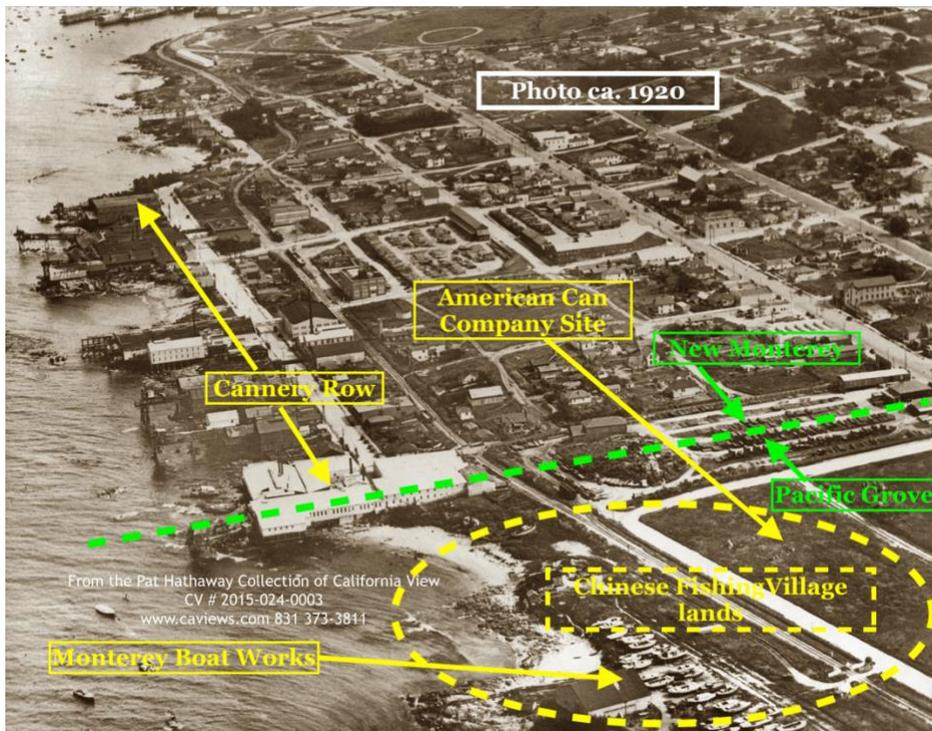
<sup>5</sup> Ibid

<sup>6</sup> Email discussion with Jay Correia, State Historian III Supervisor, Registration Unit, California Office of Historic Preservation, dated: February 21 and 22, 2016

<sup>7</sup> See attached: American Can Company, HRI Chronology, Prepared by Tony Ciani, last dated May 31, 2019



**Aerial Photo ca. 1920**  
Credit Pat Hathaway, California View Collection



**Annotated Aerial Photo**  
Photo Credit: Pat Hathaway, California Views Collection

148-2  
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**Ciani Comment No. Three:** It is my professional opinion, that the ATC site and buildings are eligible for listing on the National Register of Historic Places using criteria defined in 36 CFR 60.4 set forth in the Draft EIR section 8.5.1 (DEIR pages 8-18 and 8-19). There is substantial factual evidence that they are representative of important events in local, state and American history; and the buildings are representative examples of Modern and vernacular industrial architecture. The site is also associated with the Chinese Fishing village (ca. 1850 - 1906).<sup>8</sup> The Joss House religious temple, may be eligible as a California Point of Historical Interest, (Photograph Figure 61, DEIR Page 26). Also, ATC may be eligible for listing in National Register as a historic district or part of a larger contextual or thematic historic district due to their direct association with Cannery Row and Literary Historical Districts that were identified in the 2001 and 2012 New Monterey Historical Surveys. (The ACC built the road that links them.)

As provided in the **HRTR-ATC** treatise, the analysis of the integrity of site and buildings; the integrity of their location, design, setting, materials, workmanship, feeling, association; and, that the site and buildings are eligible for listing in the local Historic Resources Inventory, California Register, in my professional opinion, is valid and applies as well, for the analysis for listing in the National Register; to wit:

*“The American Tin Cannery [ATC] retains six out of seven aspects of integrity<sup>9</sup> - location, design, materials, workmanship, and feeling [and association] — **and thus retains integrity overall.**”* (DEIR Vol.1 page 8-29).

I generally agree with architectural description in the **HRTR-ATC** of the Draft EIR:

- Office Building is a 1-story wood frame vernacular hipped roof building.
- ACC Factory is as a rectangular reinforced concrete building in the Art-Moderne architectural style, with a sawtooth roof including north-facing clerestory windows; and, a series of *“chevron capped concrete pilasters”* featuring, *“original full-height steel sash windows.”*
- The ACC Warehouse is a rectangular two-story *“reinforced concrete and brick building clad in corrugated metal panels”* and large *“multi-lite steel sash windows.”* (DEIR Vol. 1, page 8-10)

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<sup>8</sup> “Altogether, the Chinese at Point Alones developed the first true commercial fishery on Monterey Bay, and in some ways were responsible for the most focused commercial activity in the entire Monterey area.” (DEIR ATC Page 21)

<sup>9</sup>NPS, *National Register Bulletin: How to Apply the National Register Criteria for Evaluation*. 1997

In February 2016, I began researching literature and photographic records for the American Can Company and I requested technical assistance of the State Office of Historic Preservation to prepare and submit a nomination of the American Can Company to the National Register of Historic Places; and historian Jay Correria replied.<sup>10</sup> I made detailed measurements and prepared a physical description and collected written documents, and archival photographs and met with members of the local historical society to research their files. That research included a review of the City of **Pacific Grove Historical Context Statement** prepared by Page & Turnbull, Inc. (2011) that had been formerly adopted by the City Council in 2012 – which provides a two-page historical background and physical description with photographs) and concluded:

*“It is unclear how many industrial buildings of this period are currently listed on the City of Pacific Grove’s Historic Resources Inventory, **although the former American Can Company is included.**” (2011 Historic Context Statement, page 235)<sup>11</sup>*

Upon subsequent research of the City’s records, I discovered a copy of evidence of the listing on the City’s **“Historic Resources Inventory as of September 9, 2004”** [Street Address] 125 Ocean View Boulevard (**See Figure “C”**); and, as noted in the DEIR, a 2013 historical assessment by local historian Kent Seavey stating the property was listed on the City’s HRI as of, 2010. In 2019, I subsequently discovered a 2005 letter from a member of the City staff<sup>12</sup>, who without notice or due process, removed the property from the HRI. Mr. Biggs wrote: *“We have amended the Historic Resources Inventory and 125 Ocean View Boulevard is no longer listed.”* (There is no evidence of a hearing or minutes describing this action.)

As mentioned above, the 2011 Historic Context Statement (HCS)<sup>13</sup> was officially adopted by the City Council in 2012, and they ratified it again in 2016, when the City Council voted unanimously to approve the Ad Hoc Committee HPO Report to implement the HCS. That decision did not recommend any changes to the significance of ATC or its removal from the City’s HRI and concluded: *“We again noted that the Historic Context Statement provides useful guidance for historic determinations and for evaluating projects”*.<sup>14</sup>

It is clear, the City Council held two noticed, regular public hearings, in 2012 and 2016, affirming **“the former American Can Company is included”** in the HRI.

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<sup>10</sup> *“If the exterior retains integrity, I highly recommend that you nominate to the National Register, and NOT the California Register. I would like to see exterior photographs of the primary facades, and perhaps a summary statement of significance in order to determine whether or not I think that the SHRC would approve the nomination.”* February 22, 2016 Email excerpt Jay Correria, State Historian III, Supervisor, Registration Unit, California Office of Historic Preservation

<sup>11</sup> Historic Context Statement, City of Pacific Grove, 2011, pages 235 – 236

<sup>12</sup> Ron M. Biggs, CDD, City of Pacific Grove to Mr. Bill Grimm, 765 Wave St, Monterey, CA

<sup>13</sup> Historic Context Statement, City of Pacific Grove, 2011, Page 236

<sup>14</sup> City Council Ad Hoc Committee on the Historic Preservation Ordinance, February 22, 2016

148-2  
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It is also a fair assumption that the City's Historic Resources Committee (HRC) would need to hold a de novo public hearing to consider removing ATC from the HRI, based on new factual evidence. Despite my formal requests for such a full hearing, as of the date of this letter, no such hearing has been scheduled or noticed. Thus, the expert opinions by Page and Turnbull, Inc., or Kent Seavey, or the input I have provided in this letter, individually or together, attest that the ATC site and its buildings are significant historical resources, at least at the local and statewide level, and I believe are historical and architectural resources at the federal level.

**Ciani Comment No. Four:** In support of my opinion that the property is significant at the federal level and eligible for listing in the National Register, I submit the following information:

- The American Can Company in Pacific Grove was designed and constructed in the same genre as some of the early 20<sup>th</sup> Century industrial buildings that are at the Union Iron Works (UIW) Historic District located at Pier 70 in San Francisco, California. The **Union Iron Works Historic District** National Register of Historic Places nomination listing provides the historical background, physical description, a statement about the architectural and historical significance, and integrity of the Potrero Works, Union Yard. Bethlehem Steel Yard. Potrero Yard and San Francisco Yard, located at East of Illinois Street, between 18th and 22nd Streets, San Francisco, California. (4/17/2014)<sup>15</sup>. That documentation includes information regarding maritime commerce and industrial architecture that is pertinent to ATC's history and architecture.
- Specifically, the Administrative Office, Factory and Warehouse buildings, are contributing resources part of the historic site;
- The Criteria 3 finding in the California Register provides for: "**Resources that embody the distinctive characteristics of a type, period, region, or method of construction...**" The **HRTR-ATC** of the Draft EIR finding for Criterion 3, Architecture of the American Tin Cannery for the eligibility listing in the California Register concluded:

*"The original design of the ATC complex has not been attributed to any specific architect, and therefore cannot be said to be the work of a master architect, and the industrial complex with its limited decorative features does not possess high artistic value;"* (DEIR Vol.1 page 8-26)

That finding mistakenly attributes Criterion 3 to **only** apply to the heroic work of a master architect or must possess high artist value to qualify. It is my professional opinion that, **ATC is an architectural and historical resource that embodies the distinctive characteristics of Modern Industrial architecture, which was an integral part of the 20<sup>th</sup> century fishing industry and commerce and literary culture history of the Monterey Bay and America.** (HRTR, Page 41, ATC Vol ii appendices, June 1, 2020)

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<sup>15</sup> Union Iron Works Historic District <https://www.nps.gov/nr/feature/places/pdfs/14000150.pdf> (2014)

The "**Historic Resource Technical Report American Tin Cannery**" does not appear to prepare a detailed description of the historic buildings<sup>16</sup>, The report states:

*"In general, the original three buildings are rather modest in design, reflective of their utilitarian and industrial character, with the notable exception of the Art Moderne style chevron capped concrete pilasters on Building 1. The sawtooth roof of Building 1 is also a notable design feature which creates a dramatic building profile while serving the practical urpose of daylighting the large interior factory space."* (DEIR Vol. 1, page 8-10)

Kent L. Seavey, local historian summarized in a letter on October 21, 2018<sup>17</sup> regarding the property's potential eligibility to the California Register; *"The property might be eligible for inclusion, [in the California Register] in spite of the smoke stack loss, for its historical significance in the economic development of Pacific Grove and the Monterey canning industry. It may also qualify for architecture as the only known example of commercial Art Moderne design in Pacific Grove."*

**Ciani Comment No. Five:** It is my professional opinion as an historic architecture consultant that the American Can Company site and Administrative Office, Factory and Warehouse buildings merit designation in the City of Pacific Grove's Historic Resources Inventory (HRI). As mentioned above, the City Council held two noticed regular public hearings, in 2012 and 2016, affirming "**the former American Can Company is included**" in the City's HRI, and there has not been public hearing to reverse that finding or determination.

**Ciani Comment No. Six.** In terms of the National Register Criteria for Evaluation<sup>18</sup> Criteria C; it is my professional opinion that the ATC (aka ACC) site and building complex retains its **quality of significance** in American history, architecture, engineering, and culture which is present in [the] districts, sites, buildings, [and] structures; and possesses integrity of the location, design, setting, materials, workmanship, feeling, and association; and, that embody the distinctive characteristics of a type, period, or method of construction, that represent a significant and distinguishable entity whose components may lack individual distinction.

I also believe that the ACC site and building complex **conveys its significance as defined in the National Register criteria because it retains most of the aspects of integrity** including; its sense of place and location, Location, original elements of design, materials, workmanship, historical feeling and association.

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<sup>16</sup> "the historic resource assessment did not provide a detailed analysis of the structure under this criterion, the construction of these industrial buildings was common for the period and not likely to yield important construction related information." (DEIR Vol.1 page 8- )

<sup>17</sup> Kent L. Seavey, *Historic Resources Opinion Letter*. October 2018. (DEIR VOL II, Appendix F)

<sup>18</sup> <http://www.cr.nps.gov/nr/publications/bulletins/nrb15/>

The following excerpts of the Page and Turnbull, Inc. Historic Resource Technical Report corroborate the key findings regarding the Office and Factory Buildings:

- “[T]he factory building, Building 1 was the most important building in the American Can Company fish canning operations, and exhibits architectural features such as the sawtooth roof that clearly convey this use as well as 1920s Art Moderne decorative elements like the chevron capped pilasters. [The Office Building] Building 0 played an important role as an administrative office.” (HRTR-ATC DEIR, p. 59)
- “Building 2, was integral to the overall operation of the American Can Company, [and] the early twentieth century industrial character and significance of the American Can Company in the Monterey fish canning industry” (DEIR Historic Resource Technical Report, p. 59)

**Ciani Comment No. Seven.** However, I strongly disagree with the HRTR, section VIII. PROJECT RECOMMENDATIONS which discounts the importance and integrity of the Warehouse Building (No. 2), and essentially ‘throws it under the bus’, so to speak (or more accurately would throw it into the Monterey County Landfill,).

*“If one of these three design changes is made, then the project would retain or substantially retain all of the character-defining features of Buildings 0 and 1. **The project would still involve the loss of Building 2 and its character-defining features, but the overall historic resource—the American Tin Cannery complex—would retain enough of its character-defining features to convey its significance as an industrial fish canning factory and retain eligibility for the California Register and Pacific Grove Historic Resources Inventory.** The mitigation measures discussed in the previous section would mitigate the demolition Building 2 and impact of the new hotel buildings on the industrial character of the property to a less-than-significant level.” (HRTR-ATC DEIR p. 59)*

This statement, without proof, is a flawed notion and without merit, which inconsistent with the Secretary of Interior Standards. See “Preservation Brief 14 New Exterior Additions to Historic Buildings: Preservation Concerns” (Anne E. Grimmer and Kay D. Weeks)<sup>19</sup>

Preservation Brief 14 states: “To meet Standard 1 of the Secretary of the Interior’s Standards for Rehabilitation, which states that “a property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment,” [and] **“Before expanding the building’s footprint, consideration should first be given to incorporating changes—such as code upgrades or spatial needs for a new use—within secondary areas of the historic building.”**

Adaptive reuse of old or historically significant buildings provides a reasonable and feasible alternative and adapting historic buildings for hotel uses have been proven to be

<sup>19</sup> <https://www.nps.gov/tps/how-to-preserve/briefs/14-exterior-additions.htm>

successful.<sup>20</sup> The ACC Office, Factory, and Warehouse buildings were already successfully retrofitted to accommodate commercial retail and restaurant uses. The Warehouse has the advantage of the high spaces with large tall windows that look out to the north and west views of the Monterey Bay and Sea with a potential garden-patio that faces the southwest panoramic vista of Pacific Grove's dramatic shoreline. I believe the NAFI Building could also be adapted and reused for the hotel or other ancillary or commercial uses.

The **Pier 70 Historic District** is a good source of information that is pertinent to the significance of ATC. (See Pier 70 Historic District NR Form)<sup>21</sup>; including its Major Bibliographical References - the books and articles, etc. provide literature about the architecture, engineering and construction trends contemporaneous with the development of the American Can

Company, including:

- (a) Reinforced Concrete in Factory Construction. New York: The Atlas Portland Cement Company, 1907.
- (b) Biggs, Lindy. The Rational Factory. Baltimore and London: Johns Hopkins University Press, 1996.
- (c) "Industrial Building Types Studies." February 1940. In Kenneth Reid, A.I.A., ed. Industrial Buildings, The Architectural Record of a Decade. New York: F. W. Dodge Corporation, 1951

**Ciani Comment No. Eight: The additional reasons below reinforce the historical and architectural importance of the American Can Company (ATC), and in my professional opinion, elevates it to the national level of significance and to be eligible for listing in the National Register.**

- 1) The site, buildings and landscape direct associations with the neighboring Monterey Boat Works, Cannery Row Historic and Literary Districts, Ed (Doc) Ricketts Lab in Pacific Grove; on Ocean Ave. in New Monterey; author John Steinbeck's literature, and construction of the road built by ACC linking Pacific Grove to the larger fishing industry, and tourism; and the construction of the Monterey Bay Breakwater; and its contribution to worldwide commerce of canned fish, including during World War II; and,
- 2) the historical information regarding the significance of the American Can Company should be expanded to include its influence on commerce in Pacific Grove. In 1901, several can manufacturers formed the American Can Company (ACC), headquartered in

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<sup>20</sup> National Trust For Historic Preservation, <https://savingplaces.org/historic-hotels-of-america> for example: Cork Factory Hotel is a Lancaster County hotel set in a vibrant mixed-use community, Urban Place. Urban Place is the former home of a 19th-century cork manufacturing giant, Lancaster Cork Works, and later the home of Armstrong Cork Company and Kerr Glass Company.

<sup>21</sup> NPS Form 10-900 United States Department of the Interior National Park Service National Register of Historic Places Registration Form, historic name: Union Iron Works, Pier 70 Historic District, Listed 4/17/2014

148-2  
Cont

September 25, 2020

Rob Mullane, Planner

RE: DEIR - Public Comment on Chapter 8. Cultural Resources

Page 12

New York City. By 1915 the ACC was the largest manufacturer of tin cans in the United States and bought land in San Francisco and built a factory in 1926.<sup>22</sup> ACC also built the largest tin can factory west of the Rocky Mountains in Sacramento which was the City's largest investment at \$1,600,000<sup>23</sup>. In 1927/28, ACC purchased the land and constructed the can factory in the City of Pacific Grove for \$1,000,000<sup>24</sup> including the machinery. It was the largest investment in the City. The 2020 equivalent value of \$1,000,000 is nearly \$15,000,000.

- 3) The American Can Company's design and engineering principles incorporated relatively new technologies and reflected a desire to build efficient factories that provided good conditions and amenities for the workers, including natural light and air, wood floors for comfort and with the layout designed in response to its management, fabrication and storage/shipping, functions (Louis Sullivan's 1896 theory "form follows function"<sup>25</sup>). They were not built under one roof, rather as three functions, in three buildings, and three construction styles and types; designed and constructed to accommodate the functional relationships of the machinery and working conditions.

(a) Office Building: Wood Frame (Management and Cafeteria)

(b) Factory Building: Reinforced Concrete (Mass production of tin cans)

(c) Warehouse Building: Reinforced Concrete and Brick (The cans were stored and shipped directly to Cannery Row where the fish were processed and canned.)

In summary, it is my professional opinion that the ACC Factory and Warehouse buildings are representative examples of early twentieth century industrial architecture whose designs were a functional response to the fabrication, storing and shipping of fish can manufacturing industry and its custom-designed machinery. The Administration Office building is set prominently on the street corner at the waterfront entrance to Pacific Grove, using a humble design subordinating to the Factory design in the Moderne idiom, which distinguished the American Can Company's brand from the nearby industrial fish canning buildings in New Monterey it supplied. The oval shaped cans epitomized the ACC product which were shipped worldwide.

Historian Kent Seavey observed, in his October 18, 2018 letter<sup>26</sup>, [ATC is] ***"the only known example of commercial Art Moderne design in Pacific Grove."***

**Therefore, it is a rare example of the Art Moderne architecture genre of the industrial architecture in the City.**

<sup>22</sup> "S.F. Tract Bought for Can Plant," San Francisco Examiner, (January 22, 1915), p. 7.

<sup>23</sup> <https://www.woodrogers.com/americancompany/> Wood Rogers, Inc. David Zavisian, Author, 2020

<sup>24</sup> CPI Inflation Calculator <https://www.in2013dollars.com/us/inflation>, \$1,000,000 in 1927 is equivalent in purchasing power to about \$14,937,816.09 in 2020

<sup>25</sup> Louis Sullivan, "form ever follows function. This is the law." The Tall Office Building Ever Considered, 1896, p. 408

<sup>26</sup> Kent L. Seavey, *Historic Resources Opinion Letter*. October 2018. (DEIR VOL II, Appendix F)

148-2  
Cont

**Ciani Comment No. Nine:** It is my recommendation that the proposed project should prioritize rehabilitation of the hotel and ancillary uses or commercial uses to be accommodated within the existing buildings, first; and, design reasonable small scale additions to be compatible with the scale and character of the historical resources, and fabric of the surrounding area. The design should avoid overwhelming and degrading the Aesthetic and Cultural integrity of the environmental setting. As proposed, the project would substantially degrade the historic and scenic resources of the overall cultural setting.

Future redevelopment at the same scale in the vicinity of Central Avenue Commercial and Visitor Serving neighborhood, together with the proposed project would result in cumulative unmitigated significant adverse impacts to the suburban environment of this vicinity.

Reasonable alternatives are available by following the Secretary of Resources Standards for Rehabilitation and utilizing the federal tax incentives pursuant to The Standards for Rehabilitation (codified in 36 CFR 67 for use in the Federal Historic Preservation Tax Incentives program); Federal Tax deductions for of potential historical easements according to 26 USC 170: Charitable, etc., contributions and gifts; and potential options regarding the fire, safety, accessibility and structural per the California Historical Building Code (CHBC), Sections 18950 to 18961 of Division 13, Part 2.7 of Health and Safety Code (H&SC).

**Ciani Comment No. Ten:** The proposed project appears to celebrate its large scale design for the new additions and wings, as a solution to differentiate it from the historical defining characteristics. In fact, the project contradicts the *Standards for Rehabilitation*. Standard No. 9. which recommends:

- *“New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property,” - in this instance, to demolish major sections of a historic building (Factory) and to demolish another entire historic building (Warehouse).*
- *“The new work ...shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.” – In my professional opinion, it clearly is not. It is intrusive and much too high, and a much wider monolithic building at the Central Ave. level, and too massive compared to the surrounding pattern of existing development.*

The public perception of the large forms and proportions of the proposed project relative to the existing pattern of small buildings would be perceived to sprawl over the historic site and landscape of the surrounding areas. The mass and height of the multiple additions are excessive and would substantially degrade the aesthetic qualities of the environmental setting. If constructed, it would establish a higher magnitude of development that is out-of-scale with the overall historical character of the area and could have a domino effect on adjacent properties seeking to compete for the prominence the proposed design illustrates.

148-3

148-4

**Ciani Comment No. Eleven: Compounding the significant adverse impacts to the historical setting would be the wholesale loss of the entire collection of mature trees including stands of iconic Monterey cypress trees that are symbolic of the vernacular landscape.**

148-5

**Ciani Comment No. Twelve:** CEQA provides a basis for the Draft EIR to consider reasonable alternatives to the proposed project including the “no project alternative”. This section of the DEIR relies on the Secretary of Interior Standards to analyze the potential adverse impacts; however, a comprehensive evaluation of the environmental design and planning options should be examined, too. For example, in the larger scheme the EIR should explore lowering the overall profile of the development and building heights, in concert with redesigning an alternative orientation and the spatial relationships of the buildings to provide openings for public views to the sky and sea, light and air.

148-6

**Ciani Comment No. Thirteen:** The EIR should explore a reasonable array of alternatives to balance the City’s General Plan (GP) and Local Coastal Program Land Use Plan (LCP) Policies (conservation principles) with the development goals. The EIR should compare and contrast the land use plan policies to avoid or resolve internally conflicting policies and regulations that may be in the 1994 General Plan and subsequent changes as a result of changes due to the adoption of the Historic Context Statement or other pertinent actions by the City Council or City Boards, Committees or Commissions, the General Plan, or the LCP.

**Ciani Comment No. Fourteen:** The following is a short list of a reasonable options the applicant may explore that could reduce the adverse impacts to the historical resources and environment.

- 1) First of all, **a HABS survey and HABS photo-documentation** of the site, buildings and vicinity may be nice for a local Library or the Library of Congress, but **it cannot and will not mitigate the loss of peoples’ appreciation, their “association and feeling” of the authentic ATC architectural and historical buildings, related structures or objects;**
- 2) The project layout could be rearranged or modified to accommodate the proposed “Courtyard” at the same location **within** the existing two-story Factory Building clerestory space to be an interior court without destroying the historic façade or sawtooth clerestory roof system;
- 3) An overall smaller project scope should be considered to achieve the project’s fundamental objectives, without the obvious unmitigated significant adverse impacts.
- 4) The reinforced concrete NAFI building is a valid candidate for reuse within the program for a hotel, or affordable visitor accommodations, or commercial, or housing uses that should be considered as a reasonable alternative to its demolition. To improve the occupancy rate, accommodations from large luxury suites to mini units, with a range of prices, should be explored. (Older folks who can afford luxury, enjoy staying in the same hotel with young visitors traveling on a small budget, staying in smaller, less glamorous rooms).

148-7

- 5) The project should avoid the difficulty and expense of constructing subterranean parking structures in favor of alternative layouts within the space around the Sloat Avenue ROW, and with entries at one end of Sloat or the other.
- 6) The notion of demolishing the reinforced concrete/brick Warehouse and hauling it to dump into the County Dump fails to capitalize on the economic value of the building area and volume, or its utilities and materials. The same is true for the reinforced concrete NAFI building. Alternatives to incorporate those spaces and, or the materials of those buildings into to proposed project should be investigated as part of the applicant's desire to achieve a GOLD-LEED outcome.
- 7) Granite excavated for foundations should be used as a veneer or landscaping purposes (not hauled and placed in the landfill.). Many of the Pacific Grove buildings and structures have used local stone, including stone quarried to make way for the tunnel road at the Presidio.)
- 8) Policy No.45 – 58 of the California Coastal Plan<sup>27</sup> states: *“New development shall not be permitted to degrade highly scenic natural, historic or open areas and shall be visually subordinate to the scenic quality of these areas.”* The Plan was incorporated into the Coastal Act of 1976 (sections 30002 and 30102) and the California Coastal Commission acted to protect historical and architectural resources as coastal scenic resources<sup>28</sup>.

Pertinent examples include:

- (a) 1978 – Belmont Park Giant Dipper Roller Coaster: The Coastal Development Permit (CDP) demolition was denied for a study of alternatives to preserve it. It was subsequently listed on the National Register in 1978; then, it was listed as a National Landmark in 1987, and restored to full operation.
- (b) 1991 – The Green Dragon Colony: The Commission's staff recommended denial for a CDP to demolish four (4) historic vernacular cottages in 1989. In 1991, the cottages were illegally demolished and confirmed by an Appellate Court Decision. The Commission granted an “after-the-fact” permit that required any new development incorporate to the maximum extent feasible. the historical and architectural characteristics of the site and buildings that were determined by historic records, photo-documents, drawings, and an on-site inspection of the by the State Historic Building Code Board. How does the proposed project comply with Pacific Grove's LCP Policies and past precedent of the Coastal Commission?

148-7  
Cont

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<sup>27</sup> California Coastal Plan, 1975, Pages 68-78

<sup>28</sup> CDP Nos. F8945-A1 and F8945-A2, (1991 & 1992)

- 9) San Francisco's PIER 70 HISTORIC DISTRICT provides current examples for rehabilitating historic buildings, structures and a vernacular landscape. It demonstrates how corporate investment in challenging projects can be achieved, such as how ORTON Development, Inc. is at the "20<sup>th</sup> Street" Union Iron Works industrial buildings (1885 and 1941). In the case of the Pacific Grove historic American Can Company, the buildings are in much better condition than those being rehabilitated at the Union Iron Works; How can the proposed Hotel and Commercial project modify its program based on this example?
- 10) The Final EIR should conduct a cost-benefit analysis to evaluate a smaller project scope of work, and to the maximum extent feasible, reduce the significant adverse impacts to the site, buildings and environmental qualities of the scenic coastal setting. The applicant should incorporate all reasonable alternatives into the proposed project.
- 11) The EIR should seek an objective and independent (peer) evaluation of recommendations in the EIR so as to consider all reasonable alternatives to protect the cultural, historical, architectural elements of ATC and the scenic quality of the environmental setting. Can the State Office of Historic Preservation or the State Historical Building Code Board their provide technical assistance toward that kind of input?

148-7  
Cont

**Ciani Comment No. Fifteen:** CEQA PRC Section 21003 (a) provides that it is the legislature's intent [is for] ***"Local agencies [to] integrate the requirements of this division with planning and environmental review procedures otherwise required by law or by local practice so that all those procedures, to the maximum feasible extent, run concurrently, rather than consecutively."***

The City of Pacific Grove is the Lead Agency conducting and managing the environmental review of this project; however, the City Manager City Staff and the City's consultants have not coordinated the local review procedures to run concurrently with EIR environmental review procedures. In fact, the City has confused and continues to frustrate the public's participation in the common practices for the discretionary review of this project, including the notice and distribution of printed copies of the DEIR to libraries, and standard procedures to evaluate the subject property's status on the City's Historical Resources Inventory, timely installation of on-site story poles or large graphic photomontage meaningful simulations of the projects size and scale relative to the existing site and surrounding area, or even the installation of ribbons on the trees to be removed as mandated "must" be done. How will these defects in the due process and fair review per CEQA be corrected?

148-8

Respectfully, TC, Tony Ciani, Architect, Historic Preservation Consultant

Copies: City of Pacific Grove: Historic Resources Committee, Architectural Review Board,  
Planning Commission, and City Council.  
State Office Of Historic Preservation  
Coastal Commission  
State Clearinghouse OPR

Attachment: Ciani Resume

## **RESUME: Anthony A. Ciani, Architect**

In 1981, Tony Ciani co-founded Design with Conservation Associates, Inc., an architecture and planning firm specializing in sustainable design, environmental planning and historic preservation. Tony uses an interdisciplinary approach working with public agencies, individual clients, institutions, and/or citizen groups, to prepare environmental studies and master plans, architectural drawings, and historical assessments, in a timely and cost-effective manner.

Tony has participated in efforts to develop and establish standards and guidelines to protect, restore and rehabilitate natural and historical resources at the local, state and national levels. He has more than 40 years of experience in architectural design and construction, including the use of alternative energy systems and application of new conservation technology.

## **PROFESSIONAL LICENSE CERTIFICATION**

- Architect, California License Number: C-12317, Since 1981  
Qualified Architecture and Historic Architecture Consultant,  
The California Historical Resources Information System (CHRIS)
- California Apprenticeship Council, Journeyman Architectural Draftsman, 1972

## **EXPERIENCE - SELECTED PLANNING PROJECTS**

- “Whale View Point – Shoreline Restoration and Enhancement Master Plan” - Assisted La Jolla Conservancy Inc. (NPO), La Jolla, CA, 2007 – 2014
- Kaufman Desert House (Richard Neutra), Architectural & Historical Report and Supplemental Findings, National Register Nomination, Co-author with Vonn Marie May, Palm Springs, CA, 2008
- Carey Crest Historic Residence - Coastal Permit and CEQA Mitigation Monitoring and Reporting Program, La Jolla, CA, 2002 - 2008
- 215 South Oak Street Historic Preservation Plan - Adaptive Re-use of Four Historic Structures in a National Register Historic District, Historic Preservation Consultant, Telluride, CO, 2000 - 2001
- The Bishop’s School Historic Preservation Master Plan, Historic Preservation Consultant, La Jolla, CA, 1996 - 1998; Historic District Architectural Survey and Report, (Designated 1998), Historical Report by Gregg R. Hennessey); The Bishop’s School Campus Historical American Building Survey (HABS) Documentation (Photography by M. Barth)
- Marine Mammal Reserve, Advocate and Boundary Mapping, La Jolla, CA 1992
- “La Jolla Coastline Plan”, California Coastal Conservancy Grant, Co-chairman, La Jolla, CA, 1989
- La Jolla Waterfront Workshop and Design Charrette, California Coastal Conservancy Grant, Coordinator, La Jolla, CA, 1989
- Heritage Structures Preservation Element, La Jolla Planned District Ordinance,
- Advisor to implement historic preservation element of LJ LCP, La Jolla, CA, 1988
- “Gaslamp Quarter Code Cookbook” Historic Preservation Code Handbook, Co-author with Mel Green, SE, (City of San Diego), San Diego, CA, 1985

- Golden Hill Historic Survey and Evaluation for Historical District, Architectural Historian and Consultant to the City of San Diego, (Environmental consultant, Mary Somerville) San Diego, CA, 1984
- Ardath Road Enhancement Plan and Special Assessment District, Design Consultant, La Jolla, CA, 1984
- Kautz House (Irving Gill), Adaptive Re-Use and Addition for the “Bed and Breakfast Inn at La Jolla”, Architect, La Jolla, CA, 1984
- La Jolla Local Coastal Program, LUP Policies and Addendum, La Jolla, CA 1979 - 1983
- La Jolla Cultural Zone Study and Plan, SHPO Grant Product, La Jolla, CA 1982 - 1983
- Heritage Housing Relocation and Rehabilitation Plan, Chair Citizen Advisory Committee, Fay Ave., Site “C”, La Jolla, CA 1982
- La Jolla Historic Preservation Plan and Model Local Coastal Program Implementing Ordinance (SHPO Grant), co-author with Mary Somerville, La Jolla, CA, 1981 - 1982
- “Mission Beach Park Revitalization Plan”, National Trust for Historic Preservation Consultant Service Grant to University of San Diego, Consultant and Co-author with Mel Green, SE, 1981
- “La Jolla - Study of Natural and Manmade Resources”, State of California Planning Grant, Co-author with Mary Somerville, La Jolla, CA 1980/1
- Coronado Transportation and Circulation Study, Coronado, CA 1981
- Coast Walk Trail & Ecological Enhancement Plan, California Coastal Conservancy Grant, Co-author with Mary Somerville, La Jolla, CA, 1979 – 1980
- “La Jolla Coastal Zone Boundary Study” Report to California Coastal Commission and Senate Natural Resources Committee, Author, La Jolla, CA, 1979-1980
- Princess Street Trail to Beach, California Coastal Commission, Public Historical Use Documentation 1979 - 2015
- “Mission Beach Roller Coaster”, Historical Report and National Register of Historical Places Nomination (Designated), Co-author with Lisa Ciani, San Diego, CA, 1978
- La Jolla Coastal Public Access and Historical Trails Study, La Jolla, CA, 1978 - 1980
- La Jolla Local Coastal Program, Chair, Citizen Advisory Committee on Public Access, Historical, Cultural and Natural Resources, La Jolla, CA, 1977 – 1983
- “La Jolla Amphitheater” (NEC Grant), Concept & Grant, Assistant to Judith Munk, Grantee, La Jolla, CA, 1977
- “Old La Jolla Historical District” Nomination to the National Register of Historic Places La Jolla, CA, 1975
- “Red Rest and Red Roost (aka Neptune) Cottages” Nomination (Designated), Co-author Report to National Register of Historic Places, La Jolla, CA, 1975
- “San Diego International Peace Border Park”, Conceptual Design for The San Diego Peace Border Park Foundation. San Diego, CA, 1974
- La Jolla Community Plan Update, Citizen Advisory Committee on Historic Preservation, Cultural Zone and Circulation Elements, La Jolla, CA, 1971 – 1976
- “Central La Jolla - Traffic & Satellite Parking Plan”, La Jolla, CA, 1970 - 1972

## **LECTURES AND PAPERS**

- “Lost Colonies”, Story of Preservation in La Jolla, LJHS TimeKeeper, 2016
- “Irving Gill”, Lecture for the La Jolla Historical Society, La Jolla, CA, 2009
- California Historic Preservation Conference: “History of Surfing Culture and Globalization” Lecture, San Diego, CA, 2001
- “CEQA Workshop”, California Preservation Foundation, Berkeley, CA 1992
- “CEQA Workshop”, California Preservation Foundation, San Diego, CA, 1989

- "Waterfront Design Charrette", California Coastal Conservancy, Concept and Chair, La Jolla, CA, 1989
- "La Jolla: Natural and Cultural Resources Case Study" Lecture, The Bishop's School, La Jolla, CA, 1986
- "Golden Hill Historic District" - Public Participation Program, City of San Diego, 1984
- "How Will We Know It's La Jolla" Community Forum, Author and Coordinator, La Jolla, CA 1980
- California Historic Preservation Conference: "Historic Preservation and California Environmental Quality Act" Workshop, Sacramento, CA, 1980

## **HONORS AND AWARDS**

- San Diego Historical Resources Board Award for Historic Preservation Design Carey Crest Cottage, San Diego, CA, 2000
- Sierra Club Award of Merit for Public Coastal Access Advocacy, 1998
- California Historic Preservation Foundation, President's Preservation Award, Eureka, CA, 1992
- Save Our Heritage Organization (SOHO) Preservationist of the Year Award, San Diego, CA, 1992
- San Diego Mayor's Award of Appreciation, San Diego, CA, 1992
- San Diego City Council Award of Merit, Architectural Historical Report: Engine Co. 13 Fire Station, San Diego, CA, 1985
- SOHO Preservationist of the Year Award, San Diego, CA, ca. 1983
- San Diego Historical Society Award of Merit, (Red Rest & Red Roost Cottages) San Diego, CA, 1975

September 28, 2020

Rob Mullane, AICP, Consulting Planner  
Community and Economic Development Department  
City of Pacific Grove  
400 Forest Avenue Pacific Grove, CA 93950  
Via email: [rmullane@hrandassociates.org](mailto:rmullane@hrandassociates.org)

**RE: American Tin Cannery (ATC) Hotel and Commercial Project – Draft Environmental Impact Report (DEIR) COMMENT ON CHAPTER 17. TRANSPORTATION AND CIRCULATION**

Dear Rob:

I am not a transportation planner, but I have had to opportunity to work with planners and engineers to address the circulation and traffic patterns on projects and long-range planning solutions for small towns, including La Jolla and Coronado. The Analysis of the transportation and circulation in the Draft EIR is based on the **Figure 17-2: Site Plan and Vehicular Circulation Site Plan** for the American Tin Cannery Hotel and Commercial Project which does not appear to consider more than the functional alternatives listed in the recommended mitigation measures MM TRA 3.1 and 3.2.

149-1

**Ciani Comment T-1.** The impacts on the existing public parking facilities do not appear to be adequately addressed. The Scoping issues included parking but the EIR neglected to address parking. Rather, it put it off as a *“Related issues, such as parking requirements and design standards, are a function of plan review and compliance with the City Municipal Code.”* The analysis of the potential adverse impacts to existing parking supply and demand in the surrounding commercial and residential neighborhood; and, adjacent parking that serves visitor access to and along the shoreline should completed as part of this EIR, not later. According to CEQA should be incorporated at the earliest time in the EIR process and decision-making procedures. To wit: PRC 15004 (b) states: *“EIRs and negative declarations should be prepared as early as feasible in the planning process to enable environmental considerations to influence the project program and design and yet late enough to provide meaningful information for environmental review.”*

149-2

**Ciani Comment T-2.** In concert with assessing parking issues should be a specific detailed traffic circulation and pedestrian safety study focused on the automobile ingress and egress at the “Hotel Arrival” port corche and lobby area fronting Ocean View Blvd. Literally speaking, the “impacts” at that location must be analyzed to consider the “stacking” of cars arriving from the east that will need to wait for automobile, bicycle and pedestrian traffic coming from the other direction. Couple that potential congestion on the existing single lanes of travel in each direction and the stop and go cycles due to the operation of parking cars in the parallel parking places on both sides of the roadway.

149-3

Clearly, the addition of more cars at peak hours at the intersections and all day on Ocean View and Central will result in significant cumulative adverse impacts to an already exacerbated circulation system.

Respectfully, Tony Ciani, Tony Ciani, 220 Walnut Street, Pacific Grove, CA 93950

Cc: City of Pacific Grove; and, Coastal Commission

September 28, 2020

Rob Mullane, AICP, Consulting Planner  
Community and Economic Development Department  
City of Pacific Grove  
400 Forest Avenue Pacific Grove, CA 93950  
Via email: [rmullane@hrandassociates.org](mailto:rmullane@hrandassociates.org)

**RE: American Tin Cannery (ATC) Hotel and Commercial Project – Draft Environmental Impact Report (DEIR) COMMENT ON CHAPTER 14. LAND USE AND PLANNING**

Dear Rob:

The City Local Coastal Program (LCP) was recently certified (2020) and some of the ordinances in the LCP will need to be amended to correct internally conflicting policies and implementing strategies. The City's administration procedures for this project are an example of the ordinances ability to carry out the policies of the Land Use Plan. Two significant examples that could have consequential impacts on the decision-making process are:

- 1) Noticing Procedures including requirements for story poles, marking trees proposed for removal as described in more detail in my letters to you dated (9-2-2020, 9-8-2020 & 9-14-2020);
- 2) Conflicts between the City's procedures for reviewing and listing historical resources as part of the discretionary process; in this case, the City planners claim the subject property is not currently on the City's Historic Resources Inventory (HRI) and they have **not** scheduled the historical review to be conducted by the Historic Resources Committee (HRC) who trained and experienced and would normally screen an unlisted property. Rather, City staff put matter on a future Architectural Review Board agenda to review the historical significance even though, the ARB does not have the experience and training to determine the significance and integrity of a potential historical property.

Those conflicts should be considered at the earliest time as part of the EIR.

Respectfully,

Tony Ciani,

Tony Ciani, 220 Walnut Street, Pacific Grove, CA 93950

Cc: City of Pacific Grove City Council  
Coastal Commission

150-1

September 28, 2020

Rob Mullane, AICP, Consulting Planner  
Community and Economic Development Department  
City of Pacific Grove  
400 Forest Avenue Pacific Grove, CA 93950  
Via email: [rmullane@hrandassociates.org](mailto:rmullane@hrandassociates.org)

**RE: American Tin Cannery (ATC) Hotel and Commercial Project - Draft  
Environmental Impact Report (DEIR) – Compliance with CEQA 2.0**

Dear Rob,

I am writing to follow up on the specific comments and other letters regarding this EIR. I believe some of the technical and procedural points I have raised will require a revision of key elements of the Draft EIR and I request that the revised documents be recirculated per CEQA with the new evidence to support the unsubstantiated findings in the current edition of the report. Furthermore, you will see that I have as a qualified historic preservation architect, recommended an independent (peer) review of the historical significance and integrity for listing the site and buildings on the National Register of Historic Places. The likely candidate for that assessment work be the State Office of Historic Preservation (SOHP). That status is linked to the study of federal tax credits for rehabilitation as part of a reasonable alternative to the proposed demolition of historic resources.

Please keep me informed about the status of the EIR.

Sincerely,

Tony Ciani,

Tony Ciani,  
220 Walnut Street, Pacific Grove, CA 93950

CC: California Coastal Commission  
California Office of Historic Preservation  
City of Pacific Grove

151-1

# Letter 152

## Proposed Hotel Project in Pacific Grove

Thomas Lindberg <monsquid@hotmail.com>

Mon 9/28/2020 12:45 PM

To: R Mullane <rmullane@hrandassociates.org>

Good Afternoon Mr. Mullane:

I am a long-time resident of Pacific Grove, having lived here from 1995 to 2007, and now again for the last five years. My wife and I love the "Last Hometown" feel and are dismayed at the scope of the proposed hotel near the American Tin Cannery. We haven't had the time to fully peruse the environmental documents, but it does not look like an appropriate use of the property. There is already too much traffic in the immediate area, due to attractions like the ocean, the recreational trail/bike path, the Aquarium and Cannery Row. And we hate to see more trees removed for development.

152-1

Sincerely,

Thomas Lindberg  
Pacific Grove

## ATC Hotel & Commercial Project

Wendi Giles <wendigiles510@gmail.com>

Mon 9/28/2020 3:32 PM

To: citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; dave@laredolaw.net <dave@laredolaw.net>; heidi@laredolaw.net <heidi@laredolaw.net>

Cc: R Mullane <rmullane@hrandassociates.org>

Dear Mayor, Mayor Pro-Tem, and City Council Members,

I am opposed to the scale of the proposed ATC Hotel project.

I made it down to the site to view the 48 hour postings to assess the size of this 225 room complex and WOW, the proposal is totally out of scale with the Community that surrounds it.

Have YOU really looked at the roof line on this?

Please have story poles and balloons installed so that the Public can really see what is going here.

Thank you,

Wendi Giles

Sent from my iPhone

153-1