# CITY OF PACIFIC GROVE

## HOTEL DURELL

### FINAL ENVIRONMENTAL IMPACT REPORT

*Prepared for:*

CITY OF PACIFIC GROVE
300 FOREST AVENUE
PACIFIC GROVE, CA 93950

*Prepared by:*

Michael Baker
INTERNATIONAL

60 GARDEN COURT, SUITE 230
MONTEREY, CA 93940

**JULY 2018**

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## 1.1 PURPOSE OF THE EIR PROCESS

This Final Environmental Impact Report (Final EIR) is an informational document prepared by the City of Pacific Grove (City) to evaluate the potential environmental impacts of the proposed Hotel Durell project (the project). The primary objectives of the EIR process under the California Environmental Quality Act (CEQA) are to inform decision-makers and the public about a project's potential significant environmental effects, identify possible ways to minimize significant effects, and consider reasonable alternatives to the project. This EIR has been prepared with assistance from the City's environmental consultants, Michael Baker International, along with Hexagon Transportation Consultants and Viz f/x, and reviewed by City staff for completeness and adequacy in accordance with Public Resources Code (PRC) Sections 21000–21177 and the CEQA Guidelines.

As prescribed by CEQA Guidelines Sections 15088 and 15132, the lead agency (in this case, the City of Pacific Grove) is required to evaluate comments on environmental issues received from persons who have reviewed the Draft EIR and to prepare written responses to those comments. The Final EIR for the project comprises this document, together with the Draft EIR (incorporated by reference in accordance with CEQA Guidelines Section 15150. Pursuant to CEQA requirements, the City must certify the Final EIR as complete and adequate prior to approval of the project.

This Final EIR contains individual responses to each written and verbal comment received during the public review period for the Draft EIR. In accordance with CEQA Guidelines Section 15088(b), the written responses describe the disposition of significant environmental issues raised. The City and its consultants have provided a good faith effort to respond in detail to all significant environmental issues raised by the comments.

## 1.2 RESPONSE TO COMMENTS AND FEIR REVISIONS

A Notice of Availability was published by the City and distributed to interested parties on August 31, 2017. The Draft EIR was posted on the City's website and available for public review and comment between September 11, 2017, and October 26, 2017. Comments received during the public review period are addressed in this Final EIR.

## 1.3 EIR CERTIFICATION PROCESS AND PROJECT APPROVAL

In accordance with the requirements of CEQA, the Planning Commission must certify the EIR as complete and adequate prior to taking action on the proposed Hotel Durell project.

Once the Final EIR is certified and all information considered, using its independent judgment, the City can take action on the project. While the information in the Final EIR does not control the City's decision, the City must respond to each significant effect and mitigation measure identified in the EIR by making findings supporting its decision.

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This Final Environmental Impact Report (Final EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et seq.) and CEQA Guidelines (California Code Regulations Section 15000 et seq.). The City of Pacific Grove (the City) is the lead agency for the environmental review of the proposed Hotel Durell project (the project) and has the principal responsibility for approving the project. This Final EIR assesses the expected environmental impacts resulting from the approval and implementation of the project and responds to comments received on the Draft EIR.

## 2.2 RESPONSES TO COMMENT LETTERS ON THE PUBLIC DRAFT EIR

The following commenters submitted written comments on the Draft EIR. The comment period for the Draft EIR began September 11, 2017, and ended October 26, 2017. Confirmation of lead agency compliance with CEQA for public review of the Draft EIR was received from the Governor's Office of Planning and Research on September 12, 2017.

**TABLE 2.0-1**
**COMMENTS RECEIVED ON PUBLIC DRAFT EIR**

| Letter | Name | Date Received |
|---|---|---|
| **Agencies/Individuals** | | |
| AF | Andrea Fernandez | October 18, 2017 |
| AH | Anita Hilton | October 16, 2017 |
| AD | Allen Davis | October 19, 2017 |
| BA | Betty Aickelin | October 11, 2017 |
| CM | Cindi McCormack | October 16, 2017 |
| CG | Carolyn Griffin | October 14, 2017 |
| DF | Donna Foot | October 18, 2017 |
| DS | Donna Stewart | October 15, 2017 |
| DD | David Dilworth | October 18, 2017 |
| EF | Elizabeth Fisher | October 12, 2017 |
| GDG | Gerald (Jerry) Deiter Griffin | October 14, 2017 |
| EHarv | Everyone's Harvest | October 12, 2017 |
| JBecom | Jeffrey Becom | October 19, 2017 |
| JH-a | Jane Haines | October 4, 2017 |
| JH-b | Jane Haines | October 16, 2017 |
| JH-c | Jane Haines | October 16, 2017 |
| JT | James Thorsen | October 12, 2017 |
| JV | Jeffrey Varnum | September 27, 2017 |
| JB | Jennifer Bicket | October 19, 2017 |
| JM | John Moore | September 20, 2017 |
| MLS | Maryanne Larson-Spradling | October 16, 2017 |

| Letter | Name | Date Received |
|---|---|---|
| NK | Nina Killen | October 12, 2017 |
| NH | Nan Heller | September 20, 2017 |
| PB | Peter Bolton | October 12, 2017 |
| PV | Patsy Volpe | October 18, 2017 |
| RF | Robert Fisher | October 12, 2017 |
| RH | Roberta Hall | October 13, 2017 |
| RG | Robert Gunn | September 27, 2017 |
| SD | Sarah Diehl | October 12, 2017 |
| SMil | Sharon Miller | October 12, 2017 |
| SMoo | Sally Moore | October 16, 2017 |
| WS-a | William L. Siegfried | October 18, 2017 |
| WS-b | William L. Siegfried | October 4, 2017 |
| YZC | Y. Zena Corby | October 16, 2017 |
| MPMWD | Monterey Peninsula Water Management District | October 6, 2017 |
| LCian-a | Lisa Ciani | October 12, 2017 |
| L-Cian-b | Lisa Ciani | October 26, 2017 |
| KB | K Kubica | October 26, 2017 |
| CS | Claudia Sawyer | October 25, 2017 |
| ADow | Anne Downs | October 15, 2017 |
| DH | Diana Howell | October 26, 2017 |
| JS | Joanna Smith | October 19, 2017 |
| LS | Lucy Stewart | October 26, 2017 |
| SG | Shirley Graham | October 26, 2017 |
| ACian | Anthony A. Ciani | October 26, 2017 |
| LMR | Louise J. Miranda Ramirez: Ohlone/Costanoan-Esselen Nation | October 26, 2017 |
| ILD | Inge Lorentzen Daumer | October 26, 2017 |
| LC | Luke Coletti | October 26, 2017 |
| DB | Cosmo Bua | October 26, 2017 |
| DBig | Debreon Bigelow | October 31, 2017 |
| SAberg | Sally Aberg | October 12, 2017 |
| SHall | Scott Hall | October 26, 2017 |

## 2.3 REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

CEQA Guidelines Section 15088 requires that lead agencies evaluate all comments on environmental issues received on the Draft EIR and prepare a written response. The written response must address the significant environmental issue raised and must be detailed, especially

when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, there must be a good faith and reasoned analysis in the written response. However, lead agencies need only respond to significant environmental issues associated with the project and do not need to provide all the information requested by commenters, as long as a good faith effort at full disclosure is undertaken in the EIR (CEQA Guidelines Section15204).

CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible impacts on the environment and ways in which the project's significant effects might be avoided or mitigated. This section also notes that commenters should include an explanation and evidence supporting their comments. Pursuant to CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence supporting such a conclusion.

Where changes to the Draft EIR text result from responding to comments, those changes are included in the response and demarcated with revision marks: underline for new text, ~~strikeout~~ for deleted text.

CEQA Guidelines Section 15088 recommends that where a response to comments results in revisions to the Draft EIR, those revisions be incorporated as a revision to the Draft EIR or as a separate section of the Final EIR. Revisions to the Draft EIR are incorporated as Section 3.0 of this Final EIR.

## 2.4 MASTER RESPONSES

Below are responses to comments received on the proposed project during the Draft EIR public review process. Nine master responses have been prepared to respond to similar comments. Specific comment letters have been addressed below in subsection 2.5, Responses to Individual Comment Letters.

### MASTER RESPONSE 1: TRAFFIC SAFETY

Commenters expressed concerns about existing traffic conditions in the project area as they pertain to unsafe conditions for bicyclists and pedestrians. In 2015, the California Supreme Court held that CEQA generally does not require a lead agency to consider the impacts of the existing environment on the future residents or users of a project.[1] Specifically, the decision held that an impact from the existing environment on the project, including future users and/or residents, is not an impact for purposes of CEQA. However, if the project, including future users and residents, exacerbates conditions that already exist, that impact must be assessed, including how it might affect future users and/or residents of the project.

An analysis was performed of the current pedestrian and bicycle system in the project area and found that the project, through the addition of pedestrians, would exacerbate current potentially unsafe conditions. However, the applicant would work with the City as part of its conditions of approval to do the following:

[1] *California Building Industry Association v. Bay Area Air Quality Management District* (2015) Cal.4th (Case No. S213478).

Conditions of Approval

1. The project applicant shall work with the City's Public Works Department to add crosswalks at the Grand Avenue/Central Avenue intersection and at the Fountain Avenue/Central Avenue intersection. The crosswalks shall be speed tables (raised crosswalks) with crossing lights embedded in the pavement and a pedestrian-activated push button on each street corner. Proposed crosswalk improvements are shown in **Figure 3.4-4 Project Crosswalk Improvements**. The revised figure is presented in **Section 3.0, Amendments to the DEIR**.
2. The project applicant shall work with the City's Public Works Department to install stop signs at the intersection of Central Avenue and Fountain Avenue to make the intersection a four-way stop.
3. The project applicant shall work with the City's Public Works Department to increase the width of the sidewalk along the eastern edge of Jewell Park to approximately 18 feet to accommodate increased pedestrian/vendor activity during special events such as the farmers market.

In addition, the applicant would help the City work with the Farmer's Market organizers to relocate the market. With implementation of these conditions of approval, project impacts on pedestrian facilities would be less than significant. See Final EIR Section 3, Amendments, for changes to Section 3.4 of the Draft EIR.

Condition of approval 2 requires the project applicant to work with the City's Public Works Department to install stop signs at the intersection of Central Avenue and Fountain Avenue to make the intersection a four-way stop. The City has determined that a four-way stop at this intersection is warranted and will be installed in the near future. With the addition of stop signs, sidewalks in the project area, and widening of the sidewalk, potential impacts from the proposed project would be reduced to a less than significant level.

In addition, the City would approve the project applicant's construction traffic management plan once it is submitted, which would identify the specific routes construction equipment would take to and from the project site.

## MASTER RESPONSE 2: PROJECT TRAFFIC

As discussed in Draft EIR Section 3.4, Transportation and Traffic, it is estimated that the proposed hotel would generate 40 fewer daily trips and a net additional 46 AM peak-hour trips and 12 PM peak-hour trips than the traffic generated by the existing uses.

The project's vehicle trips were estimated using the Institute of Transportation Engineers' (ITE) trip generation rates for hotels. This is the national standard for all traffic analyses and is updated frequently based on available data. Through empirical research, data has been collected that quantifies the amount of traffic produced by common land uses. The magnitude of traffic added to the roadway system by a particular development is estimated by multiplying the applicable trip generation rates by the size of the development. Based on the ITE trip generation rates, it is estimated that the proposed hotel would generate 746 daily trips, with 66 trips occurring during the AM peak hour and 75 trips occurring during the PM peak hour. In addition, the project's additional traffic to the roadway system was estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. The first step estimates the amount of traffic added to the roadway network. The second step estimates the direction of travel to and from the project site. The new trips are assigned to specific street segments and intersection turning movements during the third step.

Trips associated with the existing uses on the project site were subtracted from the project's estimated trips since the site uses were occupied at the time traffic counts were collected. Therefore, traffic associated with the existing site uses is included in existing traffic data. The existing 17,650 square feet of retail/restaurant uses include a martial arts studio, a window and door store, a fabric store, an antique store, a treasure shop, and a restaurant. As was done for the project, traffic generated by the existing uses was calculated using ITE generation rates. Based on the ITE rates, the existing site uses are estimated to currently generate 786 daily trips, with 20 trips occurring during the AM peak hour and 63 trips occurring during the PM peak hour.

Based on the application of ITE trip generation rates for hotel uses and credit for existing uses on the project site, it is estimated that the proposed hotel would generate 40 fewer daily trips and a net additional 46 AM peak-hour trips and 12 PM peak-hour trips. These additional trips would not result in the degradation of level of service or an increase in average delay on the stop-controlled approaches by more than 1 second during each of the peak hours analyzed. Additionally, the project trips would not meet the volumes necessary to require a stop light at the intersections. Therefore, the project would have a less than significant impact on traffic.

## MASTER RESPONSE 3: PARKING

Under current CEQA thresholds, parking demand and supply are not considered environmental impacts. Per the City of Pacific Grove Municipal Code (Section 23.64.190, Off-Street Parking, Storage), one parking space per four rooms is required for hotel uses. Per the code section, the Planning Commission may require additional parking at a ratio of one space for each 50 square feet of accessory dining area. The proposed hotel would include 125 rooms with 1,600 square feet of dining area. Based on the City's parking requirements, the proposed project would be required to provide 64 off-street parking spaces. The project would meet the City's parking requirement by providing a total of 83 valet parking spaces (55 spaces on-site and 28 off-site spaces).

Additionally, the project site is located in the Parking District that was established over 40 years ago. The district created several municipal parking lots so that the downtown could remain an urban, pedestrian-friendly environment. As such, the hotel is exempt from providing off-street parking for the hotel's first-floor component. Additionally, the City's Community Development staff have researched occupancy rates for hotels in the city. The occupancy rate in recent history has consistently been 63 percent based on the City's Hotel Improvement District records. This research suggests that, on average, 80 rooms out of 125 would be occupied at any one time. Proposed on-site and private off-site parking would accommodate the hotel's parking needs.

In addition, the City will impose a condition of approval on the project as follows:

> Employee Parking: Employee parking will be restricted to the Lighthouse Theater Municipal Parking Lot. Employees shall not be allowed to park in the hotel parking lot or on nearby streets. The project will strictly enforce this policy.

### MASTER RESPONSE 4: MASSING AND VISUAL CHARACTER

Commenters expressed concern regarding the project's massing and potential impacts on the area's visual character. Comments also focused shade and shadow impacts.

The Light Commercial, Hotel, Condominium District (C-1-T) zoning district was enacted July 16, 2015 by citizen initiative following attempts to locate hotels of various sizes (at times larger) on the project site. As written in Ordinance Number 1951 (see **Appendix D**), "Section 1. The People of the City of Pacific Grove find as follows:

(a) Although current regulations prohibit hotels and severely limit condominium development in the downtown area, limited hotel and condominium use in the downtown would stimulate and enhance commerce and commercial growth in that area.
(b) The block bounded by Lighthouse Avenue, Grand Avenue, Central Avenue and Fountain Avenue presents not only a central, convenient location for hotel and/or residential use, but also is the site of a large, unique, presently vacant building ideally suited for a mixed hotel/retail use.
(c) Hotel and/or residential use on the referenced block, given its proximity to the core retail uses in the downtown, would be especially beneficial to the vigor of city's economy.
(d) Hotel use on the block bounded by Lighthouse Avenue, Central Avenue and Fountain Avenue is consistent with historic use of this property in that from 1887 to 1918 a three-story, 114-room hotel, known first as the El Carmelo Hotel and later as the Pacific Grove Hotel, was located on this site.
(e) City's draft general plan provides that hotel use and/or mixed commercial/residential uses are appropriate and to be encouraged in the downtown area."

The project would not exceed any of the standards for height or setbacks established by the citizen initiative. Additionally, the project would be subject to the requirements of the City's Use Permit. The project would be reviewed by the Architectural Review Board and the Planning Commission, which may condition the development to modify the bulk and mass.

The General Plan states, "The City took the lead in proposing a successful ballot measure allowing hotel and condominium development on the former Holman's Block.[2] This change is intended to attract development of and investment in the Holman anchor block that will increase City revenue while maintaining the character of the Downtown and the city." Therefore, the project would be consistent with what the City envisioned for the project site.

### Project Site Historical Context

Commenters expressed concern as to how the height and mass of the proposed project would impact the city's historic context. The project site was previously occupied by a similarly sized hotel, described as follows. The El Carmelo Hotel, Pacific Grove's first building of a true hotel pattern, officially opened to guests on May 20, 1887. It was located on Lighthouse Avenue between Fountain and Grand where the Holman Building now stands and covered the entire block from Lighthouse to Central. The hotel building covered the rear two-thirds of the block, with the front third dedicated as a park with a large lawn, paths, and trees. It was built by the Pacific Improvement Company and included six cottages, which were built earlier in 1883 across the street on Grand Avenue (Page and Turnbull 2011).

The building was three stories high plus an attic and contained 114 rooms, broad staircases, an elevator, and many means of exit and entrance. Each room was plumbed with Carmel River water and lighted with gas manufactured on the premises. The hotel was built around a courtyard. It enjoyed some measure of success, especially after the Hotel Del Monte in Monterey burned in late 1887**. Figure 2-1** includes pictures of the original hotel.

The El Carmelo Hotel advertised itself as the tourist and family hotel of Pacific Grove, where everything was first-class at a moderate cost. Room and board could be had for as little as $14.00 a week. Guests at the El Carmelo Hotel were also entitled to all of the privileges of those of the Hotel Del Monte, including use of the golf links. Many brochures also referred to the El Carmelo as "The Little Del Monte." It was "intended for those who would prefer a quieter and less exacting life than that of the more fashionable resort." Around 1908, the hotel underwent renovations and the name was changed to the Pacific Grove Hotel. The name change took place to avoid confusion with the new town of Carmel and to take advantage of the advertising being done by the Board of Trade for the city of Pacific Grove. On September 25, 1909, the Pacific Improvement Company closed the hotel because it was not profitable. However, after unsuccessful attempts to lease the hotel for other purposes and responding to the pressure applied by the local Board of Trade, the hotel reopened in early 1910 (Pacific Grove Heritage Society, 2002).

### Visual Character

Per recent guidance from the Governor's Office of Planning and Research (OPR), visual character is a particularly difficult issue to address in the context of environmental review, in large part because it calls for exceedingly subjective judgments. Both federal and state courts have struggled with the issue of precisely what questions related to aesthetics are relevant to an analysis

[2] City Council Resolution No. 6394 established "a new zoning district allowing hotel use in, and modifying regulations applicable to, an area of downtown defined by the block bounded by Lighthouse Avenue, Grand Avenue, Central Avenue, and Fountain Avenue." This resolution was passed by the voters of Pacific Grove on June 7, 1994 and became effective on July 16, 1994. Refer to **Appendix D** of this Final EIR.

of environmental impact.[3] As a practical matter, infill projects are often challenged on the grounds of aesthetics. For instance, Public Resources Code Section 21099(d) exempts certain types of infill projects from the requirement to analyze aesthetics.

For these reasons, OPR proposes to recast the existing question on "visual character" to ask whether the project is consistent with zoning or other regulations governing visual character. This change is intended to align with the analysis of the aesthetics issue in the Bowman case, supra. The court in that case noted that almost every city has enacted zoning ordinances to improve the appearance of the urban environment, and architectural or design review ordinances, adopted solely to protect aesthetics, are increasingly common. While those local laws obviously do not preempt CEQA, the court agreed that aesthetic issues are ordinarily the province of local design review, not CEQA.[4] This revision is also consistent with the proposed changes in CEQA Guidelines Sections 15064 and 15064.7 that recognize the appropriate role of environmental standards in a CEQA analysis (OPR 2017).

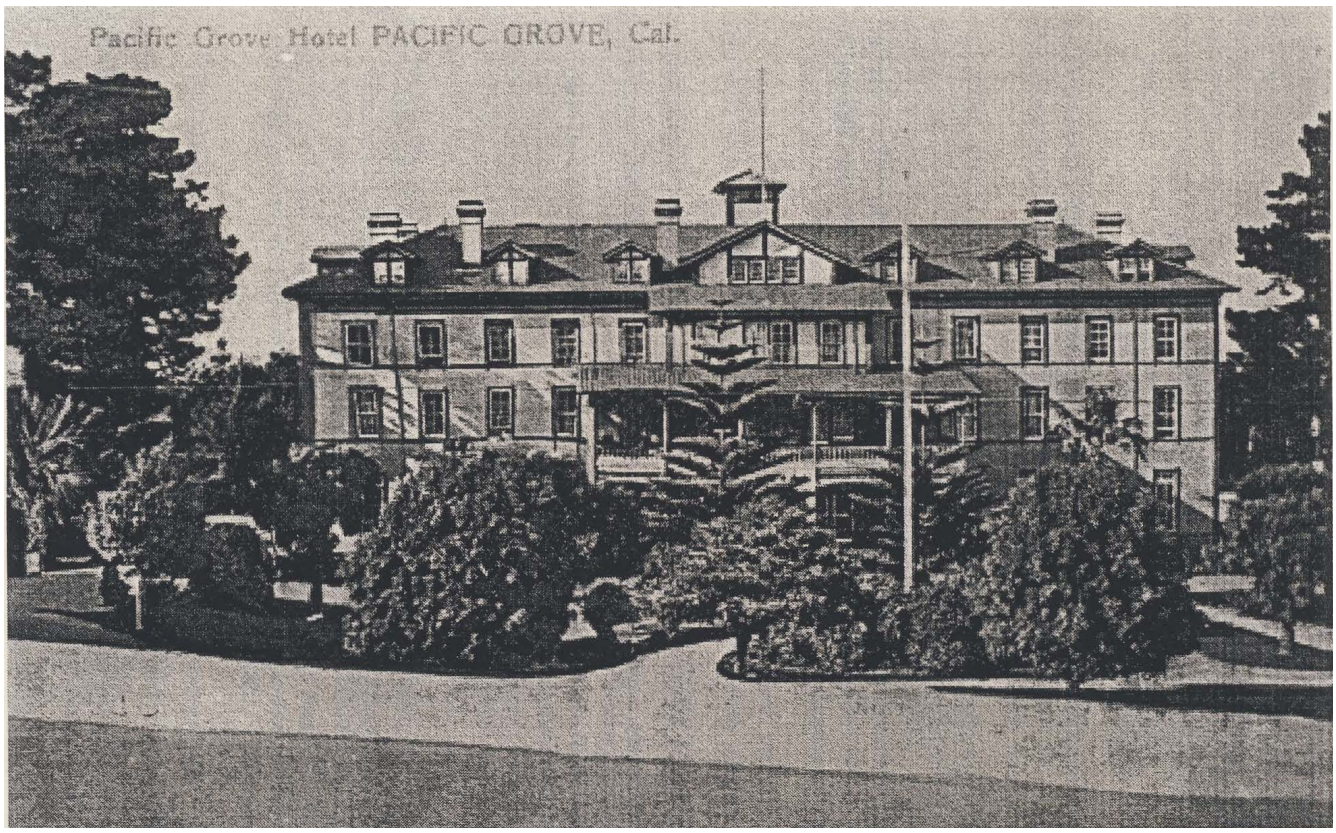
Therefore, the City would ultimately evaluate project's aesthetics during its Architectural Review Process, and could require changes to design, massing, color or form. Then the City would make a finding regarding the project's architectural compatibility.

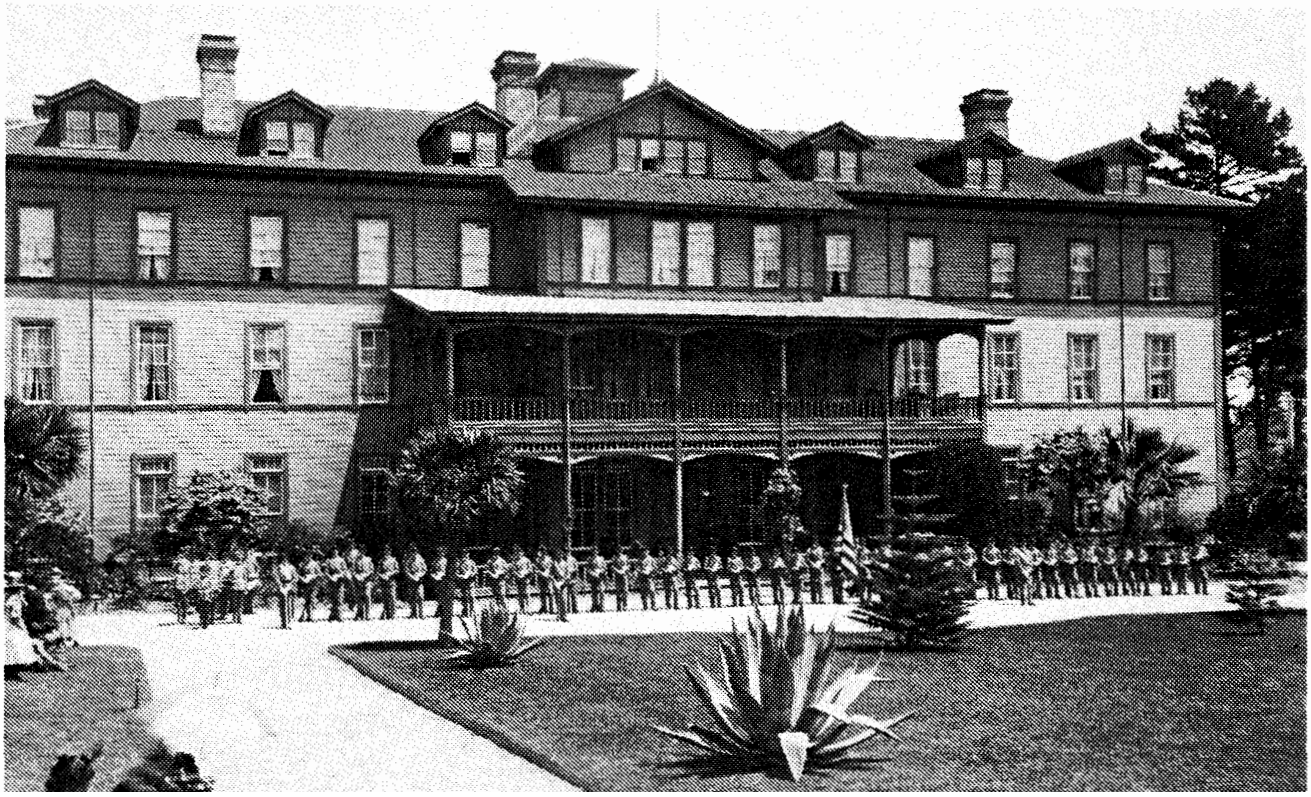
### Shade and Shadow

The current CEQA Guidelines Appendix G Environmental Checklist does not include an evaluation of shade and shadow. Additionally, the City of Pacific Grove has not added shade and shadow impacts in its CEQA thresholds of significance. In Draft EIR Section 3.1, Aesthetics, this discussion is included for informational purposes. Shade and shadow effects are limited in Pacific Grove because of building height limits enforced by the City. Under the current zoning, the project's maximum allowed height is 40 feet (Pacific Grove Municipal Code Section 23.31.040). Per State Supreme Court findings, compliance with zoning and permitting standards can establish the absence of a significant impact for issues such as the visual effects of project design, which are normally governed by such standards.[5] See discussion under Visual Character, regarding Architectural Review Process.

[3] Maryland-National Cap. Pk. & Pl. Com'n. v. U.S. Postal Serv. (D.C. Cir. 1973) 159 U.S. App. D.C. 158; see also Bowman v. City of Berkeley (2006) 122 Cal.App.4th 572.
[4] Bowman v City of Berkeley (2004) 122 CA4th 572, 593.
[5] *Ibid.*

T:_CS\Work\Pacific Grove, City of\153941_Pacific Grove Hotel\Figures



Source: Heritage Society of Pacific Grove, 1984; 2002

**FIGURE 2-1**
Historic Pacific Grove Hotel

Michael Baker
INTERNATIONAL

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In 1918, when the Pacific Improvement Company was liquidating the Del Monte Properties Company, it was decided to sell the hotel. W. R. Holman showed interest in buying the hotel for $14,000 but was advised that it was not a profitable business decision. As no one else was interested in buying the hotel, it was carefully dismantled and the wood used in the reconstruction of the Lodge at Pebble Beach. The vacant block was then offered to the Holman Company in 1919 for $10,000. The block remained vacant through 1920. In 1921, the Holman Department Store opened an auto repair garage and parts store at the corner of Fountain and Central. In 1924, construction began on the new Holman Department Store.

The project site was occupied by a similar use, with a similar mass and number of rooms, throughout the establishment and development of the city as it stands today.

### Additional Visual Simulation

Based on comments, an additional visual simulation of the project was prepared (**Figure 2-2**). This simulation shows the perspective of the project from the southwest on Grand Avenue facing northeast. The proposed project would be smaller in height than the adjacent Holman Building project on the corner of Grand Avenue and Lighthouse. This graphic also shows the project's proposed four stories, including the parking garage.

## MASTER RESPONSE 5: WIDENING THE SIDEWALK

Commenters expressed concern that the proposed widening of the sidewalk adjoining Jewell Park would impact historic and community resources in the park, including the gazebo, wall plaque, and "Little House." Additionally, another commenter expressed concerns regarding the displacement of vendors due to the proposed sidewalk widening.

The 18-foot sidewalk widening would not impact resources of concern within and adjacent to the park. Before the sidewalk is installed, the City will determine whether the farmers market operations need to be reconfigured or moved. For example, displaced vendors on Central could be moved to Grand Avenue in a southward (uphill) direction where there are currently no vendors. No historic resources would be impacted by the sidewalk widening. In addition, the project applicant would help the City work with the Farmer's Market organizers to relocate the market.

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T:_CS\Work\Pacific Grove, City of\153941_Pacific Grove Hotel\Figures

**BEFORE**

**AFTER**

Source: Viz F/X, 2017

**FIGURE 2-2**
Visual Simulation

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INTERNATIONAL

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### MASTER RESPONSE 6: CONSTRUCTION NOISE IMPACTS

Commenters noted that project construction noise would disturb users of Jewell Park and the farmers market. As described in Draft EIR Section 3.3, Noise, construction noise depends on the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between noise sources and noise-sensitive receptors. Construction noise is short term and intermittent, and can vary throughout the construction duration as different equipment is used. Per Pacific Grove Municipal Code Section 11.96.040, Construction Noise Time Limits, the City regulates construction time periods to protect neighbors and the community from excessive noise. All noise-generating construction activities, as well as delivery and removal of materials and equipment, are limited to the hours between 8:00 a.m. and 6:00 p.m. Monday through Saturday and between 10:00 a.m. and 5:00 p.m. on Sundays. Additionally, according to the General Plan Health and Safety chapter, due to the temporary nature of such activities, construction is exempt from noise requirements. Therefore, the project would not result in a substantial impact from construction noise, and impacts would be less than significant.

In addition, the City will impose a condition of approval on project construction as follows:

> Project Construction on Mondays: The project will cease construction on Mondays from 1 p.m. to 5 p.m. on the Grand Avenue side of the project site. This restriction applies to ground-disturbing and exterior construction but does not include interior work. This restriction will last for the duration of construction.

### MASTER RESPONSE 7: COASTAL ZONE PERMITTING

The project is not located in the Coastal Zone (Pacific Grove 2014). Therefore, the California Coastal Commission does not have jurisdiction over the proposed project. As described in Draft EIR Section 3.1, Aesthetics, the project would not impact coastal resources, as it would not impact scenic views from public spaces.

Widening of the Jewell Park sidewalk would require a Coastal Development Permit, which would be the City's responsibility. Before the sidewalk is widened, the City would be required to comply with applicable California Coastal Commission standards.

### MASTER RESPONSE 8: WATER USAGE

Commenters expressed concern about water rates used in the Draft EIR, the City's process for approving projects related to water permits, and adequate water supply. Commenters were also concerned about the amount of water that the project would require.

As described in Draft EIR Section 3.6, Utilities and Service Systems, water use was calculated using water use rates in the Pacific Institute's Waste Not, Want Not: The Potential for Urban Water Conservation in California, Appendices D and E, which detail water use for commercial and industrial uses. However, as stated in Letter MPWMD, the Monterey Peninsula Water Management District (MPWMD) uses water rates that differ from the rates used in the Draft EIR. As part of future project approvals, the project would require a Water Permit from the MPWMD, which would include calculations of project water usage using MPWMD rates at the time of permit application.

Therefore, to be consistent with the MPWMD rates, page 3.6-5, paragraph 10, of the Draft EIR is revised as follows:

> Water use was calculated using water use rates in the ~~Pacific Institute's Waste Not, Want Not: The Potential for Urban Water Conservation in California, Appendices D and E,~~ Monterey Peninsula Water Management District's (MPWMD) Rule 24, Calculation of Waster Use Capacity, Table 1: Residential Fixture Unit Count Values and Table 2: Non-Residential Water Use Factors (MPWMD 2012). ~~which detail water use for commercial and industrial uses. The calculation is included as Appendix UTL.~~ Current water usage on the site is 1.7 acre-feet per year. According to the MPWMD, the project's water use would be ~~approximately~~ ~~5.78~~ at least 12.5 acre-feet per year. As such, the increase in water use for the project would be ~~approximately 4.08~~ at least 10.8 acre-feet per year.

Because of the limited water supply in the area, Pacific Grove Municipal Code Chapter 11.68, Water Allocation Regulations, regulates water allocation in the city, including allocation of potable water, fixture unit allocations, readiness for building permit applications, building permit time limits and review of allocation regulations. Per Chapter 11.68, water is allocated in percentages and amounts to four categories: residential, commercial, governmental, and City-administered community reserve. Building permits are not issued for projects for which water is not available. For projects requiring discretionary land use entitlements (such as the proposed project), proof of readiness to apply for a building permit includes the final discretionary approval (including the CEQA process) and submittal of all materials or plans normally required to be filed with a discretionary permit application. Therefore, the project is required to go through the CEQA process to be placed on the prioritized waiting list. No building permit would be granted until water is available to serve the project.

As discussed on page 3.6-6 of the Draft EIR, the City of Pacific Grove does not currently have sufficient water supplies available to serve the project. Because the City does not have sufficient water supplies to serve the project, this impact would be potentially significant. The Draft EIR includes mitigation measure MM 3.6.1, which prohibits the project applicant from proceeding with any project implementation activities until the necessary water supplies are secured. Therefore, even after certification of the EIR and project approval, the City would not issue a building permit for the project until water is available. The project is subject to the same process as any other discretionary project in the city where project water demand exceeds the allocation, and the analysis in the Draft EIR is required for the project to be placed on the City's prioritized water waiting list.

Regarding water supply for new projects, as stated above, the City prioritizes water allotment for the four categories cited in the Municipal Code. The City Council must consider all applications on the water waiting list as water becomes available, balancing the proposed use and the needs of the community. As stated in the Draft EIR, the project would include water-efficient fixtures and drought-resistant landscaping such as low-flow water fixtures in guest rooms and common areas and water-saving restaurant kitchen facilities. Additionally, the project would be subject to MPWMD rules and regulations for water efficiency for plumbing fixtures and landscaping. These water-efficient fixtures and landscaping would ensure that the project would not waste water and would be consistent with all MPWMD requirements for water efficiency.

### MASTER RESPONSE 9: OTHER PROJECT EFFECTS

Several comments focus on the project's potential community character, economic and social effects, which are not "significant environmental impacts" under CEQA. In evaluating potential economic or social effects of the proposed project, the Draft EIR reflects CEQA Guidelines Section 15382, which states:

> "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant" (emphasis added).

Economic or social changes (such as community character, economic effects and quality of life) are not considered to be significant environmental impacts under CEQA unless those changes contribute to a significant physical impact. It is important to note that CEQA analysis represents one factor in the City Council's decisions regarding the project; however, the Council may consider factors other than environmental impacts, such as economic and social impacts, in reaching its final decision.

## 2.5 RESPONSES TO INDIVIDUAL COMMENT LETTERS

Written comments on the Draft EIR are reproduced on the following pages, along with responses to those comments. 52 comment letters were received—1 from a public agency, 1 from a public interest group, and 50 from individuals.

- Comment letters are generally coded by abbreviations, and each issue raised in the comment letter is assigned a number (e.g., Comment Letter AF, comment 1 is referred to as AF-1).

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# Letter AF

> Dear
> Ms. O'Halloran,
>
> I would like voice my
> opinion on the proposed Durrel building project. I am
> strongly opposed to it for the following reason:
>
> 1. Increase traffic 1
> 2. Limit parking 2
> 3. Increase noise 3
> 4. Not within the original 4
> vision of Pacific Grove
> 5. Potentially taking business away from local 5
> charming B and B's
>
>
> As a
> small business owner in Pacific Grove parking just from the
> construction of the Holman building has significantly
> limited parking for both my customers and employees. 6
> Business has dropped drastically since the start of
> construction of the Holman building. I can imagine adding a
> 125 bed hotel. I might as well close my business doors.
>
>
> A little background, my
> grandparents met at the Centrella Hotel. Four generations of
> my family have walked in the Buttefly Parade. I've
> raised my daughter in the Pacific Grove. Seven years ago, I
> opened a small business in the Pacific Grove. I've been 7
> on the board of the Historical Society and my heritage home
> was on the annual home tour. As you can see, my roots run
> deep. I am committed to progress, but it needs to fit into
> the vision of the last home town.
>
> People live and visit
> Pacific Grove for its charm and quaintness. Preserving the
> way of life in Pacific Grove is vital to maintaining its
> qualities.
>
> Sincerely,
> Andrea Fernandez, RN
>

## RESPONSE TO LETTER ANDREA FERNANDEZ (AF)

### Response to Comment AF-1

*The commenter is opposed to increased traffic from the project.*

See Master Response 2: Project Traffic.

### Response to Comment AF-2

*The commenter is opposed to limited parking resulting from the project.*

See Master Response 3: Parking.

### Response to Comment AF-3

*The commenter is concerned about increased noise from the project.*

As described in Draft EIR Section 3.3, Noise, the project operation would generate local traffic as a result of hotel guests and staff entering and exiting the site. The increase in traffic could increase the ambient noise levels at off-site locations (such as residential uses) in the project vicinity. However, according to the traffic trip generation and operations analysis, the project would generate fewer traffic trips than generated by the existing land uses. The average day-night traffic noise levels associated with the project would be slightly lower than the traffic noise levels generated by existing uses. Since noise levels would be reduced with project implementation, operational impacts would be less than significant.

### Response to Comment AF-4

*The commenter states the project is not consistent with the original vision of Pacific Grove.*

See Master Response 4: Massing and Visual Character.

### Response to Comment AF-5

*The commenter states that the project would potentially compete with existing businesses, including bed and breakfast establishments.*

Refer to Master Response 9: Other Project Effects.

### Response to Comment AF-6

*The commenter is concerned that the project will impact her business, which is located near the project site.*

Refer to Master Response 9: Other Project Effects.

**Response to Comment AF-7**

*The commenter states she is for progress in the city provided associated development aligns with her vision of Pacific Grove's historic heritage.*

Refer to Master Response 9: Other Project Effects.

# Letter AH

Gmail by Google

Debbie Gonzales <dgonzales@cityofpacificgrove.org>

## Anita Hilton 118 Fountain Ave.

1 message

**A. Hilton** <ahfracas@gmail.com>
To: DGonzales@cityofpacificgrove.org

Mon, Oct 16, 2017 at 1:09 PM

To whom,

I am a fourth generation *Californiano*.
As a homeowner I have thirty years invested in Pacific Grove, as many years as a community volunteer, and I had three years as local business owner.
And as of the last 5 years I have witnessed few City Council made decisions which built community or promoted community solidarity.

These days I do not recognize many of the people who walk down the 100 block of Fountain Ave.
Weekly, strangers stare blankly at me, through my window, while they rip flowers and herbs from my garden; the locals, save one, have always knocked and asked for flowers and herbs.
This past Sunday morning a couple walked into my garden and took limes from my tree, while I was three feet away at a car saying goodbye to friends who were local until 3 years ago.
As the couple exited my garden they left commenting "How could anyone have a tree with fruit on it, that would not last where we live."
Never mind the irony of the couple's statement, nor the irony of the timing that my friends had just been lamenting on the apparent decline of Pacific Grove. 1
The damage was done.
I did not want to be an asshole and confront the couple, nor allow my friends to do confront the couple.
I did not want to taint some visitor's view of Pacific Grove.
So instead I allow/ed people to harm something which has take me thirty years to create all because I wanted to support the commercial image of this town.
But I can admit that I am questioning my allegiance to Pacific Grove.

Over the years I have been understanding, patient, and compliant with the events were proposed, passed by council, and staged up Fountain Ave. or ensured the closing Fountain Ave. altogether.
I have never bothered the police each of the times people backed into my car so they could fit in across my driveway to attend their event.
Nor did I call the Police to intervene when three weeks ago a the visitor became verbally abusive after I asked the driver not to park across my driveway.
Recently it has dawned on me that I now feal as though I keep my Victorian and gardens for the sheer enjoyment of strangers, and for the sheer profit being made from some who pimp our town.

Now the city wants to permit the Hotel Durrell.
Never mind those who blow through the crosswalk at the front of the library at Fountain and Central. 2
Never mind the the people who cannot honour the four way stop at Central and Forest.
Never mind the existing traffic which daily drives the wrong way down Fountain Ave.

How little sense it makes to eradicate businesses in order to offer yet more housing. 3
Has anyone researched the number of empty rooms of the existing hotels and B&Bs, recently, over one year, especially now with all the STRs in town? 4

Have we ever had a City Planner who specialized in the planning of community, instead of community planning? 5

I resent those with personal agendas and vendettas which continue to flay this town.

Will someone please consider what the Hotel Durrell will do to the community.
Will anyone on council can adopt altruism and work together to resurrect some semblance of the community Pacific Grove once was. 6

Thirty years ago I bought a house in a small town in a neighborhood with neighbors.
The 100 block of Fountain Ave. is now half empty.

## RESPONSE TO LETTER ANITA HILTON (AH)

### Response to Comment AH-1

*The commenter is concerned that the project would affect long-standing community character.*

Thank you for your comment. This comment does not pertain to the adequacy of the Draft EIR. No changes are required.

### Response to Comment AH-2

*The commenter is concerned about traffic safety in the project vicinity and thinks the project will worsen an already unsafe situation.*

See Master Response 1: Traffic Safety.

### Response to Comment AH-3

*The commenter questions the logic in eradicating existing businesses while building more housing.*

Refer to Master Response 9: Other Project Effects.

### Response to Comment AH-4

*The commenter suggests that the City research empty hotel and B&B rooms before building a new hotel.*

Refer to Master Response 9: Other Project Effects. In addition, as mentioned in Master Response 3: Parking, the City has studied occupancy rates in the area.

### Response to Comment AH-5

*The commenter asks if Pacific Grove has ever had a planner "who specializes in planning of community, instead of community planning."*

Thank you for your comment. This comment does not pertain to the adequacy of the Draft EIR. No changes are required.

### Response to Comment AH-6

*The commenter questions what the project will do to Pacific Grove's small-town communal atmosphere and suggests it has been disappearing for the past several years.*

Thank you for your comment. This comment does not pertain to the adequacy of the Draft EIR. No changes are required.

# Letter AD

Laurel O'Halloran, Associate Planner
City Pacific Grove Community & Economic Development Department
300 Forest Avenue, 2nd Floor, Pacific Grove, CA 93950
16 October 2017

Dear Ms. O'Halloran,

I am writing to you in response to the Draft Environmental Impact Report for the proposed Hotel Durrell on the site at 157 Grand Avenue. I have repeated a number of concerns from my letter of 29 January 2017.

Parking - The City's ratio of one parking space for four hotel rooms is absurd: In large cities with developed public transit infrastructure those figures may make sense, but in Pacific Grove, it makes none. This ratio of spaces to rooms might support the existing small hotel and bed and breakfast infrastructure, but to drop an enormous hotel in a small neighborhood with this parking space to room ratio without reviewing the consequences is unacceptable. Just because this ratio is on the books in the Planning Code does not mean that it cannot or should not be reviewed and revised in the context of a project of this scale. **1**

In particular, the planned hotel is immediately adjacent to the two principal Pacific Grove education facilities outside of the school system, the Library and the Museum. As it stands now, street parking for these facilities is adequate, though neither have a dedicated parking area for patrons. I fear that adding additional load on the street parking in the vicinity of these facilities would impose upon them to the point that their respective patron would abandon them.

Massing of the Structure - Currently, the building on the property is one story on the Central Street elevation. The proposed four-story facade would put the library across the street in shadowed darkness for much of the year. I assume the proposed structure is designed within the height and massing strictures allowed by the Zoning Code, but I would ask the Planners to consider the impact on our public facilities. **2**

Water - In an area where growth is moderated and mediated hy the allocation of water, it would be playing God for the city government to suddenly fmd enough water for a project of this size and nature. When "regular" citizens have to wait in line for years for a handout in order to add a bathroom or expand a kitchen, it would be absurdly hypocritical for the City to allocate water for a pet project that few of the citizens support. **3**

Thank you for taking the time to consider my concerns. I understand that the economics of managing a city budget require a balance of residential and commercial interests, but I feel that approval and development of this particular hotel on this particular location will seriously degrade Pacific Grove's hometown character that so many of us cherish. **4**

Sincerely,
Allen Davis
119 Grand Avenue
Pacific Grove, CA 93950

## RESPONSE TO LETTER ALLEN DAVIS (AD)

### Response to Comment AD-1

*The commenter is concerned about the lack of existing parking for public facilities in the area, especially for the museum and library. The commenter also states that parking ratios for hotels are inadequate.*

See Master Response 3: Parking.

### Response to Comment AD-2

*The commenter notes that the project's four-story façade would shadow the library across the street for much of the year. The commenter assumes the project complies with City zoning regulations for height and massing, but asks City planners to consider the project's impacts to public facilities.*

See Master Response 4: Massing and Visual Character.

### Response to Comment AD-3

*The commenter questions whether enough water will be allocated to the project given that home improvements for city residents have been delayed due to water resources issues in the region.*

See Master Response 8: Water Usage.

### Response to Comment AD-4

*The commenter acknowledges the economic constraints in balancing residential and commercial interests in the city, but thinks the project location will degrade Pacific Grove's "hometown character."*

See Refer to Master Response 9: Other Project Effects, regarding economic impacts and Master Response 4: Massing and Visual Character, which describes the project's compatibility with the city's character in a historic context.

# Letter BA

October 11, 2017

RECEIVED

OCT 11 2017

CITY OF PACIFIC GROVE
COMMUNITY DEV DEPT

Laurel O' Halloran
City of Pacific Grove
300 Forest Ave.
Pacific Grove, CA 93950

Ms. O' Halloran,

I am writing to express concerns and opinions regarding the Draft EIR and proposal(s) for the Hotel Durell.

1. Safety
2. Measures of mitigation that are proposed outside of the C-1-T zone but directly impact and are within the Coastal Zone
3. Parking
4. Traffic
5. Mass build out regardless of which "alternative development" is considered.

1

The proposed project(s) is not only in our neighborhood, the Historic Pacific Grove Retreat, but as importantly, adjacent to the Coastal Zone.

Any proposal(s) should be held to the highest and most thorough degree of scrutiny.

This proposal(s) will create significantly unsafe, hazardous, out of scale and incompatible conditions that degrade and are in conflict with the protections of the surrounding neighborhoods.

2

The Draft EIR makes statements regarding crosswalks and public safety that are not consistent with the California Vehicle Code, therefore misleading and creating a potential hazard.

Mitigating Measures MM3.4.2a, MM3.4.2b and MM3.4.2c are outside of the C-1-T zone and negatively impact the visual and physical characteristics of the neighborhoods and will not mitigate the public safety hazard.

Mitigating Measure MM3.4.2c would physically alter Jewell Park, Grand Avenue and the Public Library, all in the Coastal Zone and the Pacific Grove Retreat.

3

The proposed project(s) within this Draft EIR should be subject to public hearing by the California Coastal Commission. In accordance with the Pacific Grove LUP and the Coastal Act.

4

The Draft EIR needs to address the current public parking spaces in the surrounding area that would be lost as a result of this proposal(s).

5

# Letter BA Continued

The Draft EIR claims the proposal(s) will have only 19 employees. How many on site workers are not employees (contracted workers) and where will all of these people park? 6

The Draft EIR indicates Parking Ground Level: 55 spaces Dedicated Off-Site Lot: 28 spaces, 55+28=83. Then states it provides 97 parking spaces, 14 of which will be shared with the Holman Building. Hasn't the minimum parking requirements for the Holman Building been established? It needs to be clarified which of these projects (Holman or Durell) the 14 spaces are designated in order to fulfill the minim requirements. Also, where and when has it been determined what the minim parking requirements will be for the multiple alternative projects mentioned in this Draft EIR? 7

The proposal(s) contains a pool, spa and fire pit in the courtyard that is open to public view, with no mention of concern for public safety, which needs to be addressed. 8

The Draft EIR understates the daily traffic impact within the pedestrian neighborhood on the whole during and after construction.

Mitigation Measure MM3.4.1 states that construction traffic for hauling materials in and out of the project area shall utilize Forest Avenue and Central Avenue. Also, that construction traffic shall avoid residential areas in the project area. Both Forest and Central Avenues are residential. This does not adequately address the impact. 9

It is my opinion that any permit should limit construction times to Monday through Friday from 8:00a.m. to 6:00p.m. specifically excluding Saturdays, Sundays and Holidays. City permits should also be specific to restricting construction vehicles and materials on site. The City needs to be appropriately compensated financially for any public right of way that is not available for public use.

The Draft EIR discards the significant conflict with the compatible historic visual character of the complete neighborhood. 10

The Pacific Grove General Plan clearly states that the maximums assigned to the various land use categories do not constitute an entitlement, nor is there any guarantee that any individual project, when tested against the policies of the General Plan, will be able to or will be permitted to achieve the maximums indicated. 11

Sincerely,

Betty Aickelin

## RESPONSE TO LETTER BETTY AICKELIN (BA)

### Response to Comment BA-1

*The commenter is concerned about project impacts on safety, coastal zone mitigation, parking, traffic, and development resulting in mass buildout.*

Refer to Master Response 1: Traffic Safety, Master Response 2: Project Traffic, and Master Response 7: Coastal Zone Permitting, for information regarding these impacts.

### Response to Comment BA-2

*The commenter states that, as the project is located in a historic neighborhood, any approved development in the area requires a high degree of scrutiny. The commenter further states that the project will create hazardous, unsafe, out-of-scale, and incompatible conditions conflicting with land use protections.*

Page 4.0-37 of the Initial Study/Mitigated Negative Declaration (IS/MND) for this project describes zoning compatibility conditions as follows: "The City most recently updated its Zoning Code in August 2015. As shown on the General Plan Map, the project site is designated as Commercial-Downtown. Under the current Zoning Code, the site is zoned Light Commercial, Hotel, Condominium District (C-1-T), Commercial Downtown (C-D). Pursuant to Pacific Grove Municipal Code Section 23.52, structures with a density of at least 1 unit to 1.5 acres are permitted on site, with common examples including residential, industrial, commercial, institutional, and open space uses. Hotels are permitted uses in C-1-T and C-D zones."

Refer to Master Response 1: Traffic Safety, and Master Response 4: Massing and Visual Character, which address safety and historic compatibility issues.

### Response to Comment BA-3

*The commenter states that the California Vehicle Code narrative in Draft EIR Section 3.4, Transportation and Traffic, is misleading, and that implementing mitigation measures MM 3.4.2a, MM 3.4.2b, and MM 3.4.2c would not mitigate safety hazards and would consequentially result in visual impacts to the surrounding neighborhoods.*

See Master Response 1: Traffic Safety, and Master Response 4: Massing and Visual Character, for discussions of traffic safety and visual impacts.

### Response to Comment BA-4

*The commenter states that the Draft EIR should be subject to a public hearing by the California Coastal Commission, in accordance with the Pacific Grove LUP and Coastal Act.*

Draft EIR page 1.0-6 discusses the environmental review process under CEQA and describes ongoing public outreach efforts during the preparation of the IS/MND and the EIR. See Master Response 4: Massing and Visual Character, and Master Response 7: Coastal Zone Permitting, for further discussion of the project's compliance with the City's land use and coastal zoning policies.

**Response to Comment BA-5**

*The commenter states that the Draft EIR needs to address the reduction in public parking resulting from project implementation.*

Refer to Master Response 3: Parking, for additional discussion of the project's impact on parking.

**Response to Comment BA-6**

*The commenter states that the project would employ 19 full-time workers, but asks for the number of on-site contract workers as well as anticipated parking accommodations for these workers.*

See Master Response 3: Parking, regarding worker parking.

**Response to Comment BA-7**

*The commenter notes that the Draft EIR states the project provides 97 parking spaces, 14 of which will be shared with the Holman Building. The commenter asks if minimum parking requirements for the Holman Building have been established and how the 14 spaces will be designated to fulfill these requirements. The commenter further asks for minimum parking requirements for the project alternatives.*

Refer to Master Response 3: Parking, for a discussion of the project's impact on parking.

**Response to Comment BA-8**

*The commenter notes that the project contains a pool, spa, and fire pit in the courtyard that is open to the public view and states that safety issues should be addressed in the Draft EIR.*

The comment does not pertain to the adequacy of the Draft EIR. The City would address these issues during review of building plans, and safety measures such as pool fencing could be required. No changes are required.

**Response to Comment BA-9**

*The commenter states that mitigation measure MM 3.4.1 does not adequately address impacts to residential areas. The commenter further states that permitted construction should be limited to weekdays only from 8:00 a.m. to 6:00 p.m.*

Page 3.3-7 of Draft EIR Section 3.30, Noise, describes the City's Municipal Code regulations for construction hours as follows: "Per Municipal Code Section 11.96.040, Construction Noise Time Limits, the City regulates construction time periods to protect neighbors and the community from excessive noise. All noise-generating construction activities, as well as delivery and removal of materials and equipment, are limited to the hours between 8:00 a.m. and 6:00 p.m. Monday through Saturday, and between 10:00 a.m. and 5:00 p.m. on Sundays." Also refer to Master Response 6: Construction Noise Impacts.

Refer to Draft EIR Section 3.3, Noise, and Section 3.4, Transportation and Traffic, for mitigation measures and conditions of approval to address project impacts on residential neighborhoods.

**Response to Comment BA-10**

*The commenter states that the Draft EIR discards the significant conflict with the compatible historic visual character of the complete neighborhood.*

Refer to Response to Comment BA-2 above.

**Response to Comment BA-11**

*The commenter notes the Pacific Grove General Plan states that the maximums assigned to the various land use categories do not constitute an entitlement, nor is there any guarantee that any individual project, when tested against the policies of the General Plan, will be able to or will be permitted to achieve the maximums indicated.*

Refer to Draft EIR Appendix 1: IS page 4.0-38 Land Use impact analysis which states "As shown on the General Plan Map, the project site is designated as Commercial-Downtown. Under the current Zoning Code, the site is zoned Light Commercial, Hotel, Condominium District (C-1-T), Commercial Downtown (C-D). Pursuant to Pacific Grove Municipal Code Section 23.52, structures with a density of at least 1 unit to 1.5 acres are permitted on site, with common examples including residential, industrial, commercial, institutional, and open space uses. Hotels are permitted uses in C-1-T and C-D zones."

# Letter CM

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Fwd:

**Debbie Gonzales** <dgonzales@cityofpacificgrove.org> Mon, Oct 16, 2017 at 2:07 PM
To: Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

Please see below.
---------- Forwarded message ---------
From: **cindi mccormack** <cindi.mccormack@gmail.com>
Date: Mon, Oct 16, 2017 at 2:06 PM
Subject: Fwd:
To: dgonzales@cityofpacificgrove.org, cindi mccormack <cindi.mccormack@gmail.com>

To whom,

I have lived here in Pacific Grove for nine years now.
Prior to I lived in many cities, states, and countries.
I moved here because my spouse owned a home on the 100 block.
It was pretty, I could telecommute to work, and I enjoyed drinking my coffee watching the ocean.
However, during the past nine years much has changed in this town and little of it for the better.

Case in point.
The Hotel Durrell is a poor plan.
Not only will the design of the Hotel Durrell prove an eyesore, the location of the Hotel Durrell will bring about traffic issues which are already problematic and unaddressed.
Few stop at the crosswalk, in front of the library, on Fountain Ave.
Actually few vehicles stop at any crosswalks here in town, including the city vehicles; not to omit those who run or roll the four way stop at Forest and Central.
Then there are those who drive the wrong way down Fountain Ave. to turn left on to Ocean View Blvd.; these drivers number on average 1-2 vehicles a day during the week, and many more than that on weekends and holidays. **1**
Each time the residents on the 100 block see the city employees painting the street, we ask for a wrong way sign at the base of the hill closer to Seven Gables.
Parking is a significant issue as well; though issuing resident parking permits might help with this.
Know that every time there is a wedding on the green, Farmer's Market or Lover's Point, no parking is to be found anywhere on the 100 blocks adjacent.
Too, a speed bump might prevent people from racing up hill of the the 100 block, city trucks included.

Does this town honestly "need" more hospitality housing, or do we need more businesses of interest to bring about tourism, as well as meet the needs of those who live here.
Has *anyone* in the Planning dept. assembled a survey, over an entire *recent* year, on the hospitality room occupancy now that the STRs are in full operation? The inn on the corner already has insufficient parking spaces creating issues for us, the residents, property tax payors and steady contributors to the local economy. **2**

What exactly are we paying the overpriced, under performing, city manager Ben Harvey, to do? Has he executed anything but cost center loss projects for the city of Pacific Grove?

In the last year we have had more theft from the front of our home, here on the 100 block, than we have in the nine years I have lived here and the 30 years my spouse has resided in Pacific Grove.
There is a great deal more foot traffic on our street now, and little of it considerate or friendly.
Due to intrusions of strangers, into our household, garage, and yard, it is now necessary to keep our garage door locked, even when one of us is working inside the garage, the gates to our yard and the front **3**

# Letter CM Continued

door locked, at all times. Fruit, flowers, and plants have been torn out of the garden and/or cut by persons unknown to us; locals always ask for the garden offerings.
Mail has been stolen from our mailbox, and packages from the porch. Police presence is nonexistent. Nobody is enforcing anything in this town, including but most especially, city council and the mayor. I voted for Kempe, a pencil mark, I regret. His big ideas have cost us big bucks with little to benefit the actual shareholders of Pacific Grove. It's citizens. It's time to stop disregarding the majority of citizens for a few and a grab at tourist dollars. Including, Moe Ammar, the "president" of the chamber of commerce, who has discouraged new businesses of which he did not approve, as well as driven out many legitimate businesses with his absence of support, that we can now call PG the thrift store capital of California. **3 cont.**

Look closely, honestly, and you will see this is not the Home Town many attempt to convince us it is.
With the building of the Hotel Durrell this will be made even more apparent.

*Please* do not disregard your citizens regarding Hotel Durell. We don't want it.

Cindi McCormack
118 Fountain Ave. Pacific Grove

--
Best regards,

Debbie Gonzales
City of Pacific Grove, Community & Economic Development Department
300 Forest Avenue, Pacific Grove, California 93950
Direct 831.648.3183, Fax 831.648.3184
dgonzales@cityofpacificgrove.org
www.cityofpacificgrove.org/cedd

## RESPONSE TO LETTER CINDI MCCORMACK (CM)

### Response to Comment CM-1

*The commenter is concerned about project impacts on traffic congestion, lack of parking, and safety issues, especially at pedestrian crossings. The commenter suggests that the City issue residential parking permits as a partial solution.*

Refer to Master Response 1: Project Traffic, and Master Response 3: Parking.

### Response to Comment CM-2

*The commenter questions if the City has studied the need for more hospitality housing. The commenter states that the city's parking issues have led to a tax burden for property owners.*

Refer to Master Response 9: Other Project Effects.

### Response to Comment CM-3

*The commenter states that the city's change in demographics over the years has led to a number of quality of life issues for its residents. The commenter further expresses dissatisfaction with local government in its ability to address these issues.*

Refer to Master Response 9: Other Project Effects.

# Letter CG

**Laurel O'Halloran <lohalloran@cityofpacificgrove.org>**

## Hotel Durrell

**Carolyn Griffin** <clroehouse@aol.com> Sat, Oct 14, 2017 at 11:40 AM
To: lohalloran@cityofpacificgrove.org

This project would have a tremendous impact on the city, and particularly those of us who live in the retreat. | 1
1. It would require demolition of a historic building.
2. It would increase traffic in the area, which includes the library and museum--users are often pedestrians and/or children. It would also impact the use of Jewell Park. | 2
3. It would require the relocation or closure of the farmers market and several thriving locally owned businesses. | 3
4. It would heavily impact an already difficult parking situation in the retreat. | 4

Carolyn Griffin

Sent from my iPad

## RESPONSE TO LETTER CAROLYN GRIFFIN (CG)

### Response to Comment CG-1

*The commenter states the project would require demolition of a historic building.*

As noted on page 3.2-5 of Draft EIR Section 3.2, Cultural Resources, a Phase I Historic Assessment was completed for the project site pursuant to the Pacific Grove Guidelines for Historic Assessments. The assessment is included in Draft EIR Appendix 4: CUL. The report evaluated the Holman Garage as a historic property. Due to the changes to the building, Holman's Garage is no longer a clear example of commercial architecture from its period of significance. As such, the report determined that Holman's Garage at 156–162 Fountain Avenue is not eligible for inclusion in the Pacific Grove Historic Resources Inventory (the City Council concurred on October 21, 2015), the California Register of Historical Resources, or the National Register of Historic Places.

### Response to Comment CG-2

*The commenter states the project would increase traffic in the area and would impact the use of Jewell Park.*

Refer to Master Response 2: Project Traffic.

### Response to Comment CG-3

*The commenter states the project would require the relocation or closure of the farmers market.*

The project would not require relocation or closure of the farmers market. As noted in Master Response 5: Widening of Sidewalk, before the sidewalk is installed, the City will determine whether the farmers market operations need to be reconfigured or moved. For example, displaced vendors on Central could be moved to Grand Avenue in a southward (uphill) direction where there are currently no vendors.

### Response to Comment CG-4

*The commenter states the project would heavily impact an already difficult parking situation in the retreat.*

Refer to Master Response 3: Parking, for a discussion of the project's parking impacts.

# Letter DF

In Pacific Grove we have history, quaintness and beauty but alas, we are about to become a vanishing breed. Small towns across America have all but disappeared as bigger and better edifices swallow up small businesses all in the name of progress. Bigger is better or newer is nicer appears to be the mantra. While the Hotel Durrell will look smart and beckon crowds to its spas and upscale rooms, our town will be changed forever. Another part of our history will have been erased.

1

Modernization can be a good thing. Who wants old plumbing or a leaky roof, but there is a line in the sand (no pun intended) that separates our collective history from unbridled development. Do we want to cross that line and cave to the developers or do we want to keep Pacific Grove “America’s Last Hometown”?

## RESPONSE TO LETTER DONNA FOOTE (DF)

### Response to Comment DF-1

*The commenter states the project would be good for modernization but suggests Pacific Grove's history will be lost.*

Thank you for your comment. The comment does not pertain to the adequacy of the Draft EIR. No changes required.

# Letter DS

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Hotel Durrell

1 message

**Donna Stewart** <donnastewartpg@me.com> Sun, Oct 15, 2017 at 9:44 PM
To: lohalloran@cityofpacificgrove.org

Laurel,

I have been traveling and out of the loop and I do not have time to numerate all the reasons this plan for Hotel Durrell is a bad idea.

1 2 3

[ Suffice it to say, this is a bad idea for our historic district.] [It is over built][will cause traffic nightmares beyond repairability ] and is just not good for
Pacific Grove.

I am against this plan for good and sufficient reasons that are well numerated by others who have been tracking it closely.

It just appears that our City planners are turning eyes away from the essence of our community.

Please acknowledge receipt of this letter.

Respectfully submitted,

Donna M. Stewart
225 Lobos Avenue
Pacific Grove, CA 93950

## RESPONSE TO LETTER DONNA STEWART (DS)

### Response to Comment DS-1

*The commenter states the project is bad for the city's historic district.*

Refer to Master Response 4: Massing and Visual Character, for a description of the project's historic context.

### Response to Comment DS-2

*The commenter states the project is over built.*

Refer to Master Response 4: Massing and Visual Character, for a discussion of the project's design compatibility with the surrounding area.

### Response to Comment DS-3

*The commenter states the project would cause "traffic nightmares."*

Refer to Master Response 1: Traffic Safety, and Master Response 2: Project Traffic.

# Letter DD

**David Dilworth**
P.O. Box 100, Carmel, CA 93921 (831) 624-6500

**Let me respectfully object to the DEIR on the Proposed Hotel Durrell project and the project itself.**

* The proposed Hotel Durrell project will admittedly cause an increase in traffic.

**DEIR Executive Summary:** ***"[the project] would increase motor vehicle traffic and congestion during the AM and PM peak traffic times..."***

This turns out to be critical to two things.

1. The **traffic increase noted above is a Significant impact due to existing AM & PM Gridlock**; period; Not a potentially significant impact.

2. Whether any proposed mitigation measures will actually REDUCE that traffic to less than significant.

As you should know - no matter how much money is paid, **creating crosswalks and stop signs does not DECREASE traffic impacts - they both slow down traffic and INCREASE traffic impacts !**

Unless you can provide some genuine, valid studies showing **creating crosswalks and stop signs reduces peak hour gridlock (LOS "F") traffic impacts.**

1

As background -- You may not be aware that there are **only 3 lanes** (not 3 roads) **of public roads leading out of the project site and Pacific Grove in case of an emergency** (Lighthouse/Del Monte, and Holman Highway to Route 1).

2

**Nightly gridlock traffic jams on Lighthouse Avenue and Holman Highway have become common,** especially during the summer months on the Monterey Peninsula and the Cannery Row area. According to Monterey police the daily gridlock begins as early as 2:00pm and routinely extends to 6:00 pm.

**Cal-Trans'** (among many other authorities) **standard for a significant impact when an existing intersection is at LOS "F" is** ***the addition of a single vehicle trip*****. Any activity creating at least one new vehicle trip during rush hour is causing a significant impact:**

> **"It is the Department's position that the addition of even one peak hour trip in a LOS** ("Level of Service") **'F' environment represents a significant impact." (Cal-Trans letter dated Nov 18, 1997 to the Monterey County Planning Dept on the September Ranch project.)**

LOS stands for "Level of Service" where the scale ranges from 'A' to 'F';
A' means free-flowing, 'F' means gridlock - measured as a minimum trip delay of 60 seconds.

"Peak hour trip" means during rush hour (8 - 9:30 am and 4:00 - 5:30 pm)

Further, a map prepared by the County Century 21 General Plan Update Team using TAMC data showed the Peninsula Roads Gridlocked as of December 2000.

Those 17 year old maps showed we have gridlock or near gridlock on Highway One past Carmel to Marina, Highway 68 from Highway One to Pacific Grove, and Highway 68 to Salinas. Other full roads are the Lighthouse Curve leading to the Tunnel, Del Monte Avenue in Monterey, and parts of Carmel Valley Road.

This data is from 2000 and has generally gotten worse. Further, it does not include increased traffic from events such as Golf Tournaments or Festivals.

1 cont.

# Letter DD Continued

**What this means is that all your traffic impact findings and mitigations are patently and grossly invalid and must be revised with this standard impact threshold.**

For example: for Impact 3.4.1 - there is no mitigation measure prohibiting construction traffic during peak hour traffic. You need to add a mitigation measure prohibiting construction traffic during peak hour traffic.

-David Dilworth
Environmental Impact Consultant
Charmel, California

## RESPONSE TO LETTER DAVID DILWORTH (DD)

### Response to Comment DD-1

*The commenter states the project would result in a significant impact due to existing traffic and wonders whether any mitigation measure would reduce this traffic impact to less than significant.*

Refer to Master Response 1: Traffic Safety, for additional discussion.

### Response to Comment DD-2

*The commenter states there are "only 3 lanes (not 3 roads) of public roads leading out of the project site and Pacific Grove in case of an emergency (Lighthouse/Del Monte, and Holman Highway to Route 1."*

Thank you for your comment. The comment is noted.

# Letter EF

October 12, 2017

Laurel O'Halloran, lohalloran@cityofpacificgrove.org
City of Pacific Grove Community & Economic Development Department

The Draft Environmental Impact Report (DEIR) for the proposed Pacific Grove Hotel Durrell project does not mitigate the significant negative impacts which have been raised previously. It does not take into account the General Plan protections. This review process needs to be thorough and in compliance with the recorded parameters for development which are included in the General Plan. 1

Here are several concerns that have not been addressed:

This hotel is way too big for this location. The noise from a hotel of this size as well as the unsightly garbage on the backside of the hotel will greatly diminish the quality of this area. 2

Pedestrian safety is a serious issue for the children, the elderly and all visitors to this area which features the library, the museum and the main city park. (The Library alone has about 500 visitors per day.) The sidewalks around the proposed hotel need to be wider giving more room to people so they don't feel "pushed" into the street. 3 It's important also that the EIR examine the cumulative impact of this project and the Holman Condo project when assessing parking, traffic and water availability. 4

The design of the hotel as shown in artist's sketches is totally out of character with the town and the neighborhood. The aesthetic integrity of the area is compromised since the proposed architecture is not coordinated with the historical designs of the library, museum and park. Arching windows, appropriate colors and materials, and setback have been ignored. 5

In sum, this project is completely inappropriate for the location. While I have only outlined a few of the problems with the proposal here, I and others in the previous public meeting and in written comments have raised other issues which have not been addressed.

We hope you will value this community input when assessing the impact of this project.

Sincerely,

Elizabeth Fisher
429 Lighthouse Ave. Apt. 2
Pacific Grove, Ca. 93950
Home/Office: 831-920-2731

## RESPONSE TO LETTER ELIZABETH FISHER (EF)

### Response to Comment EF-1

*The commenter states that the Draft EIR does not mitigate previously raised concerns of significant impacts for development projects and doesn't take into account General Plan protections.*

Impacts on land use and planning were discussed in the project's IS/MND, which determined there would be no impacts from the project or other development projects in the area. No changes required.

### Response to Comment EF-2

*The commenter states that the project is too big for the location and will produce noise impacts that will diminish quality of life for residents in the area.*

As discussed in Draft EIR Section 3.3, Noise, noise impacts from project construction would be short term. Project operation would generate local traffic as a result of hotel guests and staff entering and exiting the site. The increase in traffic could increase ambient noise levels at off-site locations (such as residential uses) in the project vicinity. However, according to the traffic trip generation and operations analysis, the proposed project would generate fewer vehicle trips than generated by the existing land uses. The average day-night traffic noise levels associated with the project would be slightly lower than the traffic noise levels generated by the existing uses. Since noise levels would be reduced with project implementation, operational impacts would be less than significant. Also refer to Master Response 6: Construction Noise Impacts.

### Response to Comment EF-3

*The commenter states that pedestrian safety in the area is a concern, especially for visitors to the library and the museum. The commenter adds that the sidewalks around the hotel should be widened to ensure people don't feel "pushed into the street."*

Refer to Master Response 1: Traffic Safety, and Master Response 5: Widening the Sidewalk.

### Response to Comment EF-4

*The commenter states it is important that the EIR examine the cumulative impact of the project and the Holman Condo project when assessing parking, traffic, and water availability.*

Refer to Master Response 2: Project Traffic, Master Response 3: Parking, and Master Response 8: Water Usage.

### Response to Comment EF-5

*The commenter states "the design of the hotel as shown in artist's sketches is totally out of character with the town and the neighborhood. The aesthetic integrity of the area is compromised since the proposed architecture is not coordinated with the historical designs of the library, museum and park. Arching windows, appropriate colors and materials, and setback have been ignored."*

See Master Response 4: Massing and Visual Character.

# Letter GDG

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Fwd: THE TIME IS NOW...to respond to the proposed Hotel Durrell

3 messages

**Gerald (Jerry) Dieter Griffin** <k6md@aol.com> Sat, Oct 14, 2017 at 10:58 AM
To: lohalloran@cityofpacificgrove.org
Cc: clroehouse@aol.com, j-wills@comcast.net, mawhitten@gmail.com

I agree with Betty Aickelin that the DEIR is flawed,as she describes. It contains violations of ordinances and runs afoul of the Coastal Commission rules. Aside from that, the City of Pacific Grove clearly violated its own rules for not naming the Central Station as a historic building, when it clearly was built before the Holman Building and served as that building's garage.....the perceived urge to get more $ & tax base & hotel $ for the City is obviously more important than the life styles that are being degraded by PG's policies.....this is insulting and damages the citizens of PG, and particularly those who live in the Retreat. Forest Ave has already become an extension of speeders from HWY 68 as they head to Ocean View Blvd....and no police help in traffic/speeding control....NONE!!....The DEIR is an act to confuse and deceive the PG Citizens,particularly those living in the Retreat. It,and the City's policy of 'hospitality trumps lifestyles and resident desires' is an affront to those of us who long ago chose to live here, and pay taxes....!! We did not elect the city council & mayor to screw us over and change our lives to satisfy an out of town developer's greed.....and the City's out of control greed in order to satisfy an 'overpromise & under-deliver' policy for City employees who are vastly overpaid!.....$200k for a police officer??...obscene...!!!! and particularly true when one reads the police logs to see what they do masqerading as 'policing'.....and so, misstating the entrances,the delivery traffic impedances, the truck noises, the parking mess---129 rooms and only 80 or 90 parking spaces asked for??...What a bunch of BS!!!..Where will the hotel guests and employees park???.....Perhaps they should be directed to park on front of our City Council's & Mayor's homes, instead of our neighborhood, leaving no spaces for us residents....??....obviously this project is very problematic....for a host of valid reasons.....

1

2

3

4

Gerald Griffin,MD

.....

-----Original Message-----
From: Carolyn Griffin <clroehouse@aol.com>
To: j_twills <j_twills@comcast.net>; waterthecactus <waterthecactus@yahoo.com>; mawhitten <mawhitten@gmail.com>; camm22 <camm22@gmail.com>; baldridge <baldridge@redshift.com>; k6md <k6md@aol.com>; ktgriffinhart <ktgriffinhart@aol.com>; lorirolander <lorirolander@gmail.com>; mrmoonsmom

# Letter GDG Continued

<mrmoonsmom@redshift.com>; luv2read.2025 <luv2read.2025@gmail.com>; safeemail <safeemail@gmail.com>
Sent: Thu, Oct 12, 2017 10:22 am
Subject: Fwd: THE TIME IS NOW...to respond to the proposed Hotel Durrell

Please read this email and look at the picture of the hotel. If it is built, it will have a huge impact on our beloved library.

Sent from my iPad

Begin forwarded message:

**From:** Sally Aberg <forthecolors@comcast.net>
**Date:** October 12, 2017 at 7:03:02 AM PDT
**To:** Sally Aberg <forthecolors@comcast.net>
**Subject: THE TIME IS NOW...to respond to the proposed Hotel Durrell**

A gentle reminder:

**The clock is now quickly ticking down to Monday, October 16, 5 pm.**

**This is the final deadline for the City to receive residents' comments regarding the Draft Environmental Impact Report (DEIR) for the proposed Hotel Durrell on Central Avenue between Fountain and Grand.**

**Study the photograph below.**

**Read the Summary of the Public Notice below.**

**Read the entire Draft Environmental Impact Report here:**

https://www.cityofpacificgrove.org/sites/default/files/news/draft-eir_hotel-durrell_8-30-17.pdf

**Write, right now, *or as soon as possible!***
**Remember to request confirmation of the receipt of your Comments.**

Letters should be either hand-delivered to City Hall or else emailed to Laurel O'Halloran at:

## lohalloran@cityofpacificgrove.org

If you need more inspiration to write, right now, here's an email I just received from a long-time and well-respected Pacific Grove advocate for residents' "quality of life" and historic preservation:

***I know I'm preaching to the choir, Sally, but folks need to go after this with as much resistance as we mustered to defeat Measure F and many other threatening situations here in town.***

***I have to be honest. This "out front" involvement isn't good for my health. At the same time, my health is made vulnerable by this proposed Hotel Durrell.***

# Letter GDG Continued

***This DEIR contains serious problems, but the City is hoping these attempts to erode our General Plan's protections will just slide through the review process.***

***In hindsight, the current civically-active Pagrovians would have been well-served to have meeting and study this DEIR line by line. That didn't happen. So all we have left is to WRITE our letters!***

Ponder life with (and *without*) this project at the north end of the Holman Block.

And then respond!

Comment on mitigations to potential problems that do not seem reasonable to you.

Comment on potential problems that are not mentioned—or glossed over.

Be guided by your heart, your caring, and your instincts.

This is an opportunity for all of us to make a difference to Pacific Grove's future size, character, resources, traffic and parking, and the *residential* quality of life in our "City of Homes."

There are thousands of residents in PG who are not on my e-outreach list.
There are hundreds who won't receive this in the PG Retreat alone.

So please, spread the word yourselves.

Share. Forward. Organize. Talk with neighbors. Imagine all possibilities.
Encourage everyone you know to write!

Stand on Central Avenue between Fountain and Grand, look at our historic Library and Museum, and ask if this hotel is environmentally sound.

The environmental report includes all impacts—on our aesthetics, history, culture, and resources.

And if this proposed hotel isn't the right environmental option for Pacific Grove, then resist with all your might!

NOTE: Below you will also find two more examples of wonderful Comments that have been delivered to Laurel O'Halloran. These may help you get started on your own. They are both now part of the Public Record towards decision-making on the Final EIR. Thanks very much, Betty and Patsy!

NOTE: In my last e-outreach sent September 27, I included examples of three letters that have been sent into the City responding to the DEIR. I mistakenly attributed the first letter to Andrea Johnson. I should have typed **Andrea Fernandez, Registered Nurse.** My apologies to Andrea!

October 11, 2017
Laurel O' Halloran City of Pacific Grove 300 Forest Ave. Pacific Grove, CA 93950
Ms. O' Halloran,
I am writing to express concerns and opinions regarding the Draft EIR and proposal(s) for the Hotel Durell.
1. Safety

# Letter GDG Continued

2. Measures of mitigation that are proposed outside of the C-1-T zone but directly impact and are within the Coastal Zone
3. Parking
4. Traffic
5. Mass build out regardless of which "alternative development" is considered.

The proposed project(s) is not only in our neighborhood, the Historic Pacific Grove Retreat, but as importantly, adjacent to the Coastal Zone.

Any proposal(s) should be held to the highest and most thorough degree of scrutiny.

This proposal(s) will create significantly unsafe, hazardous, out of scale and incompatible conditions that degrade and are in conflict with the protections of the surrounding neighborhoods.

The Draft EIR makes statements regarding crosswalks and public safety that are not consistent with the California Vehicle Code, therefore misleading and creating a potential hazard.

Mitigating Measures MM3.4.2a, MM3.4.2b and MM3.4.2c are outside of the C-1-T zone and negatively impact the visual and physical characteristics of the neighborhoods and will not mitigate the public safety hazard.

Mitigating Measure MM3.4.2c would physically alter Jewell Park, Grand Avenue and the Public Library, all in the Coastal Zone and the Pacific Grove Retreat.

The proposed project(s) within this Draft EIR should be subject to public hearing by the California Coastal Commission. In accordance with the Pacific Grove LUP and the Coastal Act.

The Draft EIR needs to address the current public parking spaces in the surrounding area that would be lost as a result of this proposal(s).

The Draft EIR claims the proposal(s) will have only 19 employees. How many on site workers are not employees (contracted workers) and where will all of these people park?

The Draft EIR indicates Parking Ground Level: 55 spaces Dedicated Off-Site Lot: 28 spaces, 55+28=83. Then states it provides 97 parking spaces, 14 of which will be shared with the Holman Building. Hasn't the minimum parking requirements for the Holman Building been established? It needs to be clarified which of these projects (Holman or Durell) the 14 spaces are designated in order to fulfill the minimum requirements. Also, where and when has it been determined what the minimum parking requirements will be for the multiple alternative projects mentioned in this Draft EIR?

The proposal(s) contains a pool, spa and fire pit in the courtyard that is open to public view, with no mention of concern for public safety, which needs to be addressed.

The Draft EIR understates the daily traffic impact within the pedestrian neighborhood on the whole during and after construction.

Mitigation Measure MM3.4.1 states that construction traffic for hauling materials in and out of the project area shall utilize Forest Avenue and Central Avenue. Also, that construction traffic shall avoid residential areas in the project area. Both Forest and Central Avenues are residential. This does not adequately address the impact.

It is my opinion that any permit should limit construction times to Monday through Friday from 8:00a.m. to 6:00p.m. specifically excluding Saturdays, Sundays and Holidays. City permits should also be specific to restricting construction vehicles and materials on site. The City needs to be appropriately compensated financially for any public right of way that is not available for public use.

The Draft EIR discards the significant conflict with the compatible historic visual character of the complete neighborhood.

The Pacific Grove General Plan clearly states that the maximums assigned to the various land use categories do not constitute an entitlement, nor is there any guarantee that any individual project, when tested against the policies of the General Plan, will be able to or will be permitted to achieve the maximums indicated.

Sincerely,

Betty Aickelin

## RESPONSE TO LETTER GERALD GRIFFIN (GDG)

### Response to Comment GDG-1

*The commenter states the project violates California Coastal Commission Rules.*

See Master Response 7: Coastal Zone Permitting

### Response to Comment GDG-2

*The commenter states the City of Pacific Grove "clearly violated its own rules for not naming the Central Station as a historic building, when it clearly was built before the Holman Building and served as that building's garage."*

Thank you for your comment. The comment does not pertain to the adequacy of the Draft EIR. No changes required.

### Response to Comment GDG-3

*The commenter states the Draft EIR is an effort to "confuse and deceive" people, especially residents of the retreat area.*

The Draft EIR does not recommend project approval or denial. The purpose of the Draft EIR is to inform decision-makers and the public about potential project impacts. The EIR provides information regarding the potential environmental effects of the project, but it does not advocate project approval or denial.

### Response to Comment GDG-4

*The commenter states the Draft EIR misstates the adequacy of parking for the project and feels the project will take up available public spaces for residents of the neighborhood.*

See Master Response 3: Parking.

Letter EHarv

# Everyone's Harvest

**Board of Directors**

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Reid Norris

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

Attention: Laurel O'Halloran, Associate Planner
(lohalloran@cityofpacificgrove.org)

October 12, 2017

**RE: Draft Environmental Impact Report for the Hotel Durell Project**

Dear Ms. O'Halloran:

Everyone's Harvest, a 501c3 non-profit organization, operates five certified farmers' markets and is a catalyst for health-related programs across Monterey County. Our mission is to provide access to healthy, affordable fruits and vegetables through certified farmers' markets and community food programs. The Everyone's Harvest vision is for every community to have a fair and sustainable food system**.** Everyone's Harvest, founded in 2002, takes pride in the growing community of people who value organic food and rely on Everyone's Harvest for access to local fresh fruits and vegetables.

Since 2008, Everyone's Harvest has managed the Pacific Grove Farmers' Market with more than 30 local and small vendors, including minority and women-owned farms and businesses. On average, more than 500 Pacific Grove and local families attend the Farmers' Market each week. Last year, in 2016, low income families in Pacific Grove spent more than $8,000 on healthy produce at the PG Farmers' Market using Electronic Benefit Transfer/CalFresh food stamps and other Market Match coupons. Further, over the last nine years Everyone's Harvest has conducted dozens of Edible Education workshops teaching numerous Pacific Grove families about the benefits of healthy eating and preparing meals together at home.

On February 20, 2008, when the City of Pacific Grove selected Everyone's Harvest as the organization to run their community farmers' market, it was initially at a location specified by the City Council on Lighthouse Avenue. On May 19, 2010, after continued concerns from businesses on Lighthouse Avenue about the weekly street closure for the Farmers' Market, Everyone's Harvest willingly

participated in a collaborative effort with the City, Chamber of Commerce, Downtown Business District, and Sustainable Pacific Grove to identify a preferable location for the weekly market and voluntarily agreed to amend its Use Permit to move to a mutually agreeable location at the intersection of Central Avenue and Grand Avenue.

Over the last nine years, the Farmers' Market has become an integral part of Pacific Grove's civic life. In its current location, the Farmers' Market, Library, Museum, and Jewell Park create a unique opportunity for synergy and community. At no other time in the week is Jewell Park so full of kids and families gathering and playing together as they do on Monday afternoons. Despite the concerns of the business community in the initial years of the Pacific Grove Farmers' Market on Lighthouse Avenue, since the Market's re-location in 2010, the City has not informed Everyone's Harvest of any complaints about this important weekly community gathering.

Pursuant to Zoning Code Section 23.64.055, a Use Permit was issued to Everyone's Harvest on June 16, 2008 and amended on June 3, 2010. The Use Permit specifies that the Farmers' Market be held weekly on Monday afternoons throughout the year at the intersection of Grand Avenue and Central Avenue, directly adjacent to the proposed Hotel Durell. Portions of Grand Avenue and Central Avenue are closed every Monday (as required by the amended Use Permit) -- before, during, and after the hours of the Farmers' Market -- to allow for safe and smooth set-up and take-down by the vendors.

Everyone's Harvest worked closely with the City of Pacific Grove and community to identify the current location after originally being permitted to operate the market on Lighthouse Avenue. If the proposed Hotel Durell project would result in a modification of the Farmers' Market Use Permit by displacing the portion of the market on Central Avenue between Fountain Avenue and Grand Avenue, the Final EIR should clearly describe how this would not be detrimental to the market operations. The Draft EIR is not entirely clear whether a change to the current configuration of the Farmers' Market is being proposed. If so, it is our understanding that an amendment to Everyone's Harvest's Use Permit would be required. Everyone's Harvest desires to continue to work collaboratively with the City for the best outcome, and requests that any changes to the Market follow a community process similar to the one in 2010. **1**

Everyone's Harvest offers the following additional comments on the proposed Hotel Durell Project. Regrettably, the Draft Environmental Impact Report fails to address several of our comments submitted on the Initial Study and again during the Notice of Preparation for the DEIR. We were disappointed that the specific comments raised by Everyone's Harvest were not noted in the summary of comments received. We continue to ask that significant impacts on the farmers' market be carefully considered as the City evaluates the proposed hotel project and alternatives for the lower part of the Holman block. We are concerned about short-term construction-related impacts of traffic, noise, air quality, and lighting and that the construction-related mitigation measures are inadequate to ensure unimpeded operation of the Pacific Grove Farmer's Market. The traffic analysis does not fully consider the permitted road closures on Mondays. **2**

# Letter EHarv Continued

Above all, the Draft EIR's proposed Mitigation Measure 3.4.2c., which calls for a widened sidewalk along the eastern margin of Jewell Park, potentially destroys major features of both the Market and the Park and blocks positive Market-Park interactions that the community currently enjoys and values. We are concerned that placing market vendors along the eastern edge of Jewell Park would result in a significant loss of community activity by cutting off pedestrian flow through the Market and Jewell Park. Further, the mitigation measure does not consider that Grand Avenue is not wide enough to allow for the vendor set-up process concurrently on both sides of the street. In other ways also, this proposal lacks detail and is unclear. The enlarged sidewalk must come out of Jewell Park? What happens to the Gazebo and the Little House? Everyone's Harvest does not support this measure as appropriate mitigation for displacement of a portion of the market area and capacity. **2 cont.**

We also offer the following specific comments:

- Page 2.0-23 CONSTRUCTION – The DEIR states that, "Construction activities are anticipated to last approximately 12 to 18 months. Consistent with the City's Noise Ordinance, construction would generally occur Monday through Friday and be limited to the hours from 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 on federal, state, or local holidays. Construction activities would consist of demolition of the existing building, site preparation, including grading, removal of existing asphalt, and construction of new structures. The construction of the underground, one-level parking garage would require excavation and -off-hauling of materials. Building materials for the underground parking lot would be concrete or a type of noncombustible material." **3**

  *COMMENT: The use of heavy construction equipment during market operations could result in noise, air quality, and traffic impacts. Therefore, the City should condition the Hotel Durell Project to modify the hours of construction to avoid the once a week Market operation on Mondays when the street is closed.*

- Page 2.0-2 SURROUNDING LAND USES – The DEIR states that, "Commercial buildings are located on the south and east sides of the project site. Multiple-family residences are located north of the project site. The block directly to the north contains the City's Public Library. The Holman Building is located directly east of the project site across the parking lot. The Pacific Grove Museum of Natural History is located west of the project site, while Jewell Park is located to the northwest adjacent to the library." **4**

  *COMMENT: As a permitted use, this section should also identify the Farmers' Market as a surrounding land use.*

- p. 20, 157 – The DEIR Mitigation Measure 3.4.2c states that, "The project applicant shall pay an appropriate fee (fair share), as determined by the City's Public Works Department, to provide funds to increase the width of the sidewalk along the eastern **5**

edge of Jewell Park to approximately 18 feet to accommodate increased pedestrian/vendor activity during special events such as the farmers market."

*COMMENT: Pursuant to Zoning Code Section 23.64.055, the Farmers' Market is not a "special event;" it is an event occurring multiple times within a twelve-month period and has obtained a Use Permit accordingly. At a minimum, any fair share contribution from the proposed Hotel Durell project should be required to ensure that any changes to Jewell Park or other improvements of the public right-of-way or adjacent public facilities would maintain the existing market vendor capacity and ensure market operations continue unimpeded. No changes should be made to Jewell Park that would result in a net loss of recreational facilities or pedestrian flow between the park and the market.* **5 cont.**

- p. 45 – Recreation. The DEIR states that a significance threshold for recreational impacts would, "Require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment." It goes on to state that, "… despite the proximity of Jewell Park to the project site, the project would not significantly increase the number of visitors to the park or cause adverse physical effects, as most visitors in Pacific Grove come for the regional attractions."

  *COMMENT: The DEIR notes comments had been made that if the proposed project would move the farmers' market into the nearby park, this would deteriorate the park. As described above, the Farmers' Market provides multiple community benefits and should not be considered a recreational activity. As noted above, we are concerned that widening of the sidewalk along Jewell Park, as suggested by Mitigation Measure 3.4.2c., would have an adverse physical effect on both the park and market.* **6**

- NOISE, Page 3.3-7 Noise Sensitive Receptors – The DEIR states that, "The nearest sensitive receptors are the City of Pacific Grove Library and the Museum of Natural History located approximately 65 feet north of the project site, as well as users of Jewell Park located 55 feet to the northwest and residences located 230 feet to the northeast."

  *COMMENT: The Final EIR should explicitly identify the farmers' market as a noise sensitive receptor and a mitigation measure should restrict construction noise during market operations (that is, no construction activity during the market).* **7**

- p.142, TRANSPORTATION AND TRAFFIC 3.4-2 – The DEIR states that, "Everyone's Harvest runs a community farmers market every Monday on Central Avenue between Fountain and Forest avenues. The farmers market operates from 3:00 to 7:00 PM. Central Avenue between Fountain and Forest avenues is closed to vehicular traffic during the farmers market to ensure safety for vendors and customers."

  *COMMENT: This description omits the large part of the Farmers' Market that is on Grand Avenue and should be revised to accurately reflect the market configuration. The description should be revised to include the hours of set up and take down from 1pm to* **8**

*9pm, consistent with the Use Permit. This is a time during which the construction traffic should be halted because it would impede set up and take down in the near term (Page 2.0-23 CONSTRUCTION), but also, hotel traffic would interfere with set up and take down over the long term as well (p.142, TRANSPORTATION AND TRAFFIC 3.4-2).*

- Proposed Mitigation Measure 3.4.1 states, "Project construction traffic for hauling materials in and out of the project area shall utilize Forest Avenue and Central Avenue. Construction traffic shall avoid residential areas in the project area."

  *COMMENT: This should be revised for construction traffic to utilize Fountain Avenue instead of Forest Avenue, which is a block west of the project site; construction traffic from Forest Avenue would result in conflicts with the market.*

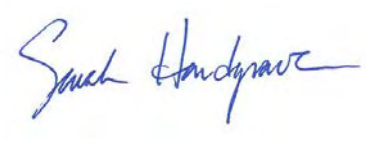
**8 cont.**

Lastly, we encourage the project applicant and the City to consider alternatives of a more modest height and footprint to reduce impacts on the Farmers' Market, Museum, Library, Jewell Park, and the neighborhood. We hope that this area of downtown can take the opportunity to build on the existing civic and public space, including the weekly farmers' market we manage. We would like to work with the City to provide wintertime lighting in the market area, better permanent signage, a reliable power source to host community groups and live music, and to help with other challenges noted here related to any changes in the current market location and configuration. Everyone's Harvest believes that all Pacific Grove businesses could benefit from the city's inclusion of this weekly community gathering into its efforts to make downtown more vital and vibrant.

**9**

Thank you for your consideration of our comments.

Sincerely,



Sarah Hardgrave, President
Everyone's Harvest Board of Directors

Attachment:

- Pacific Grove Planning Commission Resolution No. 10-14, Use Permit No. 2964-08
- Statement of Support for the Farmers Market (155 signatures)

# Letter EHarv Attachment A

**RESOLUTION NO. 10-14**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFIC GROVE, STATE OF CALIFORNIA**

ADOPTION OF A MITIGATED NEGATIVE DECLARATION FINDING NO SIGNIFICANT EFFECTS ON THE ENVIRONMENT AND APPROVAL OF A USE PERMIT FOR A FARMERS' MARKET ON CENTRAL AVE. FROM FOUNTAIN AVE. TO FOREST AVE. AND ON GRAND AVENUE FROM CENTRAL AVE. TO LIGHTHOUSE AVE. ON MONDAYS

**WHEREAS**, the City of Pacific Grove City Council approved Use Permit No. 2964-08 for a Farmers' Market on July 16, 2008; and

**WHEREAS**, the City of Pacific Grove Planning Commission held public hearings for a 90-day and six-month review of Use Permit No. 2964-08, at which time it recommended that the City Council consider a location off of Lighthouse Avenue; and

**WHEREAS**, on May 19, 2010, the City Council amended the criteria for the farmers' market location to Central Avenue from Fountain Avenue to Forest Avenue and on Grand Avenue from Central Avenue to Lighthouse Avenue; and

**WHEREAS**, Everyone's Harvest proposes to amend its Use Permit to move the Farmers' Market to Central Avenue from Fountain Avenue to Forest Avenue and on Grand Avenue from Central Avenue to Lighthouse Avenue, to be held year-round on Mondays, requiring closure of the public street right-of-way from no earlier than 1:00 pm to no later than 9:00 pm; and

**WHEREAS**, Municipal Code Section 23.64.055 provides that events occuring multiple times in any 12-month period in the public right-of-way shall require a Use Permit, and on June 2, 2010 the City Council added the Farmers' Market to the list included in the special events policy; and

**WHEREAS**, no substantial revision is required to the adopted Mitigated Negative Declaration pursuant to CEQA Guideline Section 15073.5 because the Mitigated Negative Declaration analyzed the potential effects of public gatherings in the Downtown Neighborhood Planning Area, no new, avoidable significant effects have been identified for the new proposed market location and no mitigation measures must be added to reduce potential effects to less than significance, and

**WHEREAS**, mitigation measures identified in the adopted Mitigated Negative Declaration are replaced with equal or more effective measures, and

**WHEREAS**, the project location has been revised in response to written and verbal comments on the project's effects identified in the Mitigated Negative Declaration that are not new avoidable significant effects, and

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**WHEREAS**, the measures and conditions of approval added after circulation of the negative declaration are not required by CEQA, do not create new significant environmental effects, and are not necessary to mitigate an avoidable significant effect , and

**WHEREAS**, the new information provided for the change in market location merely clarifies, amplifies, and makes insignificant modifications to the negative declaration, and

**WHEREAS**, the Mitigated Negative Declaration pursuant to CEQA concluded that no significant effect on the environment would result from the project, and a Notice of Determination was filed on June 23, 2008, and

**WHEREAS**, the Community Development Department is the custodian of the entire record of the proceedings, and

**WHEREAS**, the Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analyses, and

**WHEREAS**, the proposed market location is within the geographic area (the Downtown Neighborhood Planning Area) analyzed in the Mitigated Negative Declaration, and mitigation measures identified in the Mitigated Negative Declaration adequately address the potential environmental effects of the proposed market.

**WHEREAS**, as conditioned, the relocation of the farmers' market will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the city.

**NOW THEREFORE BE IT RESOLVED:**

1. The Planning Commission determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.

2. Pursuant to Section 15074(b) of the California Code of Regulations, on the basis of the whole record, including the Mitigated Negative Declaration as amended and comments received, there is no substantial evidence that the project will have a significant effect on the environment, and therefore the Planning Commission readopts the Mitigated Negative Declaration.

3. The Use Permit amendment is approved subject to the conditions of approval and the mitigation monitoring and reporting program, in accord with CEQA Guideline 15074(d).

4. The Conditions of Approval shall be as set forth below:

**Conditions of Approval:**

# Letter EHarv Attachment A Continued



1. This permit shall be revoked if not used within one year from the date of approval. An application for extension of this permit must be made prior to the expiration date.

2. This Use Permit shall be null and void if not used or extended within one year from the date of approval, unless an application of extension is approved. An application for extension of this permit must be made prior to the expiration date.

3. All activities must occur in strict compliance with the proposal as set forth in the application(s) for permits, and subject to any special conditions of approval. Any deviation from approvals must be reviewed and approved by staff and may require Planning Commission approval.

4. These terms and conditions shall be perpetual; it is the intention of the City Council and the permittee to bind all market vendors to these terms and conditions.

5. All mitigation measures identified in the Mitigated Negative Declaration, as amended, are incorporated into a Mitigation Monitoring and Reporting Program, and are included here as conditions of approval.

6. All vendors shall comply with the Market Manager's Rules and Regulations, incorporated by reference (Attachment A), as those Rules may be amended from time to time, provided each amendment has first received the advance written approval of the City Community Development Department.

7. Vendors selling prepared foods and other persons shall not dispose of grease or cooking oils in storm drains or the sanitary sewer system. Grease and cooking oils shall not be disposed of in trash receptacles or dumpsters, unless specifically designated. A designated disposal receptacle for such wastes shall be provided by the Farmers' Market Manager. City waste receptacles shall not be used by any person for product, food or produce disposal.

8. The Market Manager shall be responsible for cleaning all food preparation, cooking and display areas at the conclusion of each event.

9. All vendors shall comply with the rules and regulations of the State Board of Equalization and County Health Departments, and all other City, State, County and Federal governmental agencies that regulate the sales of the Vendor's products.

10. Traffic re-routing during any street closures for public gatherings in designated areas shall be coordinated with the City of Pacific Grove Public Works Department. All barricades, cones or signs to direct traffic shall be in accordance with the Public Works Department approved Traffic Control Plan (Attachment B).

11. The street closure time required for set-up and clean-up of the event shall have a target of sixty minutes and be no greater than ninety-minutes.

# Letter EHarv Attachment A Continued



12. For safety purposes, no vehicle shall be allowed to enter the area where the street has been closed after the end of the set-up period or before clean-up period commences. Only one vehicle shall be allowed per vendor during set-up and clean-up, unless prior approval has been obtained from the Market Manager. The Market Manager shall consult with the City of Pacific Grove Public Works Department as to the reasons more than one vehicle has been allowed for a specific vendor.

13. A twenty-foot emergency access way shall be provided in each direction of regular street traffic on Central Avenue and Grand Avenue, unless otherwise approved by the Pacific Grove Fire Department. All food booths must comply with the Pacific Grove Fire Department Food Booth Fire Safety Requirements.

14. No encroachments on the sidewalk by vendor booths shall be allowed during the Farmers' Market. Emergency access and egress to and from adjacent buildings and structures shall be retained to provide access to the pedestrian walkway.

15. No more than thirty-two on-street parking spaces may be displaced during the Farmers' Market and closure of the public street right-of-way.

16. The Market Manager shall provide signs that identify parking spaces within the Farmers' Market area in advance of the public gathering event.

17. The Market Manager shall provide signs to direct traffic to public on-street parking and to public parking lots within the vicinity of the Farmers' Market event.

18. The City of Pacific Grove shall coordinate with Monterey Salinas Transit to notify public transportation users of alterations to public transportation routes or services as a result of the Farmers' Market.

19. The Market Manager shall provide trash receptacles for each event and vendors shall not use city facilities for garbage waste disposal, and shall coordinate with the Public Works Department for waste disposal pick-up. The Market Manager shall separately collect and dispose of recycled materials in dedicated recycled materials receptacles. The Market Manager shall ensure that sufficient quantities of receptacles are available to both venders and the public.

20. The Market Manager shall coordinate solid waste disposal locations with the City of Pacific Grove Public Works Department to ensure compliance with all applicable regulations.

21. This Use Permit shall be subject to review if the City Manager determines that there is substantial evidence that one or more significant issues of concern have arisen regarding operation of the Farmers' Market. If the concern is in regards to violations of the Use Permit conditions of approval or related matters, review shall be conducted by the Planning Commission. If the concern is in regards to criteria for the market as established by the City Council or related matters, review shall be conducted by the City Council.

# Letter EHarv Attachment A Continued



**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of Pacific Grove held on the 7th day of June, 2010, by the following vote:

AYES: Bailey, Frederickson, Mac Donald, Miller

NOES:

ABSTAIN: Riddell

ABSENT: Bluhm, Byrne

**Please note that this resolution does not take effect until the 10-day appeal period has expired.**

Craig Riddell, Chairman

ATTEST:

Lynn Burgess, AICP, Secretary

The undersigned hereby acknowledge and agree to the approved terms and conditions, and agree to fully conform to and comply with said terms and conditions.

Applicant:
Everyone's Harvest, Iris Peppard, Executive Director

By_____ 7/23/10
Iris Peppard Date

# Letter EHarv Attachment B

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## Everyone's Harvest (EH) Certified Farmers' Markets (CFMs) Rules & Regulations

Updated 8-27-2015

INSTRUCTIONS

1) Read EH CFMs Rules and Regulations
2) Complete all applicable form(s) available at www.everyonesharvest.org or contact an EH CFM Market Manager.
3) Return signed form(s) with required permits, farm maps, licenses and other documents to Everyone's www.everyonesharvest.org or contact an EH CFM Market Manager.
4) Return signed form(s) with required permits, farm maps, licenses and other documents to: **EH P.O. Box 1423 Marina, CA 93933**

An EH CFM Market Manager will respond to your application within a few weeks after we have received your forms and/or documents.

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### 1. DEFINITIONS

**Certified Farmers Market (CFM):** A location authorized by the County Agricultural Commissioner where certified producers of fresh fruits, vegetables, honey, eggs, flowers, nursery stock and nuts may sell their produce directly to consumers exempt from standard pack and grading regulations

**Everyone's Harvest (EH):** The organization that controls, manages, and operates the market.

**EH CFM:** An individual CFM operated by EH, which offers Certified Agricultural products, Non-Agricultural products, entertainment, events and interactive nutritional workshops.

**Agreement:** A document to be submitted by Participant to EH to request approval from the Market Manager to conduct an activity at the Market(s).

**Alisal Certified Farmer's Market:** An Individual CFM operated by EH.

**Annual Approval Dues:** Annual fee approved by EH, each Participant is required to pay for each EH CFM attended by the Participant.

**Applicant:** A person or party applying to sell or participate at the EH CFM(s).

**Application:** A document to be submitted by Participant to EH to request approval to sell at the EH CFM(s) from the EH Market Manager.

**Approved Participant:** A person or entity whose application to sell has been approved by the EH Market Manager and who is selling or offering for sale at the EH CFM(s) approved items and commodities.

**Board of Directors (Board):** A group of at least three persons governing the EH without compensation.

**Certified Organic:** All production that is in accordance with current USDA National Organic Program (USDA Organic) requirements.

**Certified Organic Producer:** A person or entity authorized by the United States Department of Agriculture (USDA) or an USDA authorized organic certification agency to sell certified organic agricultural products (fruits, vegetables, honey, eggs, flowers, nursery products and nuts) directly to consumers at a CFM.

**Certified Producer:** A person or entity authorized by the County Agricultural Commissioner to sell certified agricultural products (fruits, vegetables, honey, eggs, flowers, nursery products and nuts) directly to consumers at a CFM. Products must be produced upon land controlled by the Certified Producer.

**Certified Producer Certificate:** Producers of fresh fruits, nuts, vegetables, shell eggs, honey,

flowers and nursery stock must obtain a Certified Producers Certificate prior to selling such commodities at a CFM. Such farms and owns, rents, leases or sharecrops. Certificates are issued by the County Agricultural Commissioner who exempts a Producer of fresh fruits, vegetables and nuts from the standard size, standard pack, container and labeling laws, and permits the Certified Producer to transport to and sell his/her certifiable agricultural products at a CFM(s).

**Charitable Party:** Non-Profit Corporations, Community Groups and School Clubs.

**Community Group**: A group of two or more people from the local region, organized together to work on a specific need for the benefit of the majority of the local community members.

**Consumer**: A person who purchases products for private household use, or for non-profit resale or distribution, but not a person who purchases products for commercial sale, or distribution, or processing into other food products for resale. Source: State Fruit & Vegetable Standardization Code, Section 1392. 2. An exception has been made for restaurants and caterers.

**Contractors**: A person in a contract with EH for a specific task/activity for the benefit of EH mission.

**Conventional**: All production that is not in Certified Organic Production.

**Director:** An EH employee hired by the Board to oversee the functions of EH activities.

**Employee**: With the exception of members of the immediate family, as defined above, persons employed by the Producer on a regular basis, but not including persons whose compensation, in whole or in part, is based on or consist of a commission on sales. (Paraphrase of the State Fruit & Vegetable Standardization Code, Section 1392.2.)

commodities must have been produced by the Producer that they practice of the agricultural arts upon land, which the Producer

**Enforcing Officer**: A person representing the Federal, County, State and/or City Government.

**Entertainer**: A person or party authorized by the Market Manager to perform acts at the Market(s) which are appropriate to families.

**Entity**: A group of two or more approved sellers each of whom is joined by either marital status, partnership, corporate status, family farm status, co-op, joint venture or other legal status.

**Everyone**: Every person; everybody.

**Farmer**: A Certified Producer or a Producer of non-certifiable agricultural products.

**Fisherman**: A person or entity who catches pelagic fish or shellfish from boats which the person or entity controls.

**Food Industry Health Permit:** Permit issued by the County Health Department to food processors of goods intended for retail sales. This permit approves the location where food preparation occurs.

**Food Permit Registration:** Permit issued by the State Department of Health Services, Food and Drug Branch to manufacturers of food products intended for wholesale distribution. This permit approves the location of food preparation.

**Food Preparation**: Describes processing, assembling, portioning, or any act that changes the form, flavor, or consistency of food, but does not include trimming of produce. Source: State Health and Safety Code, Section 27522. This includes but is not limited to juices, jams, flavored nuts, nut butters, baked items, dairy products, and cleaned fish.

**Food Purveyor**: A Participant, who through the practice of the culinary arts, creates and manufactures prepared foods.

**Governmental Law:** Any law, regulation, policy or requirement by the city, state, county or federal government. **Hawking**: The act of a person who offers wares by calling out in the street.

**Heckling:** The act of a person interrupting, questioning, or commenting very loudly to attract other people's attention to themselves.

**Hold Harmless Agreement:** Document required to be signed by each Participant, agreeing to defend and indemnify EH and to hold said party or parties harmless from any such liability.

**Immediate Family**: "Parents, children, grandparents, grandchildren, and, in addition, any other person regularly residing in the Producers household". "Source: State Fruit & Vegetable Standardization Code, Section 1392.

**Late:** Five minutes after the designated time.

**Marina CFM**: An individual CFM operated by EH.

**Market Manager**: A person employed by EH and hired by the Executive Director or Board to manage the farmers' markets, including but not limited to organizing market operations, enforcing EH Rules and Regulations and collecting market fees.

**Members of the Board:** An individual who has been voted in by EH Board to be a member of and represent EH Board.

**Monterey County Health Department:** A county government agency that provides a wide variety of health-related services and requires specific rules and regulations to be followed in Monterey County pertaining to the distribution of produce consumed by humans.

**Non-Certified Producer**: A Participant who is in the community event area of the Market, not in the Certified area.
**Non-Profit Corporation**: An incorporated organization that has attained a not-for-profit status under the Internal Revenue Code. Usually referred to as a 501 (c) 3 non-profit organization.
**NOP**: National Organic Program
**Nursery Certified Producer Permit**: Permit issued by the County Agricultural Commissioner for transporting plants outside county of origin for sale to public.
**Nursery License**: License issued by the County Agricultural Commissioner for growing and propagating plants intended for outdoors and indoors.
**Officials**: Government agents: a representative or official of a government or administrative department of a government.
**Organic**: This word is used to describe food that was grown without the use of harmful chemicals such as herbicides, pesticides and fungicides. This does not mean Certified Organic.
**Organic Certification**: Document of registration issued by any USDA National Organic Program (NOP) approved third party Organic-certifying agency. Registration with the State of California in the county of operation is also needed The organic producer is required to register as an Organic Producer with the Agricultural Commissioner prior to the first sale of product labeled Organic. This applies to all Organic Producers regardless of whether or not they are certified per the NOP.
**Pacific Grove CFM**: An individual CFM operated by EH.
**Participant**: A person, party or entity authorized by Market Manager to offer goods, services, information, entertainment or conduct an educational workshop at the Market(s) managed by EH.
**Partnership**: A legal relationship existing between two or more persons contractually associated as joint principals in a business.
**Party**: A group of people organized for a specific activity.
**Plant Grower**: A person or party selling potted plants.
**Pesticide use**: The use of any harmful chemical to humans intended for preventing, destroying, repelling, or mitigating any pest.
**Political Campaign**: An organized effort to influence the decision making process within a group.
**Producer**: 1. A person or entity who produces certifiable and non-certifiable agricultural products by practice of the agricultural arts upon land, including tilling, planting, watering, cultivating, producing, and harvesting throughout the whole growing cycle, controlled solely by the person or entity. This specifically disallows agreements that do not encompass the whole growing cycle. Non-certifiable products may include but are not limited to cheeses and dairy products, poultry and meat products, aquacultural products, viticultural products, dried fruits and vegetables, juices, jams or other processed agricultural products. (defined as Farmer)
2. A person or entity who catches pelagic fish or shellfish from boats which the person or entity controls. (defined as Fisherman)
**Representative**: A person designated by a Party to stand for the Party's mission and activities.
**Resale**: The buying and reselling of food or products.
**Sanitary Requirements for Handling**: A document describing Monterey County's regulations pertaining to handling food in a sanitary manner.
**School Club**: A group of people (2 or more) affiliated with a school, organized together to work on a specific need for the benefit of students of the specific school.
**Seafood Broker**: A person or entity that purchases pelagic fish or shellfish from boats or broker houses. Seafood Broker is not an entity or person who purchases pelagic fish or shellfish from a retail store.
**Seller Permit**: A permit issued by the State Board of Equalization to sell products.
**Seniority**: A privileged status of one Participant over another Participant attained by a combination of the Participant's length of time at the Market and regular attendance of the Participant at the Market.
**Spill Out**: An open space no more than two feet directly in front of Participant's stall space that is not in the pathway between Participants, fire lane, or traffic area.
**Staff**: Employees and volunteers.
**State Organic Farm**: A farm recognized by the State's Agricultural Commission in accordance with the State's USDA Organic Standards.
**Temporary Food Facility Permit**: Permit issued by the County of Monterey. This permit approves the operating of outside food preparation.
**Transitional Organic Farm**: Farming systems that are moving in a planned way towards organic production but have not yet completed the transition process.
**Vending Vehicle permit**: Permit issued by the Health Department in the county where the market is held to authorize the transport and sale of potentially hazardous prepared and processed foods (baked goods, fresh fish and seafood, dairy products, poultry and meats).
**Volunteers**: A person or party providing their time and effort for free to conduct an activity.
**Workshop Educators**: A person or party authorized by the Market Manager to conduct an educational workshop at the Market(s) appropriate to families.

**2. PURPOSE**

EH CFMs are established for the benefit of both Producers and Consumers. It provides Producers with direct market outlets at which they can sell at prices primarily higher than wholesale and Consumers with an opportunity to buy fresher food at prices normally lower than retail.

**Type of Market**
The Market(s) operate in accordance with the Food and Agriculture Code, Article 5, Division 21, section 58101, 58101.5, 58103, 58104.

**2. PURPOSE & GOVERNANCE**
The CFM(s) are controlled by EH, a 501 (c) 3 Non-Profit Corporation. - EH's mission is to partner with family farmers and local communities- including those currently underserved – to provide fresh, affordable, sustainable produce through CFMs, farm stands, and community gardens.
- EH Board has developed policies to regulate the EH CFM(s) operations and has adopted the following Rules and Regulations to clarify and supplement the Governmental Laws.
-EH Board reserves the right to change, delete or modify it's policies, procedures and Rules and Regulations at any time. The Board has appointed an EH Market Manager whose primary responsibilities are to manage EH CFM(s) day and office operations and assist the Producers and Consumers. The EH Market Manager, Executive Director, and any Member of EH Board will implement and enforce all Rules and Regulations pertaining to the operation of the Market(s) under its control in a "fair and equitable manner". EH Market Manager and Executive Director have the right to fine any Participant for not following EH Rules and Regulations. Participant fines can range from $15 to $150 dollars. **Failure to enforce any Rule or Regulation shall not constitute a waiver of enforcement of such Rules and Regulations at any future time.** Priority shall be given to Participants who have both accrued seniority and have consistently held their site at the EH CFM(s).

**3. REQUIRED ACTION AND DOCUMENTS BY ALL PARTICIPANTS**
* Participants are responsible to know and follow all city, state, county and federal law and all of the current EH Rules and Regulations including but not limited to California Agricultural Code and California Health and Safety Code. **Participants are responsible to furnish EH with copies of current required documents from the city, state, county and federal government for applicable activities the Participant conducts at the EH CFM(s). It is the responsibility of every Participant at every EH CFM to post their current required documents in the front of their stall space.** Failure of a required act or document to be stated in the Rules and Regulations shall not constitute a waiver for the Participant to be responsible to know and follow all required actions and possess all required current documents necessary for each action they conduct at the EH CFM(s). * Participants shall provide upon request, by any Enforcing Officer, Market Manager, Director of Operations, or Executive Director any document or information pertaining to the Participant conducting their purpose and/or activity at the EH CFM(s). It is the responsibility of the Participant to show at any time that they are following all government laws and the Rules and Regulations. Participant must be able to show location and capability of processing or, if processing is done by a second party, the method used to insure that the processed product returned is the original product submitted by the Participant for processing. Receipts, volume data, and letters verifying methodology may be required following CA Agricultural Code CA ADC §1392.1 (f).
-It is the responsibility of each Participant to accurately record gross sales per market on EH CFMs paperwork. If Participants' sales are not being recorded accurately, it may lead to an internal audit of your business, as it pertains to EH CFMs.
* Below is a list of the general documents required by the government:

**3.1. ALL APPROVED SELLERS (PARTICIPANTS):** Application or Agreement and Holdharmless Agreement

**3.2. SPECIFIC REQUIRED DOCUMENTATION DEPENDING ON PARTICIPANT (STATE LAW)**
* All Participants must submit a copy of documents to the EH Market Manager upon renewal.

**CERTIFIED PRODUCERS (Farmer):**
To sell fresh fruits, vegetables and nuts at a the Market(s) the Producer must have a **Certified Producer Certificate** issued by the Agricultural Commissioner in the country of origin of his/her produce (state law). The Certified Producer, Immediate Family member, or her/his Employee must carry at all times and post prominently during EH CFM(s) selling hours a current embossed Certified Producers Certificate when participating in EH CFM(s). Any farmer, producer, owner representative, agent or employee whose Certified Producer Certificate has been revoked or canceled, or who has been expelled or suspended from EH CFMs shall be denied admission to sell at the EH CFM(s) for her/himself or on behalf of any other Producer. **Organic Registration and Certified Organic Verification:** Each year Producers claiming "Certified Organic"

production must provide proof of Organic certification in accordance with the United States Department of Agriculture (USDA) National Organic Program (NOP) laws. All Organic (USDA exemption candidates only) or Certified Organic Producers must be registered within their county in the State of California. If a farm is Certified Organic, the farm must be certified by a federally approved third-party organization showing current certification. Producers must provide these Organic Certification documents from a Federal/State Organic Registration. If a Certified Producer loses their organic certification while participating in one or more CFMs, it may result in new limitations on what that producer is permitted to sell at the markets. If the Producer is selling processed agricultural products, the Producer must have a **Food Industry Health Permit** from the county where the processing is taking place. If the Producer is providing samples of processed agricultural products, the Producer must follow the Sanitary requirements for Food Handling. Upon request from an EH Market Manager, **chemical registration documents** are required. At any time an EH Market Manager or Executive Director may request **documentation on the purchase location/boat of** pelagic fish, seafood or any other product that is being sold by both Seafood Broker and Fisherman.

**CERTIFIED PRODUCER (Fisherman):**
**Aquaculture Permit, Fish and Game or Apiary Registration Boat License / Registration / Fishing License** and if applicable a **Pilot License.** If fish is cut, the Producer must have a **Temporary Food Facility Permit from Monterey County** and possess a copy of and follow the Sanitary requirements for Food Handling.
**Leases/Contracts/Agreements:** Copies of all partnership contracts, agreements, and leases shall be submitted to Market Manager.
**SEAFOOD BROKER:**
**Leases/Contracts/Agreements:** Copies of all partnership contracts, agreements, and leases shall be submitted to Market Manager. If fish is cut, the Seafood Broker must have a **Temporary Food Facility Permit from Monterey County**, possess a copy of, and follow the Sanitary requirements for Food Handling.
**FOOD PURVEYOR: temporary Food Facility Permit issued by the County of Monterey County, possess a copy of,** and follow the Sanitary requirements for Food Handling. If food is prepared off the Market site(s) the Participant must have a **Food Industry Health Permit:** Permit issued by the County Health Department to food processors of goods intended for retail sales. This permit approves the location where food preparation occurs. If applicable: **Food Registration Permit** and **Vending Vehicle Permit.**

**PARTICIPANT:**
**California Seller's Permit or Re-Sale License.**

**PLANT GROWERS:** Nursery License and if applicable a Nursery Certified Producer Permit

**4. SALES AT THE MARKET**

**4.1. WHO MAY SELL**: ONLY APPLICANTS APPROVED BY AN EH MARKET MANAGER AND/OR BOARD TO BE PARTICIPANTS.
**- CERTIFIED PRODUCERS (Farmer and Fisherman):** Producers and their Immediate Family. Employees of Producers may sell at Market(s). Producers must be practicing agents upon the land. All Producers must be in control of the land or products and must have documentation to verify compliance. The actual Producer of the product(s) is encouraged to attend EH CFM(s) regularly. However, an Employee may sell as long as no commissions are paid to or received by the Employee in connection with EH CFM(s) sales (state law for Certified Producers).
**- SEAFOOD BROKERS**: EH takes exception with the issue of seafood. EH will allow, if approved by EH Board or EH Market Manager, the sale of Brokered Seafood products.
**- FOOD PURVEYORS:** Non-certifiable prepared food adds variety and enhances the festive ambiance of the market. Although State laws regarding Certified Farmers do not apply to non-certifiable prepared foods, the same Producer-to-Consumer philosophy applies for all items sold at any EH CFM(s).
**- PARTICIPANTS:** Non-certifiable products add variety and enhance the festive ambiance of the market. Although State laws regarding Certified Farmers do not apply to non-certifiable products, the same Producer-to-Consumer philosophy applies for all items sold at any EH CFM(s).
**- NON-PROFIT CORPORATIONS, COMMUNITY GROUPS AND SCHOOL CLUBS:** Any items related to or in support of Non-Profit Corporations, Community Groups and School Clubs for fundraising purposes may be sold or given away without the approval of the EH Market Manager. No items may compete with products offered for sale by a Certified Producer, Fisherman, Seafood Broker, Food Purveyor or Participant. Selling select products is permitted on a limited basis.

**4.2. WHAT MAY BE SOLD AND WHERE:** Only those commodities approved by EH Market Manager may be sold by the Participant. Each new commodity added to the original application must be revised and

copies of Producers Certificates must be submitted to the EH Market Manager for review, possible limitation, or denial, by the EH Market Manager before any new commodities can be sold. No live birds or live animals for human consumption may be sold at the EH CFM(s). No commodity other than what is grown by the Participant is allowed to be sold at the EH CFM(s). Everyone's Harvest has the right to limit what Participants specifically sell within EH Certified Farmers' Market at any time.

**CFM Area:** Only Certified produce and plants produced by the Producer in California or fish caught in California waters may be sold at the Market(s) and brokered fish may be caught in other U.S. waters. No Participants, Non-Profit Corporations or Community Groups will be permitted in the designated CFM(s) area under Section 56181 of the Agricultural Code. No resale of any commodities will be allowed in the CFM area at the Market(s) except for Seafood Brokers.
The following may be offered for sale under this designation:
- Certified Products: fresh fruits, vegetables, nuts, eggs, honey, nursery and flowers (produced by the Producer and an approved second certificate Producer if applicable).
- Non-Certifiable Products: dried fruits and vegetables, juices, teas, medicinal herbs, wine, cheese, pelagic and fresh water fish and shellfish, poultry, meats, and other agricultural products may be sold if produced or caught (as in fish) by the Producer selling them.

**Community Event Area:** Prepared food, non-certified plants with a nursery stock license and new products are allowed. No brokered produce is allowed in the non-certified (community event area) of the EH CFM(s).

**4.3 FORMS OF PAYMENT THAT CAN BE ACCEPTED BY PARTICIPANTS**
The following are the only forms of payment (other than cash) that Participants can accept for sales within EH CFM(s).

**-Certified Producers selling fresh fruits, vegetables, and nuts:** EBT, Market Match, WIC, Produce Vouchers, Market Vouchers, FPRx Vouchers, and Gift Certificates.
**-Certified Producers selling honey:** EBT, WIC* for seniors, Market Vouchers, and Gift Certificates.
**-Certified Producers selling flowers:** Market vouchers and Gift Certificates.
**-Certified Producers selling eggs and meat:** EBT, Market Vouchers, Gift Certificates.
**-Participants selling non-prepared food** (bread, baked goods, fresh fruit cups, etc): EBT, Market Vouchers, Gift Certificates.
**-Participants selling prepared foods:** Market Vouchers, Gift Certificates.
**-Participants selling products:** Market Vouchers and Gift Certificates.

*Following WIC rules (2015): Senior WIC can be used to buy honey but Women, Infant, and Children WIC Farmers Market vouchers cannot be used.

Participants cannot accept the incorrect form of payment and will not receive reimbursement from EH for incorrect forms of payment collected.

**5. PROCESS OF APPROVAL**

**5.1. APPLICATION PROCEDURE:** Only those who have had their application reviewed and approved by the EH Market Manager and Executive Director may sell or participate in the EH CFM(s).
-After a Participant is approved by EH, the Participant has one month from approval to pay an annual approval fee of $50.00 per each EH CFM the Participant attends to sell products.
- Permission to occupy a space at an EH CFM(s) is given only after EH Market Manager has received copies of all required documents and confirmed a space reservation for the Applicant
- There may be a review of each Participant for quality of products and suitability of product for consumer base
- Certified Producers will undergo a farm inspection before they can be admitted into the CFMs.
- All Participants must provide products for tasting and promotional uses when asked by the EH Market Manager.
- In the event that a Participant entity changes its "active Participant" designation, including, but not limited to change in entity structure, death, divorce or retirement, or changes to the individual approved Participant comprising the original Participant entity, then a new application for acceptance to attend the EH CFM(s) must be filed with and approved by the EH Market Manager.
- If a Participant enters EH CFMs as a certified organic Producer and then loses their organic certification EH has the right to limit, suspend, or terminate their participation in EH CFMs.

All Participants must submit an application each year to ensure information is correct and up to date, including copies of all certificates and permits.

**5.2 APPROVAL:**
-Each Participant must reapply and be approved each year for participation in each EH CFMs. The decision to approve a Participant to participate in an EH CFM is made by the Market Manager, Executive Director or EH Board. Participant's

renewal is not guaranteed but is subject to the sole discretion of EH. After a Participant is approved by EH, The Participant has one month from approval to pay an Annual Approval Due fee of $50.00 per EH CFM(s) the Participant attends to continue selling at each EH CFM(s).
-Once approved by EH to participate Participants must start attending EH CFM within two weeks or the Participants approval will expire.
-For Participants who already sell at EH CFM(s) see below:

**ANNUAL APPLICATION PROCEDURE (RENEWING PARTICIPANTS ONLY)**

- Completed yearly EH CFM Applications are due for all renewing Participants by Feb. 1st.
-EH will then review and determine approval or disapproval for each renewing Participant for the year.
-Once a Participant is approved by EH, Participants must pay their Annual Approval Dues per EH CFM by March 1st.
- Late applications or Dues will require a $50.00 late fee

**5.3 DURATION OF ANNUAL CYCLE AND LENGTH OF SEASON**

-Approval to participate is not guaranteed. The approval cycle will commence March 1st of each year and end on the last day of February of the following year.
-EH CFM(s) Participants will be reevaluated annually.
-EH Applicants will be notified of their acceptance or non-renewal status.
-EH may give notification to any Participant if it is determined that an applicant will not be invited to reapply.
- Participants must provide at least one week's notice of their starting and ending dates at any EH CFM(s) and must receive confirmation from EH Market Manager that space is available.
-Each market operated by EH requires individual admission by EH
-Participation in one EH CFM does not entitle or allow participation in another EH CFM. All EH CFMs are treated individually.

**5.4. RESERVATIONS:** Space limitations require the EH Market Manager to prioritize Participants' stall and vehicle space in the EH CFM(s). Space for a Participant will be configured and determined by the EH Market Manger. The EH Market Manager cannot guarantee a regular space in any of the EH CFM(s). Reservations for space shall be made at least one week prior to EH CFM day.

**5.5. WAITING LIST:** Existing Participant commodity requests are considered using the following admissions criteria: competitive status, year the Applicant made their commodity request, Organic status, location of operation, scale of operation and presentation of product/stall. New Applicants that are accepted to the wait-list are ranked based on the following criteria: primary certificate or secondary certificate, year the Applicant is applying, Organic Status, location of operation, scale of operation and Participant's attendance at other markets.

**5.6. RIGHT OF INSPECTION:** The Participant must grant permission to an EH Representative being the EH Market Manager, any Member of EH Staff or the Board or a designated outside contractor of EH to enter the Participant's premises for the reasonable inspection of land, facilities, proof of ownership, partnership agreement, land lease and other applicable agreements and documents in order to determine whether the Participant is in compliance with the Governmental Law and the Rules and Regulations of EH. The EH Representative shall have the right to make such inspections without prior notice during daylight hours. Refusal of such inspections will be considered an incident of non-compliance within these Rules and Regulations.

**5.7 INSPECTION PROCESS:** Inspection of Participant's land may include but is not limited to an EH Representative (i) presenting photographs of, and/or measurement of produce they purchased from the Participant's business at an EH CFM within five days of the inspection date; (ii) asking Participant to physically show where the produce items presented are located on the Participant's land; and (iii) inspection of Participant's land for any evidence of the produce.

After inspection, EH staff has the right to exclude from the EH CFM(s) any commodity being sold by Participant which EH staff has a good faith belief is not being grown by the Participant. Written notice of the decision by EH staff to exclude any commodity shall be given to the Participant. Participant's failure to comply with that decision could result in the imposition of a separate fine on Participant for each commodity and for each CFM. EH shall also have the right to suspend or terminate a Participant from EH CFM(s) pursuant to the procedures for suspension or termination in EH Bylaws Article 13.

**6. MARKET DAY**

**6.1. ASSIGNMENT OF SELLING SPACE:** The Participant's location, space size and other factors of assignment of selling space within EH CFM(s) shall be at the reasoned discretion of the EH Market Manager. In making any determination in this regard, the EH Market Manager shall consider the following:
- Quality of product, display, presentation and customer service

- The maintenance of good present and past Consumer-Producer relationships
- Length of seniority for the space
- The principles of good Market(s) and product promotion
- The maintenance of good product mix and consumer traffic flow in the EH CFM(s)

If a Participant does not attend EH CFM(s) week-after-week the Participant may lose their specific selling space and/or their right to sell at the EH CFM(s).

**6.2. PAYMENT OF FEES:** It is the responsibility of the Participant to find and pay their booth fee to the EH Market Manager at each EH CFM day or, if paying monthly fees, at the first EH CFM day of the month. EH Market Managers will accept payment and forms no earlier than 15 minutes before the close of the EH CFM(s). Monthly rates secure EH CFM attendance and limit administrative costs. No refunds, discounts, or credits will be given to Participants paying monthly who do not attend all EH CFM(s) that month.

**FEE STRUCTURE FOR MARKETS: MARCH THROUGH THE END OF NOVEMBER**
**FOR ONE MARKET PAID ON THE DAY FOR PACIFIC GROVE AND MARINA EH CFM**
5x5-foot space=$25.00
10x10-foot space=$40.00
20x10-foot space=$60.00
30x10-foot space=$78.00
**FOR FOUR MARKETS PAID MONTHLY FOR PACIFIC GROVE AND MARINA EH CFMS:**
5x5-foot space=$95.00
10x10-foot space=$145.00
20x10-foot space=$220.00
30x10-foot space=$250.00
**FOR FIVE MARKETS PAID MONTHLY FOR PG AND MARINA EH CFMS:**
5x5-foot space=$118.00
10x10-foot space=$180.00
20x10-foot space= $275.00
30x10-foot space= $312.00
**FOR ONE MARKET PAID ON THE DAY FOR SALINAS EH CFMS**
5x5-foot space = $25.00
10X10-foot space = $35.00
20x10-foot space = $55.00
30x10-foot space = $70.00
**FOR FOUR MARKETS PAID MONTHLY FOR SALINAS EH CFMS:**
5x5-foot space = $95.00
10x10-foot space = $120.00
20x10-foot space = $180.00
30x10-foot space = $220.00
**FOR FIVE MARKETS PAID MONTHLY FOR SALINAS EH CFM:**
5x5-foot space= $118.75
10x10-foot space=$150.00
20x10-foot space=$225.00
30x10-foot space=$275.00
**FEE STRUCTURE FOR MARKETS: DECEMBER THROUGH THE END OF FEBRUARY-(MARINA AND PACIFIC GROVE CFMS ONLY)**
**FOR ONE MARKET PAID ON THE DAY OF FOR PACIFIC GROVE AND MARINA EH CFMS:**
5x5-foot space=$20.00
10x10-foot space=$35.00
20x10-foot space=$55.00
30x10-foot space=$75.00
**FOR FOUR MARKETS PAID MONTHLY FOR PACIFIC GROVE AND MARINA EH CFMS:**
5x5-foot space=$80.00
10x10-foot space=$115.00
20x10-foot space=$180.00
30x10-foot space=$220.00
**FOR 5 MARKETS PAID MONTHLY FOR MARINA AND PG (NO CREDITS FOR NON-ATTENDANCE IF PAID MONTHLY)**
5x5-foot space=$100.00
10x10 -foot space=$140.00
20x10-foot space=$235.00
30x10-foot space=$280.00

If a Participant's check bounces, they will be fined $35.00 for each bounced check and the EH Market Manager will no longer accept checks from that Participant. Non-profits, community groups, and school clubs may receive a free booth space to outreach and fundraise (not competing with paid Participants) given at the EH Market Manager's discretion depending on space availability.

**6.3 HOURS OF SALE:**
- PG and Marina EH CFM(s) are scheduled for closures for only two weeks from December 27, 2015 to January 4, 2016.
- Marina EH CFM: Sundays from 10am to 2pm, year round.
- Pacific Grove EH CFM: Mondays from 3pm to 7pm (3pm-6pm during winter), year round.
- Salinas Valley Memorial Healthcare EH Certified Farmer's Market: Fridays from 2pm-6pm, seasonal.
- Alisal EH CFM: Tuesdays from 11am to 4pm, seasonal.
- Natividad Medical Center EH CFM: Wednesdays from 11am to 3:30pm, seasonal.

**6.4 SET-UP AND DEPARTURE POLICIES**
- Weather permitting, EH Market Manager will close off the market site at least one hour before market opening time (and address any non-market vehicles parked in market area) for Participants to set-up. Participants will be given at least one hour after market to break down.
- Participant shall arrive at least 30 minutes before the start of the EH CFM(s). Participants with barbeques must arrive at least 60 minutes before the opening of the market or they will not be allowed to sell at the EH CFM on that day. Participants that fail to be in attendance 30 minutes before the start of the EH CFM are considered late. In turn, the Participant's reserved space(s) will not be held and the Participant will be fined after the Participant arrives late more than two times in one calendar year.
- No Participant may leave the EH CFM(s) before the EH CFM(s) closes without permission.

Participants are only allowed to leave the EH CFM(s) early with EH Market Manager approval and assistance. If any Participant leaves early (a minute before the closing hour) two times in one year they will be fined.
- A Participant is not allowed to enter the EH CFM(s) after EH CFM(s) starting time without EH Market Manager approval and assistance. All Participants are required to call the EH Market Manager if they are going to be late and will not be able to enter and set-up their stall before the required time.
- Auto and truck flow must not endanger pedestrians. Participants entering their vehicle into the EH CFM(s) area must drive very carefully and always under 3mph. If a Participant needs to move any cones to get their vehicle in or out of the EH CFM area, they must receive immediate assistance from the EH Market Manager before entering their vehicle into the market area. **If any Participant does not follow the procedure directly above, they will be fined and/or subject to being expelled from selling at the EH CFM(s).**
- Participants, if parking in the EH CFM or outside of the EH CFM, must park their vehicles where the EH Market Manager designates parking for Participants. This assists EH in keeping on good terms with neighbors of the EH CFM(s).

**6.5 ATTENDANCE: All EH CFM(s) run rain or shine.**
-EH CFM Participants are expected to attend each consecutive week during their respective seasons. Full-Year or Year-Round Participants are expected to attend every week during their annual Approval process. –
-Participants that would like to schedule an alternating schedule must make a formal request in when submitting an Application or in writing afterwards. An alternating schedule must be approved by EH Market Manager.
-For all Participants who stop attending EH CFM(s) consecutively or alternating, it is the Participants responsibility to call EH at least a week in advance to inquire if there is space available for the Participant to return to EH CFM. The Participant must receive confirmation from EH that space is available before returning to EH CFM.

**Cancellation Policy**
Cancellations must be submitted by phone to **(831) 384-6961** at least 48 hours before the market day, This means a Participant calls **(831) 384-6961** before for;
-Marina Friday by 9:30am
-Pacific Grove Saturday by 3:30pm
-Alisal Sunday by 10:30am
-Natividad Monday by 10:30am.
-Salinas Valley Memorial by Wednesday by 1:00pm

-EH CFM Participants who cancel more than their allotment of cancellations may, in the sole discretion of EH, lose its space or their right to sell at EH CFM(s)

-EH CFM(s) Participants that are regularly scheduled are permitted four (4) cancellations each year, per EH CFM, for year round EH CFMs. EH CFM Participants who cancel more than their allotment of cancellations may lose their space or their right to sell at EH CFM(s). For each seasonal EH CFMs, Participants are only permitted two (2) cancellations per season.

-More than four cancellations or a no-show due to a broken-down car, illness or family emergency requires records of these incidents to be submitted to EH Market Manager to not accrue a fine.

-When a Participant calls to cancel, a definite commitment must be given that the Participant either will or will not be at the EH CFM(s).

-It is the responsibility of the Participant to make judgments about the weather and determine his/her attendance based on his/her own judgments. It is not the responsibility of EH to inform each Participant about the weather on the day at EH CFM site(s) if it is determined that the EH CFM(s) will be open in severe weather.

-Due to the uncertainty of weather EH never cancels an EH CFM in advance. In case of severe or extreme weather, EH Market Manager has the right to adjust or cancel an EH CFM on the day during the regularly scheduled EH CFM hours.

**RAINY DAY POLICY**
In addition to cancellations:
-Participants will be given three (3) free Rainy Day Market Passes (Pass) per EH year round CFM per annual cycle. Passes can be used when the weather is intense or severe at EH CFM or the Producer's farm site, provided that the Participant provides (i) 12 hr. notice prior to the EH CFM day or (ii) decides before setting up its stall space to not participate due to weather and promptly tells EH Market Manager they are using a "Rainy Day Pass" before they set up.
-Once a Participant has set up their stall space they are required to stay the duration of the EH CFM. If an eligible Participant fails to provide notice or show up at an EH CFM for which it has been scheduled, the Participant cannot use one of its Rainy Day Passes.
-Passes are nonrefundable.
Participants must attend on a weekly basis throughout the year to receive their allotment of Passes. EH CFM Participants who cancel more than their allotment of Rainy Day Pass credits may, in the sole discretion of EH, lose their space or the right to sell at that EH CFM.

-Rainy Day Discount Fees may be reduced only at the EH Market Manager's discretion. If a discount is given for a rainy day, Participants who pay monthly must be present on the rainy day to receive the discount. The rainy day discount will be credited to their next month's EH CFM fee payments.

-When a Participant cancels in excess of their allotments for the year, a stall fee and fine will be applied and will increase if cancellations in excess of allotment continue, unless Participant has discussed with and received approval from EH Market Manager.

-A no-show (not calling (831) 384-6961 at all and not attending an EH CFM) will result in a verbal warning, stall fee, and fine that will increase due to multiple occurrences. Exceptions include a broken-down car, illness or a family emergency with documents submitted to EH. Refer to the violation matrix below:

| Violation | 1st Offense | 2nd Offense |
|---|---|---|
| No-Show w/out notice | -Warning | -Stall Fee -$50 |
| Cancellations in excess of allotments | -Stall fee -$25 fine | -Stall fee -$50 Fine |

| Violation | 3rd Offense | 4th Offense |
|---|---|---|
| No Show w/out notice | -Stall Fee -$100 -Suspension | -Expulsion |
| Cancellations in excess of allotment | -Stall Fee -$50 Fine | -Expulsion |

**6.6 DISPLAY ALL PERMITS AND LICENSES:** All required documents shall be provided and must accompany all produce and products during transportation. During EH CFM(s) selling hours an original or certified copy of documentation must be displayed prominently.

- **Identification Signs:** All Participants are required to display a sign identifying their business name, county it is located in, and for Certified Producers a statement verifying that what is being sold was produced by that business.

**6.7 PARTICIPANT SPACE**

All EH CFM(s) are conducted in accordance with state and federal laws and local ordinances.

**Drug and Cosmetic Laws**

- Every stall shall have a trash box for public use. Remove trash accumulation regularly.
- No display tables may be filled over carrying capacity. Items on display must be stable. Table legs must be secure and must not cave in.
-Tents and shade set-up must be tied down by at least 50 pounds on two sides to equal a total of 100 pounds at all times distributed throughout the tent. All connecting rods of the shade set-up and weights must be secure in their fittings. Tarps must be securely fastened.
- All boxes and crates of produce and other food products must be kept 6 inches off the ground under Section 27831 of the State Health & Safety Code.
- If the local health authority approves, distribution of samples in a manner that will ensure safe, unadulterated samples for the public may be allowed . In such regard, the Participant must follow all California State health guidelines:

a. Keep samples in clean covered containers approved by the local health agency.
b. Use toothpicks or disposable utensils to distribute the samples.
c. Dispose of pits, peels, food waste and rubbish in leak proof garbage receptacles with close fitting lids.
d. Use clean disposable gloves when cutting produce for samples.
e. Produce intended for sampling must be washed and cleaned to be wholesome and safe for consumption.
f. Utensils and cutting surfaces must be washed and sanitized (use a chlorine solution of one teaspoon or capful of liquid bleach per gallon of water).
g. Cutting surfaces must be smooth, non-absorbent and easily cleanable.

- Smoking is not permitted in produce display and immediate sales area during EH CFM hours within 15 feet of market area (State Health and Safety Code)
- Auto and truck flow must not endanger pedestrians.
-No live animals, birds or fowls may be kept or allowed within 20 feet of any area where food is stored or held under Section 27831 of the State Health & Safety Code.
- No dogs, bicycling, skating, or skateboarding is allowed in the EH CFM(s).
- At least a two feet pathway must always exist between Participants' stall spaces. No Participant can occupy this space at any time.
- Food preparation (except trimming) is prohibited without a Monterey County Temporary Food Facility Permit.
- Processed foods must be processed in an approved facility and properly packaged and labeled under clean and sanitary conditions.
- Dried fruit and shelled nuts sold in an unpackaged bulk form must be displayed with a cover and conform to dispensing methods approved by the Monterey County Health Department.
- Participants selling non-Certified food or products are required to have a valid permit from the local jurisdiction and are not considered part of the EH CFM(s).
- No polystyrene (Styrofoam) "to-go" containers may be used. Sampling utensils, eating utensils must be compostable. Food sold and not designed to be eaten at the

market can be placed in recyclable containers.

**Description of Selling Space**
- Stall Fee is calculated on a 10X10 tent of equivalent volume of selling space. If available and pre-approved by an EH Market Manager, Participants can store items that are not for sale (aka: back-stock) without charge. Space less than a 10X10 block will be proportionally charged.
- Participant constructed walls may not exceed 8 feet high.
- All Participants must receive permission by the EH Market Manager to park their vehicle in the EH CFM or near their booth space. The EH Market Manager will review, limit, deny, or approve a Participant to park their vehicle in or near their stall space based on location, space availability, and Participant seniority.
-Participants must keep their vehicles, merchandise and tables within their assigned stall space. No part of the Participants' vehicle or stall set-up may encroach on the mandated fire lane. Pedestrian flow may not be congested due to a Participant set-up.
- All promotions and sales shall occur within the stall space provided.
- A Participant who rents more than one space shall rent them contiguously.
- No electricity or water is provided by EH to Participants. It is the responsibility of the Participant to be prepared with these items for their needs.
- No Participant may assign, share, or sublet his/her space without approval from the EH Market Manager.
- T-shirt plastic bags and Polystyrene (Styrofoam) are prohibited from distribution at EH CFM(s). Encouraging customers to bring their own reusable bags, paper bags, and bio-bags is recommended. If prohibited bags are used during EH CFM(s), Participant must immediately stop using the prohibited bags.

**Clean Up**
- Participant shall maintain the stall space assigned to them in a clean and sanitary condition. When vacating their space, Participants must remove all equipment, product, trimming, wrappings, and containers within one hour after closing of the EH CFM(s).
-Participants are responsible for cleaning their own stalls and the aisle area in front of their stalls.
-The Participant shall reimburse EH for any expenses incurred to return the stall space to the condition in which it was found (reasonable wear and tear excepted).
- Clean all cooking surfaces regularly to prevent the buildup of grease

**Safety Regulations**
- Exits from booth: From within the booth, the exit pathway leading to the exterior shall not be less than 36 inches and the width of the exit door. There shall be no obstruction of the exit door or exit pathway.
- Fire extinguishers: Any booth using any type of heat-generating appliance shall have a fire extinguisher that is at least 2A 10BC. In some cases, an additional fire extinguisher may be required. All fire extinguishers new or used are required to be serviced once a year and have a current tag on the extinguisher. Each fire extinguisher is tagged by the service company as to the extinguisher service date. If there is no tag on the extinguisher, the unit must be serviced. Check the telephone directory for licensed fire extinguisher service companies. All fire extinguishers shall be mounted in a visible and accessible location, preferably near the exit. Know where the fire extinguisher is located at all times.
- Cooking equipment: Any type of cooking equipment or process that produces uncontrolled flame will not be allowed inside the booth. No combustible material will be allowed directly above uncontrolled flame. Any combustible structural component of a booth located within 36 inches of cooking equipment shall be protected by a non-absorbing and non-combustible material, approved by the State Fire Marshal.
-Gas cylinders: No gas cylinders will be allowed within a booth unless the cylinder is an intricate part of the appliance. Example: gas fired barbecue with cylinder attached. Gas lines subject to mechanical damage shall be protected. All gas cylinders, including spares, shall be firmly secured in place to prevent accidental fall-over. Every gas-fired appliance shall have a gas shutoff valve. Maintain a safe distance between flammable gas cylinder and any heat source.
- When cooking, an adult shall never leave the food cooking unattended and must not wear loose-fitting clothing.
- Keep combustibles away from all heat sources.
- All generators must be approved by the EH Market Manager before they are used at the EH CFM(s). Generators must be very quiet (the generator noise level must run under 64dB at full load). We encourage the use of propane.
- All Participants must stay within their stall space. Participants must not extend out into the pathways between Participants' stall spaces, fire lane, or into traffic area. If space is available, Participants can "spill out" (less than two feet) in front of their stall space without an additional stall fee if they do not extend into the pathways, fire lane, or traffic area.

**6.8 SIGNAGE AND PROMOTION**
- Prices must be clearly posted on all products. Collusion among Participants to change prices or exertion of any influence, pressure or persuasion to cause a Participant to

increase prices is strictly forbidden (state law).
- Packaged products must be labeled with the name of the farm or Producer, the address and the weight of the contents (state law). Co-op products and labels are not acceptable; use farm/Producer name and adding weight and lot numbers to verify that the product came from the Producer.
- Organic and Conventional commodities sold in the same stall space need clear, visible and non-confusing signage stating which products are Organic and which products are Conventional. Failure to post these signs will result in non-compliance resulting in one warning and further non-compliance will result in not allowing both types of products to be sold in one booth space.
- Any Participant claiming to have "Certified Organic" produce or products shall grow or process the products in accordance with the USDA NOP rules and regulations, effective October 2002. Participants can only claim "Certified Organic" if they are certified by an approved USDA agency. Organic licensing must be displayed.
- Participants with gross sales of $5000.00 or less annually are exempt from USDA certification requirements. These Participants must follow the USDA Organic Farming protocols but are not required to obtain certification. These Participants are allowed to promote using the word "Organic" only. These Participants are not allowed to promote using the phrase "Certified Organic". These farmers may be required to provide documentation to verify annual sales of $5000.00 or less.
- "No Spray", "No Chemicals", "No Pesticides" and other such claims shall be affirmed by a Notarized affidavit stating, "at no time during the growing season or post-harvest handling of this commodity have any synthetic pesticides, herbicides, fungicides or other toxic applications been used". Upon receipt of notarized affidavit, "No Synthetic Sprays" shall be the only language used to describe the above claims. In these cases when synthetic chemical fertilizers are used, the signs shall also state "Synthetic Fertilizer Used". When these claims are made, the Pesticide Use sign including the notarized affidavit shall be posted at the Participant stand. Copies of the affidavits must be submitted to the EH Market Manager.
- Transitional Organic is a term not recognized by the State Organic Program. You may not use the term.
- **Identification Signs:** All Participants are required to display a sign identifying their business name, county it is located in, and for Certified Producers a statement verifying that what it being sold was produced by that business.

**7. EXPECTED BEHAVIOR BY ALL**

**7.1 Anti-Harassment Policy: Harassment will not be** tolerated by Participants, Employees, Contractors or any member of the Board at EH CFM(s), public events or meetings. This includes, but is not limited to, use of abusive, profane or demeaning language and sexual harassment to anyone. This also includes slandering language regarding others that may be heard by Customers or other Participants.

**7.2 Ethics Code:** EH Board believes that a code of ethics is basic to the conduct of EH CFM(s). All Participants, Employees, Contractors and any Member of the Board shall conduct their professional lives in accordance with the ethics standards stated below:

*"Be civil and respectful in professional interactions, avoiding discrimination, based on race, gender, sexual orientation, religion, or age. Treat everyone fairly and with respect."*

**7.3 Standard of Conduct:** All Participants, Employees, Contractors, EH Market Managers and Members of the Board at the Market(s), public functions and meetings must:
- Be knowledgeable about their products (how they are used, grown or produced) and clearly communicate this to Customers.
- Be courteous, professional and presentable.
- Display products in a clean, presentable and attractive way.
- Be honest and conduct themselves at all times in a courteous and business-like manner.
- Dress and behave in an appropriate manner, including wearing shirts and shoes.
- Not use illegal drugs, drink alcoholic beverages, yell, heckle, swear, name call, make slanderous remarks, throw items, fight or participate in other offensive behavior.
- Treat others, including Participants, Employees, Contractors, Board Members, Customers, and Officials, with respect.
-It is the responsibility of all Participants to be honest and to conduct themselves at all times at EH CFMs and outside of EH CFMs when communicating to EH Management in a courteous and business-like manner.
- Refer any matter concerning lack of courtesy by Customers to EH Market Manager or any Member of the Board.
- Make any complaints about other Participants, Employees, Contractors, or any Member of the Board or EH CFM(s) Rules and Regulations to the EH Market Manager and/or EH Board.
- Refrain from using any slanderous or defamatory remarks about anyone. These will be subject to legal liability for damages caused.

- Not sell any stolen or pirated items. These are prohibited for sale by any Participant at EH CFM(s)

**8 VIOLATIONS OF RULES AND REGULATIONS**

**8.1 REMEDY FOR VIOLATIONS NOT SUBJECT TO IMMEDIATE EXCLUSION:** First violation will result in a verbal and written warning. The second violation will result in a determination letter in which the EH Market Manager and/or Board may choose to fine, and/or suspend, or terminate the Participant as prescribed in EH Bylaws section 13.1. Participants who do not comply with the State Direct Marketing Regulations, pertinent State and County regulations, or the Rules and Regulations and Bylaws of EH as set forth herein, may be subject to Expulsion, Suspension, and/ or Termination of their Participant Approval to the EH CFM(s) as per EH Bylaws section 13.3.

**8.2 IMMEDIATE EXCLUSION:** A Participant may be immediately excluded from the premises of EH CFM(s) if that Participant has failed in a serious degree to observe the Rules and Regulations or otherwise acted in a manner causing Immediate threat, imminent threat or harm to anyone (Board, EH Market Manager, fellow Participants including employees, customer or the general public). An immediate exclusion will be followed by suspension and/or termination of the Participant Approval as prescribed in EH Bylaws section 13.2.

**8.3 VIOLATIONS AT OTHER CFMS**

-Each participant is responsible to notify EH Market Manager if they receive a violation at another CFM outside of EH's control within a month of receiving that violation.

**9. PARTICIPANT CATEGORIES**

**9.1 CERTIFIED PRODUCER (FARMER AND FISHERMAN) AND SEAFOOD BROKER**

-All commodities must be reviewed and approved by an EH Market Manager before a Participant can sell that item(s) or add new items to sell.

- Prepared or processed products may be sold under the Producer if the Producer produces over 50% of the prepared product and is in accordance with the State Health and Safety Code.

- Participants can sell both Organic and Conventional commodities. Refer to *Signage and Promotions* pertaining to requirements with signage.

- Fresh produce and fish must be in season. Sales of out-of-season California produce are allowable only to the extent of their normal storage life or upon proof that such produce was grown in greenhouse facilities operated by such Producer.

-No frozen seafood products are allowed at the EH CFM(s).

- Producers storing both Certified and non-Certified products must have an effective system of documentation for separation of products so that there is no possibility of confusing Certified and non-Certified products with products not produced by the Producer.

-All produce is expected to be vine-ripened and fresh. Lower grade fruits and vegetables must be marked as such and priced accordingly.

-EH Market Manager has the authority to ask that poor quality produce (i.e. bruised, smashed, rotting, burnt, wilted, and dirty) be removed from sale.

- State law prohibits sales to retailers (except restaurants) during EH CFM(s) hours. Participants whose products do not meet minimum quality standards are subject to fines, suspension and expulsion upon recurring violation of these quality requirements.

- Scales shall be approved commercial scales and certified by the County Sealer and Office of Weights and Measures on a renewal basis.

- Load Lists, provided by EH, are to be turned in before the end of each EH CFM day. **It is the sole responsibility of the Certified Producer to turn in a completed Load List to the EH Market Manager before leaving each EH CFM. Load Lists are due after each EH CFM. Failure to complete and turn in your Load Lists after each EH CFM may result in a fine each time it is not turned into the EH Market Manager.** If the Producer fails to turn in the Load List more than three times in one calendar year they will be subjected to additional fines, suspension and/or termination from the EH CFM(s) prescribed by EH Board.

- Certified Producer may sell for only one other Certified Producer per year. The second certificate will be reviewed and approved on a non-competitive annual basis. Approval will be based on the following conditions:

a. The second Certificate Producer must have signed the Rules and Regulations sign off.

b. No duplication of commodities is allowed on both certificates.

c. The primary Producer has given the EH Market Manger a written agreement, which verifies consent from the second Producer to have their products sold at the EH CFM.

d. The second Producer must be from the same or a contiguous county as the primary Producer.

e. Each certified Producer's products must be displayed separately and identified by individual Producer's certificates (state law) and other required permits. Over 50% of the produce or products displayed for sale must be from the primary certificate.

f. The Producer who attends the EH CFM(s) is responsible for advising EH Market Manager when he/she is

selling products from a second certificate.

**9.2 FOOD PURVEYOR:** Food Purveyors and the food they prepare and sell at EH CFM(s) must receive approval from the EH Market Manager. The EH Market Manager selects prepared foods that is of high quality and does not directly compete with the prepared food currently at the EH CFM(s). However, the Food Purveyor does not have exclusive selling rights to sell food and must not compete with food provided by a Certified Producer.

**9.3 PARTICIPANT:** Products sold by a Participant at the EH CFM(s) must receive approval from the EH Market Manager. The EH Market Manager selects products of high quality and does not directly compete with products currently at the EH CFM(s).However; participants do not have exclusive selling rights of any products at the EH CFM(s).

**9.4 A CHARITABLE PARTY** may apply to receive approval from the EH Market Manager to have a free booth space at EH CFM (s) for purposes of outreaching the Charitable Party's services and/or activities to the local community and for fundraising activities. All Parties are considered on a weekly and rotating basis in order to give all interested Parties a fair chance at attending EH CFM(s). Upon request from EH, the Charitable Group must provide proof: the Group is currently active and the Representative position in the Group is valid with publications or minutes from a Group's meeting. The Group must provide their own table(s), chair(s) and Group publications. Walking outside of the Participant's designated space and passing out publications is prohibited. No items sold for fundraising activities by the Groups may compete with paying Participants. EH reserves the right to determine if a fundraising activity is competing with a paying Participant.

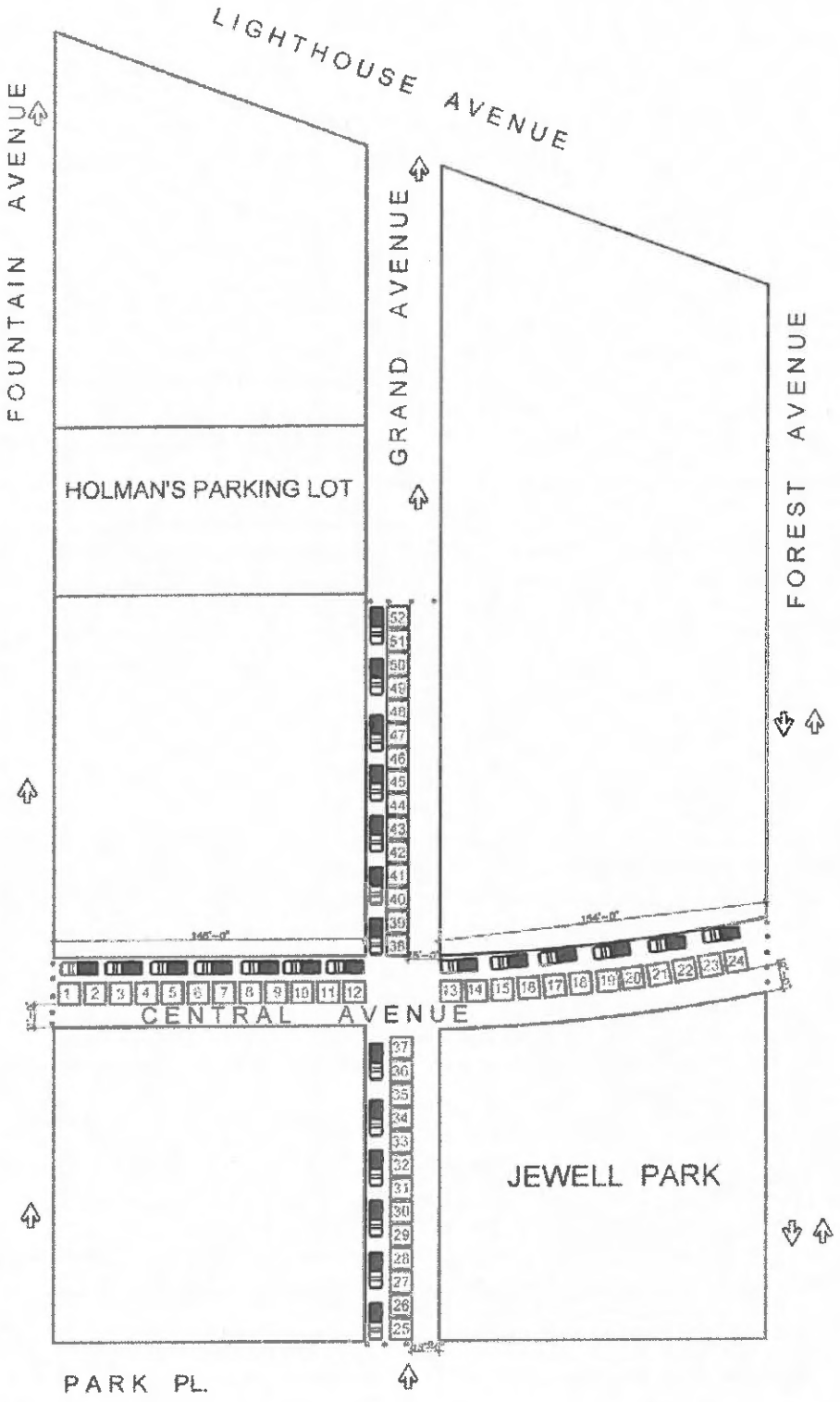
**9.5 ENTERTAINERS AND WORKSHOP EDUCATORS** may apply to receive approval from the EH Market Manager to have a free space to conduct their activity (play music, entertain or conduct an educational workshop) at EH CFM(s). All Entertainers and Workshop Educators are to be considered on a weekly and rotating basis in order to give all interested Participants a fair chance at conducting their activity at the EH CFM(s). If the Participant is unable to attend the EH CFM on their assigned day in the future, the EH Market Manager may deny approval for the Participant to return to EH CFM(s) to conduct their activity. All activities must be suitable for families and children.

**9.6. POLITICAL CANDIDATE, A PROPONENT OF A BALLOT MEASURE, OR ADVOCATE:** All must understand the below disclaimer if participating in the Markets, and agree to post this disclaimer in clear public view at all times at your space at EH CFMs. Participants must conduct their activity in their Market designated space. Walking outside of the Participant's designated space and passing out publications is prohibited. Publications of political candidates and ballot measures are not allowed at EH Information Booths.

**Disclaimer:** EH is proud to provide space at its markets for all political candidates and their advocates, and proponents and opponents of a ballot measure on an equal opportunity and non-partisan basis. EH does so only as a public service to the people attending the markets and by doing so it does not endorse or oppose any candidate or measure.

# Letter EHarv Attachment C

# Letter EHarv Attachment C Continued




DRAFT PACIFIC GROVE'S FARMERS MARKET CENTRAL AVE. LAYOU'

NOT TO SCALE

# Letter EHarv Attachment D

**Statement of Support for the Farmers' Market**

In support of our regular, weekly Farmers' Market, we ask that the major impacts on the Market be carefully considered as the City reviews alternatives proposed for the lower part of the Holman block.

It seems to us that:

• The Draft EIR's proposed mitigation --- a widened sidewalk along the eastern margin of Jewell Park --- potentially destroys major features of both the Market and the Park and blocks positive Market-Park interactions that the community currently enjoys and values.

• We would like to see alternatives of a more modest height and footprint to reduce impacts on the Farmers' Market, Museum, Library, Jewell Park, and the neighborhood and, if possible, to allow the Market to remain in its current configuration.

• Before the City proceeds to a Final EIR, we respectfully request a revised Draft EIR that includes such alternatives, affords the public a meaningful opportunity to comment on proposed mitigation measures, and genuinely addresses public input.

Thank you for considering this request.

| | |
|---|---|
| Holly Daniels | Emily Gottlieb |
| Carla Gorman | Erica Wade |
| Pat Klein | J S Reeve |
| Anne Carnile | |
| William Carnile | |
| Richard Campbell | |
| AnnMarie Strand | |
| Heather Hannigan | |
| Denise Frischmuth | |
| Robert Frischmuth | |
| Teepian Yu | |
| Christi Doyle | |

[circulated Oct. 9-16, 2017 in Pacific Grove]

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| | |
|---|---|
| Vicki Pearse Vicki Pearse | MELISSA SWEETSER |
| Chris Bohrmann | STEVE COOBBESTER |
| MARIANA CUPIPPA | Ann Pedersen |
| FELIPE PONTES | Megan Samson |
| Marilyn Beck | J Dan Donnelly |
| Mike Dinkel | Laurie Jenie Michelsen |
| ANITA BONHEUR | Kevin J Dooley |
| Carolyn [illegible] | [illegible] |
| Barbara Lebrecht | Richard T. Oehler |
| Peter Boynton | [illegible] |
| Kathy [illegible] | [illegible] |
| JOE SWEETSER | |

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| | |
|---|---|
| [illegible] | [illegible] |
| [illegible] | Gary L. Mader |
| Mary Pommerich | Mary Greenberg |
| [illegible] | Paz:a Greenberg |
| Shannon Carnazzo | Alison Jones-Pomatto |
| Maureen E. Bragdon | [illegible] |
| Benjamin Bingle | [illegible] |
| William [illegible] | Mary Lee Newman |
| [illegible] | [illegible] |
| [illegible] | [illegible] |
| Paula Fisher | |
| BRITTAN CARLSON | |

[circulated Oct. 9-16, 2017 in Pacific Grove]

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Thank you for considering this request.

Hester Parker
James Taylor
Annjanette Gauthier
PG
PG
PG
Pea
P.G.

Sharon Glassell Mtry.
Keven Miller
Lynn Yaghoubian
P.G.
PG
Elisabeth S. Bodenweiser

[circulated Oct. 9-16, 2017 in Pacific Grove]

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Thank you for considering this request.

Maria Meyer Eldridge

Sally j Peterson

Gilia Bosworth

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Thank you for considering this request.

| | |
|---|---|
| CINDY NORLIN * | Cindy Norlin |
| Kelsey Haack | |
| Joe Cravin | Joe Cravin |
| Margaret A. Hansen | Joseph Kai |
| Marilyn Pombertas | Maria Costa |
| Heath McWhirter | Michele Bond |
| Kari Foster | |
| Kate Siegler | Katie Siegler |
| PAUL JORDAN | |
| MAGGIE McGOVERN | |
| Susan Anspach | |
| Elizabeth Costa | Elizabeth Costa |

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Fire Lane limits bars of construction on Main

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Thank you for considering this request.

| | |
|---|---|
| Alana Shapiro | Rita Summers |
| Stephanie Harmony | LUKE NETSCH |
| Steven Rodriguez | [illegible] |
| RALPH LEE LOTZ | Dina Zawadzki |
| ROSALINA MORATA | Jason Bradley |
| Judy LeRoy | REBECCA DIETRICH |
| LARRY BOOKER | Julia Triplett |
| Joye INZANA | Kelly Kerr |
| Hayley Reitman | Kevin Kerr |
| [illegible] | Mary Daintan |
| AZUREYA | Nancy W. Bowman |
| [illegible] | [illegible] |

[circulated Oct. 9-16, 2017 in Pacific Grove]

## RESPONSE TO LETTER EVERYONE'S HARVEST (EHARV)

### Response to Comment EHarv-1

*The commenter asks for clarification on whether the project would displace or alter farmers market operations, as the proposed configuration for the market during project operations is unclear. The commenter further states that an amendment to the Everyone's Harvest Use Permit would be required.*

Thank you for your comment. This comment does not pertain to the adequacy of the Draft EIR. As noted in Master Response 5: Widening the Sidewalk, the City shall determine whether the farmers market operations need to be reconfigured or moved at a later date.

### Response to Comment EHarv-2

*The commenter expresses concern about short-term construction-related impacts of traffic, noise, air quality, and lighting and operation of the Pacific Grove Farmers Market. The commenter further states that the traffic analysis for the project does not fully consider permitted road closures on Mondays. Lastly, the commenter states that the Draft EIR's proposed mitigation measure MM 3.4.2c, which calls for a widened sidewalk on the eastern edge of Jewell Park, would result in a number of recreational impacts.*

Refer to Master Response 1: Traffic Safety, Master Response 2: Project Traffic, Master Response 5: Widening the Sidewalk, and Master Response 6: Construction Noise Impacts.

### Response to Comment EHarv-3

*The commenter states, "The use of heavy construction equipment during market operations could result in noise, air quality, and traffic impacts. Therefore, the City should condition the Hotel Durell project to modify the hours of construction to avoid the once a week Market operation on Mondays when the street is closed."*

Refer to Master Response 5: Widening the Sidewalk, for the City's condition of approval regarding Monday construction.

### Response to Comment EHarv-4

*The commenter notes, "As a permitted use, this section should also identify the Farmers' Market as a surrounding land use."*

The Draft EIR described permanent surrounding land uses. The market is not considered a permanent use for purposes of the environmental analysis. No changes required.

### Response to Comment EHarv-5

*The commenter states the Farmers' Market is an event occurring multiple times within a twelve-month period and has obtained a Use Permit accordingly.*

As described in Master Response 5: Widening the Sidewalk, the City will determine the location of the farmers market at a later date.

**Response to Comment EHarv-6**

*The commenter expresses concern about relocating the farmers' market.*

Refer to Master Response 5: Widening the Sidewalk, and Master Response 6: Construction Noise Impacts.

**Response to Comment EHarv-7**

*The commenter states, "The Final EIR should explicitly identify the farmers' market as a noise sensitive receptor and a mitigation measure should restrict construction noise during market operations (that is, no construction activity during the market)."*

Visitors to the farmers market are considered sensitive receptors for purposes of the environmental analysis. Page 3.3-2 in Draft EIR Section 3.3, Noise, describes acoustic and decibel sound levels, and how humans respond to noise at typical noise levels. Figure 3.3.1 illustrates typical causes of noise and decibel levels from common sources. Analysis of project-generated noise in the Draft EIR is based on information and guidance provided by the Federal Transit Administration (2006), the Federal Highway Administration (2006a, 2006b), and the California Department of Transportation (Caltrans) (2004). The analysis takes into account increases in noise levels over pre-project noise conditions. Additionally, refer to Master Response 6: Construction Noise Impacts, for the City's condition of approval imposed on the project.

Based on the vibration levels presented in Table 3.3-6 of the Draft EIR, ground vibration generated by heavy-duty equipment would not be anticipated to exceed approximately 0.09 inches per second peak particle velocity at 25 feet. Therefore, construction equipment would most likely not result in a groundborne vibration velocity level above 0.2 inches per second and predicted vibration levels at the nearest off-site structures would not exceed recommended criteria. Additionally, this impact would be temporary and would cease completely when construction ends. Once operational, the project would not be a source of groundborne vibration. Impacts would be less than significant.

**Response to Comment EHarv-8**

*The commenter states, "This description omits the large part of the Farmers' Market that is on Grand Avenue and should be revised to accurately reflect the market operation and configuration.*

Draft EIR Section 2.0, Project Description, describes existing site conditions and surrounding land uses as defined by CEQA. Additionally, refer to Master Response 1: Traffic Safety, regarding specific routes for construction equipment.

**Response to Comment EHarv-9**

*The commenter requests that the project applicant and the City consider alternatives, which include reduced height and footprint to reduce impacts on the farmers market, museum, library, Jewell Park, and the neighborhood.*

As noted in Draft EIR Section 4.0, Alternatives, project alternatives have been analyzed in compliance with CEQA Guidelines Section 15126.6(f)(1), which states that "among the factors

that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, jurisdictional boundaries, and whether the applicant can reasonably acquire, control or otherwise have access to alternative sites." The CEQA Guidelines also specify that the alternatives discussion should not be remote or speculative; however, the discussions need not be presented in the same level of detail as the assessment of the project. The Draft EIR considered alternatives that satisfied the CEQA requirements to evaluate alternatives that meet most of the project objectives and reduce or avoid the project's environmental impacts.

# Letter JBecom

From: Jeffrey Becom
217 Hacienda Carmel, Carmel, CA 93923 &
116 13th Street Pacific Grove, CA, 93950

To: Laurel O'Halloran, Associate Planner
Community & Economic Development Department
City of Pacific Grove, 300 Forest Avenue, 2nd Floor
Pacific Grove, CA 93950

RE: Hotel Durrell, 157 Grand Avenue, Pacific Grove, CA 93950
Initial Study / Draft Environmental Impact Review

October 16, 2017

Upon reviewing the current EIR proposals and Project Alternatives, I still hold to the conclusion that many important issues remain unaddressed. These are both new issues and those that I addressed in my letter of January 31, 2017 that reviewed the Initial Study. A copy of that earlier letter is attached below.

Among the concerns that I originally asked to be addressed that still are not adequately mitigated:

1) The incompatibility of the proposal with the existing historic context of its site. The proposal is far too large and out of character with the style and scale of surrounding historic structures. This is an historic, low rise, very public area at the very center of Pacific Grove civic life. The proposed design has no relationship to the nearby buildings or Pacific Grove's heritage. To claim that it does requires blinders. It is an affront. 1

2) The proposal remains too large and too high to accommodate the Carnegie Library and Natural History Museum gardens and other public uses along this portion of Central Avenue.

3) The proposal remains in conflict with many Architectural Review Guidelines as listed in my earlier letter.

Please refer to my earlier letter of January 31, 2017.

# Letter JBecom Continued

4) The significant increase in use that the project proposes will produce a dangerous conflict between pedestrian Library, Park, and Museum patrons and the Hotel vehicle entrance.
The idea that a large, 18 foot wide sidewalk between the Library and Jewell Park will mitigate these problems instead raises other concerns:

A) How will this impact pedestrians (groups of school children) who use Jewell Park, the Natural History Museum, and the Library?
B) How will this impact the Farmer's Market?
C) How will this impact Fountain Avenue?
D) How many more public parking spaces will be lost?
E) How is this proposed change To Fountain Avenue and Jewel Park in agreement with the proposed Pacific Grove Local Coastal Plan and our own public park protections enshrined in the General Plan?

**2**

5) How is the inadequate parking that is proposed for the Hotel to be remedied?
The project must provide, at minimum, one dedicated (not shared with the Holman Building) parking space for each hotel room. We do not live in an area adequately serviced by public transportation. Every Hotel patron will arrive by car into the foreseeable future. In addition, adequate number of parking spaces must be provided for hotel staff and the patrons and staff of the proposed retail spaces.

If this parking is not provided, the neighborhood will suffer. Parking is already at a premium. Hotel guests will naturally park in the neighborhood if they are not given a parking space with their room. And Hotel and retail staff will fill up every available space not taken by Hotel guests. This will lead to a "parking war" with preferential parking permits suddenly necessary throughout the city with Hotel and retail patrons and staff facing off against neighbors. Please work this foreseeable problem out now. Do not kick it down the road.

**3**

6) I ask that the size of the project be reduced. The current proposed number of rooms and project size cannot be accommodated within the existing site without seriously damaging the existing historic neighborhood and established public uses.

7) Require a sun study to verify the impact of various alternative proposals on the Library Garden, Natural History Museum garden, and Jewel Park.

8) I ask that the developers and the authors of the EIR work together to come up with a new set of serious alternative proposals to the current project and existing list of alternatives. The EIR's current list of alternatives is inadequate to address

# Letter JBecom Continued

valid public concerns. New alternatives should be made available that will truly mitigate the numerous problems that will be created with the Hotel development as proposed. Again, refer to my earlier letter of January 31, 2017 just below.

Thank you for your serious attention.

Jeffrey Becom

# Letter JBecom Attachment A

**Earlier letter of 1-31-17:**

January 31, 2017
Laurel O'Halloran, Associate Planner
Community & Economic Development Department
City of Pacific Grove
300 Forest Avenue, 2nd floor
Pacific Grove, CA 93950

Comments in response to Durrell Hotel project CEQA Initial Study / Mitigated Negative Declaration

I am writing to express my disagreement with the proposed design of the Durrell Hotel. I ask that my concerns be acknowledged in the Initial Study and that changes to the proposed design be required to address them. My comments are mainly directed at the Incompatibility of the proposal's mass, scale, and character in its historic neighborhood.

I make my comments as someone who served for many years as a member on both the Pacific Grove Architectural Review Board and the Historic Resources Committees. As such, I care deeply about maintaining the historic character of Pacific Grove. I know when a proposal is incompatible with its site. The Durrell Hotel proposal is clearly incompatible.

The importance of this site cannot be over-emphasized in the civic identity and visitor awareness of Pacific Grove. The site is surrounded by historic, single-story structures on three sides: the historic Carnegie Public Library with its gardens, the historic Natural History Museum with its gardens, and the rows of small, independent commercial buildings lining the side streets. Historic Jewel Park is diagonally adjacent. Even the weekly Pacific Grove Farmers' Market has found a home here along narrow Central Avenue. This area is the very heart of the Pagrovian and visitor experience of Pacific Grove with commercially and culturally important year-round public events, parades and festivals. The importance of the site and its surroundings must be called out in the Initial Study and acknowledged in the proposed design.

The proposed design has several good points: the underground parking, the double wings opening onto a central courtyard that spills out onto Central Avenue opposite the Library

gardens, and the recessed drop-off for guests. In general I have no problem with more traffic in the commercial center of Pacific Grove as this will indicate a vibrant commercial zone – as long as the pedestrian/vehicular conflicts with the daily visits from children and school groups to the library, museum and park can be handled safely. But the elephant in the room, and I do mean elephant, is the inappropriate size of the project in this historic, low-rise, very public-oriented neighborhood.

The design is in direct conflict with many of the primary Architectural Review Guidelines that were put in place to assure that our precious heritage is preserved.

Quoting from the introduction to the ARB Guidelines, their purpose is "to maintain harmonious relationships between old and new structures and between buildings and the natural environment" and "to protect Pacific Grove's architectural heritage and natural resources." Therefore, these Guidelines are the ideal guiding force upon which to base projects such as the Durrell Hotel.

Unfortunately, it is clear that the Guidelines have not been utilized in the proposed design. Below is my synopsis of the relevant ARB Guidelines that are not being respected. The appropriate Guidelines must be called out in the Initial Study and acknowledged in revisions to the proposed design.

<u>Under Section 1, Neighborhood Compatibility:</u>

A series of styles traditionally present in Pacific Grove are described and illustrated in this Section. The style of the proposed hotel is not among these. Any claim that the proposed hotel is a Spanish Colonial Revival design is delusional.

<u>Guideline #1:</u>
"The mass and height of a new building should blend well with neighboring structures and not overwhelm them with disproportionate size or a design that is out of character."

<u>Guideline #5:</u>
"Attempt to locate taller sections of buildings where they will not obstruct sunlight to adjacent yards, patios, or rooms." (Specifically, the Library garden.)

<u>Guideline #16:</u>
"An effort should be made to preserve significant public view corridors. (Specifically, of the historic buildings, gardens, and Jewell Park from the neighborhood streets and sidewalks.)

<u>Under Section 3, Mass and Scale of a Structure:</u>

<u>Guideline #24:</u>
"A new structure should appear similar in scale to those seen as traditional in the neighborhood." (The proposed hotel is completely out of scale with its setting.)

# Letter JBecom Attachment A Continued

Guideline #29:
"Design new roofs to appear similar in scale to those seen traditionally in the neighborhood." (Where did the mansard roof idea come from? It is totally out of character with Pacific Grove's architecture and should be abandoned.)

Guideline # 32
"A building should have an overall proportional orientation that is similar to other structures in the setting." (The proposed hotel is much higher and emphasizes verticality more than its neighbors on three sides.)

Each of these major conflicts with the Architectural Review Guidelines must be addressed in the final design and called out in the CEQA Initial Study as requiring attention.

In order to fit comfortably within its iconic site, the design for the hotel must be significantly lower along Central Avenue and only slowly rise in stages as it approaches the height of the Holman Building. Doing so will not only provide access to sun for the gardens along Central Avenue and space to appreciate the historic character of the surrounding Park and buildings, but would also provide views and terraces for upper floor hotel guests.

I would also propose to retain as much as possible of the original façade of the Durant Motor Car Showroom that currently occupies the site. This structure was recently evaluated and determined to be ineligible for inclusion on the Historic Resources Inventory. But I believed then, as I do now, that this decision was an error. To retain the façade of the building would be a step toward retaining the historic character and scale of the site. The original large arched openings that are currently blocked off could be reopened and would allow for retail display, hotel entrance, auto entry to the site, as well as reference the Spanish Colonial style that is prominent in the area. I ask that this suggestion also appear in the Initial Study.

I believe that the entirety of the area—the historic buildings, streetscape, gardens, and Park—form a "Cultural Landscape" as defined by the Secretary of the Interior. I ask that as part of the Initial Study, a licensed architectural historian investigate this aspect. As a "Cultural Landscape" it is not enough to save surrounding buildings; the setting of the area also must not be degraded by new development.

A four-story structure anywhere near the Library, Museum, Park and gardens will be wholly out of context with its neighbors. As currently proposed, the new structure will overwhelm its historic neighbors and cause the historic buildings and gardens to lose their prominence. If built, the proposal will result in a permanent loss to the historic character and scale of the neighborhood as well as a loss to the City as a whole. Please acknowledge and address this concern in the Initial Study.

While the materials and colors may be compatible with the neighboring structures, the

style and scale are not. The style of proposal holds no references to the established styles of architecture in Pacific Grove as described in the Pacific Grove Historic Context Statement as well as in the introduction to the ARB Guidelines. There are few if any historical references in the design to the Spanish Colonial Revival style of architecture as claimed in the proposal. To call it so is an insult to the many quality Spanish Revival designs found all along the Coast from our own T.A. Work building to the Osio Cinema building in Monterey to large commercial projects in Palo Alto and San Luis Obispo.

It is not impossible to build a large Spanish Colonial Revival building that will complement the neighboring historic structures. But an appropriate design for a hotel that is in scale with its neighbors and with the number of rooms currently being proposed may very well be impossible to achieve. A significant reduction in the number of guest rooms in this hotel should be considered as a necessary component of a revised design. Please acknowledge and require changes to the design to be in keeping with the architecture of Pacific Grove.

The proposed hotel design is of a style and scale that would be at home at the end of any freeway ramp in the country. It is a non-descript Holiday Inn Express dumped into the middle of our historic heart. Do not allow this affront to be approved.

I urge all involved to rethink the design for this hotel. It is our one chance to acknowledge and preserve the legacy of this important part of Pacific Grove into the future.

In conclusion, I ask that the EIR investigate my following summary of both missing issues and egregious aspects to this proposed hotel:

> Acknowledge that the design is in conflict with and must meet the Architectural Review Guidelines including #1, #5, #16, #24, #29, and #32.
>
> Require a traffic study and refine the proposed traffic flow so as not to endanger the many schoolchildren and tourists visiting the Park, library and Natural History Museum.
>
> Require parking that will accommodate the actual number of vehicles that will be utilizing the Hotel. One parking space for every four rooms is ludicrous. These rules were set in horse and buggy days and must now be adjusted for current conditions. The Initial Study must acknowledge the inadequacy of parking and require that adequate parking spaces be provided.
>
> Require a sun study to verify the proposal's impact on the library and library garden. If built as proposed, the newly renovated garden and the seating areas in the entry arcade will be in near constant shadow. This issue must be addressed in the Initial Study and a redesign that addresses the problem be required.
>
> Require that any proposed design reduce the height over much of the site to be

# Letter JBecom Attachment A Continued

compatible with the scale and massing of the existing adjacent historic structures.

Thank you for your consideration.

Sincerely,
Jeffrey Becom
jeffreybecom@comcast.net
tel. 831-224-6110

## RESPONSE TO LETTER JEFFREY BECOM (JBECOM)

### Response to Comment JBecom-1

*The commenter notes that the project is incompatible with existing historic context of the project site. The commenter adds that the project is too large and high to accommodate the library and museum gardens. The commenter further states that the project conflicts with architectural review guidelines outlined in the commenter's letter dated January 31, 2017.*

Refer to Master Response 4: Massing and Visual Character.

### Response to Comment JBecom-2

*The commenter states that the project will create a "dangerous conflict" between pedestrians visiting area public facilities and patrons at the hotel vehicle entrance.*

Refer to Master Response 1: Traffic Safety.

### Response to Comment JBecom-3

*The commenter states that the project does not have adequate parking for the hotel and suggests that one parking space be provided for each hotel room with parking not shared with the Holman Building.*

Refer to Master Response 3: Parking.

# Letter JH-a

Jane Haines
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Tel; 831 375-5913

RECEIVED
OCT 04 2017
CITY OF PACIFIC GROVE
COMMUNITY DEV DEPT

October 4, 2017

Laurel O'Halloran, Associate Planner
Community & Economic Development Department
Pacific Grove City Hall
300 Forest Avenue
Pacific Grove, CA 93950

Re: Comments on Draft Environmental Impact Report (DEIR) for Hotel Durrell Project

Dear Laurel,

As an attorney who specialized in the California Environmental Quality Act (CEQA) for nearly twenty years, I've never before seen a Draft EIR (DEIR) so dismissive of public comments.

Aesthetic Concerns

- Fifty-seven comment letters were submitted during January, 2017. Forty-two of the fifty-seven (73%) expressed concern about the project's aesthetic impacts, either the hotel's stylistic incompatibility with surrounding areas and/or impacts caused by the hotel's shadow. See comments from Ciani, Siegfried, Pearse, Pierszalowski, Partridge, Kane, Aberg, Volpe, Hiers, Sherburne, Parsons, Heller, Lilley, Broome, Raine, Mason, Coletti, Fischer, Conlon, Moore, Varnum, Lehner, Cohen, Sullivan, Haines, Becom, Daumer, Zamzow, Pollock, Parrott, Nelson, Foote, Hernandez, Morgan, Kenwood, Bua, Rieckers, Sawyer, Griffin, Hall, Bragg, and Davis. **1**

- The DEIR dismisses those concerns in several sentences, then concludes that the project's only potentially significant aesthetic impact is one *no one* mentioned, the aesthetic impact of seeing the project under construction. (DEIR pg. 3.1-15.)

Project's Effect on the Farmers Market

- Ten of the fifty-seven letters (17%) expressed concern about the project's effect on the weekly farmers market. See comments from Pearse, Everyone's Harvest, Raine, Ciani, Fischer, Haines, Become, Kenwood, Sawyer, and Griffen. **2**

- Without analyzing what environment impacts could result, the DEIR proposes mitigation of the adverse effect by increasing *"the width of the sidewalk along the eastern edge of Jewell Park to approximately 18 feet to accommodate increased pedestrian/vendor activity during special events such as the farmers market."*

- Widening the sidewalk to 18 feet would necessitate demolition of the Jewell Park Little House, partial demolition of the wall displaying plaques identifying donors to Jewell Park, and paving over a 13 feet strip of public park grassy space. These actions are inconsistent with Pacific Grove General Plan park and recreation policies 1 and 7.

**2 cont.**

My five comments follow:

1. **The expert opinion of an architect, in addition to the opinions of seventy-two local residents, contend the project will introduce a disharmonious new element in the project area resulting in significant adverse impact on scenic views.**

A project that interferes with scenic views has an adverse aesthetic effect on the environment. (*Ocean View Estates Homeowners Assn., Inc. v. Montecito Water District*, 116 Cal. App. 4th 396, 401.)

Anthony Ciani, a registered California architect, states his expert opinion that the project will cause significant adverse aesthetic impacts in the project area. Mr. Ciani's January 31, 2017 letter explains:

> *4) Aesthetic Quality*
> *The project's bulk and mass are not compatible with the surrounding areas and relationships of the forms and design characteristics of the three streetscapes. The predominant heights are one to two stories. The Holman Department Store that increased in height to 4 levels should not be the yardstick to measure height. It is a blockbuster, despite its history. The proposed project will impose a new order on the Central Avenue corridor that could intrude on the light and air space of the public Library and Museum and Museum's native gardens, resulting in direct negative impacts to the visual quality and enjoyment of the public areas.*
> *The proposed architectural style is a false impression of Pacific Grove's authentic character. The question about the aesthetic appearance should be analyzed within the context of the environmental review, not if it would pass a compatibility test in the future. It should be examined at a sufficient level of detail in the prior environmental impact report to enable those effects to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project.*
>
> *Architectural design based on compliance with the zoning code is not a test of how the proposed building will fit into the neighborhood. The maximum height limit is not a judge of compatibility with the historical setting and existing scale of the street scape. A 40 foot high, four level building at this site will shadow its neighbors and impose four stories where two is*

**3**

*the current maximum. An earlier proposal for this site found that: "a project would have a significant impact if it would unreasonably block sunlight on neighboring buildings or substantially impair the beneficial use of any public or quasi-public park, lawn, garden, or open space."*

**3 cont.**

DEIR page 3.1-13 dismisses aesthetic concerns with this conclusory sentence: "*The project would build a structure that would fit within the existing urban fabric; therefore, the project would not degrade the site's visual character or quality and its surroundings.*"

This cavalier dismissal of seventy-three comments regarding the project's aesthetic impacts, including an expert opinion, cannot be remedied by a Final EIR (FEIR). Significant new information about the project's aesthetic impacts must be added to the ***D***EIR, which must then be recirculated. CEQA Guidelines Section 15088.5 applies. It states in relevant part:

*A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:*

**4**

*(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*

*(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.*

*(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.*

*(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043)*

*(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.*

*(c) If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.*

*(d) Recirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086.*

*(e) A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.*

...

*Authority cited: Section 21083, Public Resources Code. Reference: Section 21092.1, Public Resources Code; Laurel Heights Improvement Association v. Regents of the University of California (1993) 6 Cal. 4th 1112.*

4 cont.

The August 2017 DEIR must be amended and then recirculated.

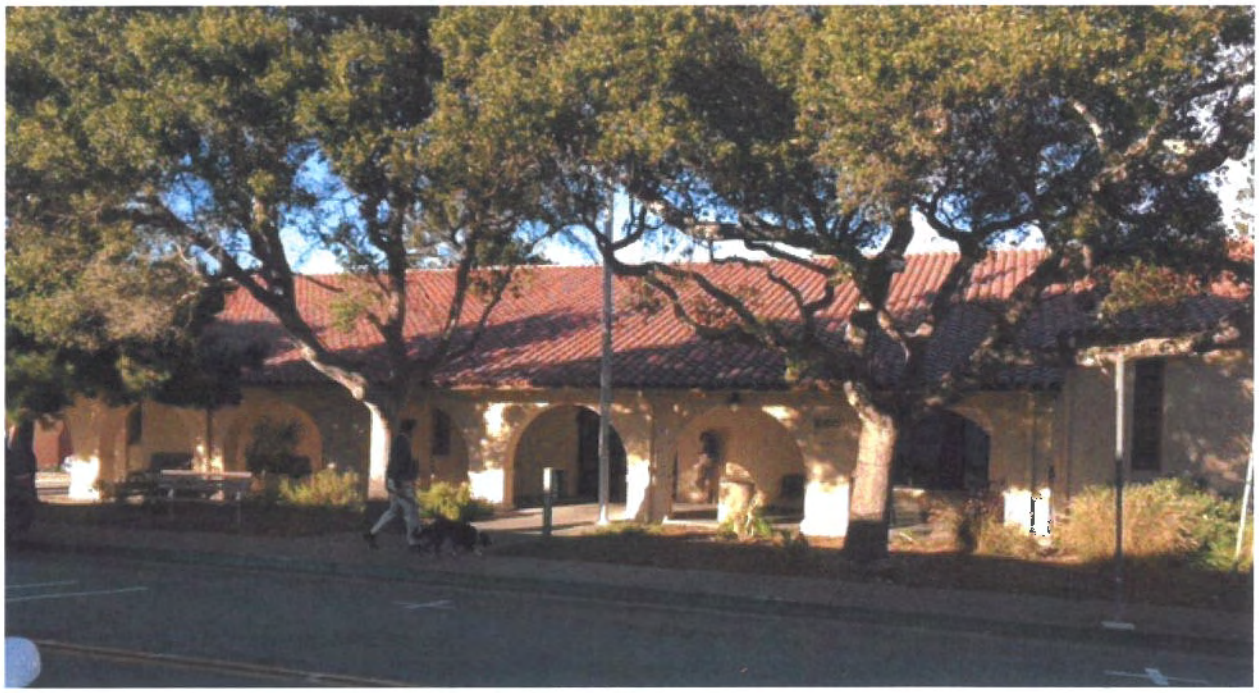
2. **Under what authority does the City of Pacific Grove not consider shade and shadow impacts under CEQA?**

DEIR page 3.1-14 states "the City of Pacific Grove does not consider shade and shadow impacts under CEQA." Please provide the specific authority which allows the City of Pacific Grove not to consider shade and shadow impacts under CEQA.

3. **The dappled effect of light and shadows on the front lawn of the Pacific Grove library is a scenic resource enjoyed by hundreds of Pacific Grove residents daily. To avoid interference with this scenic vista, the hotel must be located sufficiently far from the library's front lawn so its shadow will not interfere with the scenic vista shown below.**

5

The below photo shows the front lawn of the Pacific Grove library dappled with shadows caused by sunlight passing between tree branches. It is a view enjoyed daily by hundreds of passer-bys. DEIR page 3.1-14 states the hotel's shadow would be "approximately 74 feet during the winter solstice." Thus, preserving this scenic view requires locating the hotel a distance of at least 74 feet from the library lawn's outer edge.



# Letter JH-a Continued

4. **Mitigation measure 3.4-2c at DEIR page ES-8 states *"increase the width of the sidewalk along the eastern edge of Jewell Park to approximately 18 feet to accommodate increased pedestrian/vendor activity during special events such as the farmers market."* Widening the sidewalk is inconsistent with Pacific Grove General Plan Park and Recreation policies 1 and 7.**

"[T]he propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements." (*Resource Defense Fund v. County of Santa Cruz* (1982) 133 Cal.App.3d 800, 806.)

**4.a. Widening the sidewalk is inconsistent with Pacific Grove General Plan Parks and Recreation Policy 1.**

Pacific Grove General Plan Parks and Recreation Policy 1 states:

> *"Establish a standard in acres for combined neighborhood and community park land per 1,000 residents, and require new development to meet that standard."*

Widening the sidewalk is inconsistent with *adding* community parkland. Instead of adding parkland, it would convert the eastern edge of Jewell Park from grassland to paved sidewalk. This *subtracts* from community parkland. 8

**4.b. Mitigation measure 3.4-2c is inconsistent with Pacific Grove General Plan Parks and Recreation Policy 7.**

Pacific Grove General Plan Parks and Recreation Policy 7 states:

*Give high priority to maintaining, improving, and rehabilitating existing parks.*

Widening the sidewalk along the eastern edge of Jewel Park to approximately 18 feet would necessitate demolition of the community meeting place in Jewell Park known as the "Little House." The photo to the right shows a measuring tape extended 18 feet from the curb to the measuring tape's red handle. The red handle is located three feet beyond the outer edge of the Little House. Thus, instead of maintaining, improving and rehabilitating Jewell Park, widening the sidewalk to 18 feet would necessitate destruction of the Little House.

6

5. **Figure 3.1-2 in the DEIR misrepresents how Jewell Park would appear after the hotel project is complete.**

8

DEIR Figure 3.1-2 purports to show *before project* and *after project* renderings of the east side of Jewell Park. However, Figure 3.1-2 omits showing addition of the 18 feet wide sidewalk strip.

T:_CS\Work\Pacific Grove, City of\153941_Pacific Grove Hotel\Figures

Before

After

**FIGURE 3.1-2**
Visual Simulation

Michael Baker

## Conclusion

It's been more than ten years since I practiced law. Therefore, I checked all legal authority cited in these comments to ensure it still applies. It does.

Hotel Durrell could be an important and welcome addition to Pacific Grove. First however, the City must require the project's potentially significant environmental impacts to be analyzed and mitigated in the manner required by CEQA. That is what the preceding five comments request.

Sincerely,

Jane Haines

## RESPONSE TO LETTER JANE HAINES (JH-A)

### Response to Comment JH-a-1

*The commenter notes the number of public comments submitted regarding the project in January 2017. The commenter states that the Draft EIR dismisses concerns addressed in the comments and that the Draft EIR does not mention project construction as a potentially significant aesthetic impact.*

The project was previously analyzed in both the IS/MND and the Draft EIR; these impacts were determined to be less than significant. Refer to Draft EIR Section 3.1, Aesthetics, and Master Response 4: Massing and Visual Character.

### Response to Comment JH-a-2

*The commenter states, "Without analyzing what environment impacts could result, the Draft EIR proposes mitigation of the adverse effect by increasing 'the width of the sidewalk along the eastern edge of Jewell Park to approximately 18 feet to accommodate increased pedestrian/vendor activity during special events such as the farmers market.'*

Refer to Master Response 5: Widening the Sidewalk.

### Response to Comment JH-a-3

*The commenter states that the project will "introduce a disharmonious new element into the project area," resulting in significant, adverse impacts on scenic views, and offers that the project would unreasonably block sunlight on neighboring buildings and open space.*

Refer to Master Response 4: Massing and Visual Character.

No new significant impact has been identified that would require recirculating the Draft EIR under CEQA Guidelines Section 15088.5.

### Response to Comment JH-a-4

*The commenter states that, as noted in comment 3 above, the Draft EIR must be recirculated and available for public review, as a lead agency is required to recirculate an EIR when significant new information is added to the EIR after a public notice of availability is published.*

An EIR must only be recirculated under CEQA Guidelines Section 15088.5 as it applies to new significant information pertaining to the project. New information added to an EIR is not "significant" unless the EIR is changed in a such a way that it deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. As applied to this criterion, no new information has been introduced to the project that would require recirculation of the Draft EIR.

### Response to Comment JH-a-5

*The commenter states that the dappled effect of light and shadow on the front lawn of the Pacific Grove Library is a scenic resource; the commenter asks how the City determines that shade and shadows are not impacts under CEQA*

As noted in Draft EIR Section 3.1, Aesthetics, page 3.1-7: "Pacific Grove Municipal Code Section 23.70.060, in the City's Zoning Code, establishes architectural review criteria for new construction. The code section requires that parking lots be landscaped. Additionally, projects must be found to be compatible with the neighborhood, including compatibility of project lighting."

Figures 2.0-5a through 2.0-5c show the difference between the project's height and the height limitation specified in the City's Zoning Code. The project has the potential to create shade and shadow in the area. Also refer to Master Response 4: Massing and Visual Character.

### Response to Comment JH-a-6

*The commenter states that mitigation measure MM 3.4.2c is inconsistent with Pacific Grove General Plan Parks and Recreation Policy 7.*

As described in Master Response 1, Traffic Safety, the project applicant would work with the City's Public Works Department to increase the width of the sidewalk along the eastern edge of Jewell Park to approximately 18 feet to accommodate increased pedestrian/vendor activity during special events such as the farmers market. General Plan Policy 7 gives "high priority to maintaining, improving, and rehabilitating existing parks." Refer to Master Response 5: Widening the Sidewalk.

### Response to Comment JH-a-7

*The commenter notes that Figure 3.1-2 of the Draft EIR misrepresents how Jewell Park would appear after the project is complete*

Draft EIR Figure 3.1-2 shows existing site conditions versus post-project conditions based on anticipated changes in the project area as a result of project implementation. The applicant to would work with the City to increase the width of the sidewalk along the eastern edge of Jewell Park to approximately 18 feet to accommodate increased pedestrian/vendor activity during special events such as the farmers market. Figure 3.1-2 is meant only to show project design features; the final design for widening the sidewalk is subject to final approval by the City's Public Works Department.

# Letter JH-b

Jane Haines
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October 16, 2017

RECEIVED
OCT 16 2017
CITY OF PACIFIC GROVE
COMMUNITY DEV DEPT

Laurel O'Halloran, Associate Planner
Community & Economic Development Department
Pacific Grove City Hall
300 Forest Avenue
Pacific Grove, CA 93950

Re: Supplemental Comments on Draft Environmental Impact Report (DEIR) for Hotel Durell Project[1]

Dear Laurel,

The Durell Hotel project DEIR is so deficient in complying with informational requirements of the California Environmental Quality Act (CEQA) that it's difficult to know how to begin commenting. So I begin by quoting applicable law:

> *"An EIR's discussion of alternatives must contain analysis sufficient to allow informed decision making. . . . Without meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process. . . . 'To facilitate CEQA's informational role, the EIR must contain facts and analysis, not just the agency's bare conclusions or opinions.' [Citations.] An EIR must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project." (Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 404-405.)* 1

> *"It is the [agency]'s responsibility to provide an adequate discussion of alternatives. (Guidelines, § 15126, subd. (d).) That responsibility is not dependent in the first instance on a showing by the public that there are feasible alternatives. If the [agency] concludes there are no feasible alternatives, it must explain in meaningful detail in the EIR the basis for that conclusion." (Laurel Heights Improvement Assn. v. Regents of University of California, supra, 47 Cal.3d at p. 405.)* Preservation Action Council v. City of San Jose (2006) 141 Cal.App.4th 1336

[1] The DEIR spells it "Durrell." However, the Notice of Preparation spells it "Durell" and Sam Farr's speech to Congress spells it "Durell." https://www.congress.gov/congressional-record/congressional-record-index/114th-congress/1st-session/agha-durell-decker/6737. On the supposition that Sam Farr probably got it right, these comments will spell it "Durell."

The DEIR's analysis of project alternatives does not meet those standards, nor does description of the mitigation to "*increase the width of the sidewalk along the eastern edge of Jewell Park to approximately 18 feet to accommodate increased pedestrian/vendor activity during special events such as the farmers market*" (DEIR pg.ES-8). 1 cont.

The following comments show:

I. relocating farmers' market vendors from Central Avenue to Jewell Park will adversely affect the Park and nearby residences,
II. the widened sidewalk mitigation will require a Coastal Development Permit, 2
III. an environmentally superior project alternative is feasible, and
IV. CEQA Guidelines §15088.5 requires preparation and recirculation of this Draft EIR.

The amended DEIR must provide "detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project." This DEIR fails to meet that standard. 3

## I.

## Relocating farmers' market vendors from Central Avenue to Jewell Park will adversely affect the Park and nearby residences

1. The proposal to widen the sidewalk along the eastern edge of Jewell Park to approximately 18 feet to accommodate farmers market vendors currently located on Central Avenue, will necessitate either demolishing the Little House and a portion of the donor plaque wall (because each is within 18 feet from the eastern edge of Jewell Park) or else widening the sidewalk along only a portion of the eastern edge of the Park. The latter is problematic because the eastern edge of Jewell Park is the exact same length (148 feet) as the vendors' tables currently located along the 500 block of Central Avenue. Thus, if the length of the extended sidewalk is less than 148 feet, vendors who cannot fit into the shortened paved area will need to locate along either Park Place or Forest Avenue. There are residences there. Having vendors across the street from the residences will impact the residences with noise and pedestrian-traffic impacts. 4

# Letter JH-b Continued

2. What will happen to the Jewell Park Little House and donor plaque wall when the proposed 18 feet of sidewalk along the eastern edge of Jewell Park is widened to approximately 18 feet? Will they be moved, relocated or demolished? A to-scale diagram showing the Little House, the wall, the extended sidewalk and 148 total feet of relocated vendor space must be added to the DEIR.

3. How far into Grand Avenue will the relocated vendor tables extend? Will it leave sufficient room for fire truck access?

4. Farmers' Market prepared-food trucks currently park on Grand Avenue. However, there is insufficient room on Grand Avenue for the prepared-food trucks plus the vendor tables plus a fire access lane. A to-scale diagram showing the location of these relocated components of the farmers' market must be added to the DEIR.

5. The existing prepared-food trucks plus existing picnic tables plus 148 feet of vendor tables will be unable to fit along the east side of Jewell Park. Thus, they will overflow onto either Park Place or Forest Avenue. However, the portions of Park Place and Forest Avenue facing Jewell Park contain residences. What mitigation measures will lessen noise and other pedestrian-traffic impacts to Park Place and Forest Avenue residences?

**4 cont.**

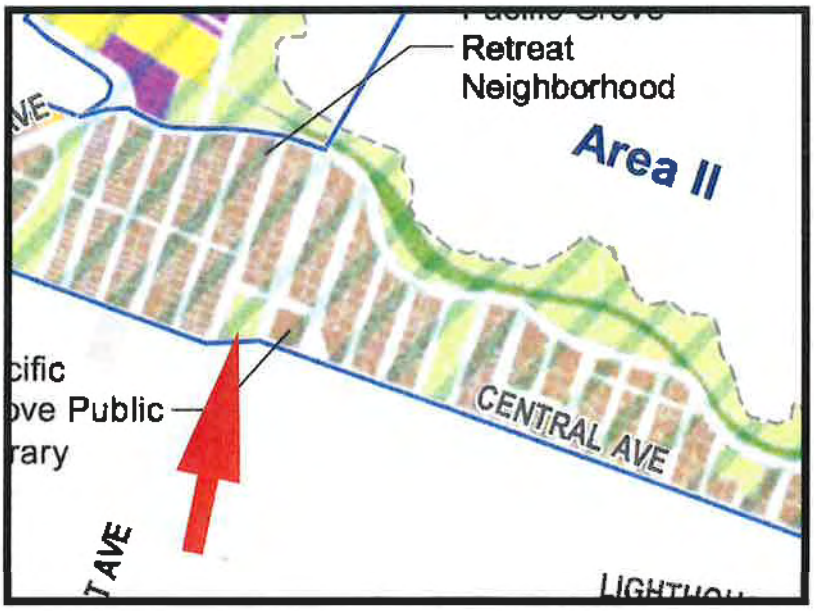
## II.

## The proposed mitigation will require a Coastal Development Permit

The hotel is located outside the Coastal Zone, however Jewell Park is within the Coastal Zone. The mitigation to widen the sidewalk on the eastern edge of Jewell Park will therefore require a Coastal Development Permit. Expansion of an existing sidewalk is not exempt from Coastal Commission jurisdiction because widening the sidewalk is an expansion rather than repair or maintenance. Public Resources Code §30610(d) exempts repairs and maintenance from Coastal Commission oversight, but it does not exempt expansions. It states the exemption applies only to *''repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities...."*

The Coastal Commission is unlikely to approve a permit for sidewalk expansion, particularly if the Little House and donors plaque wall would need to be demolished since they are located less than 18' from the eastern edge of Jewell Park. However, the environmentally superior project alternative discussed on the next page would avoid the need to relocate any portion of the farmers' market because the vendors would not need to relocate to accommodate the hotel entrance.

4 cont.



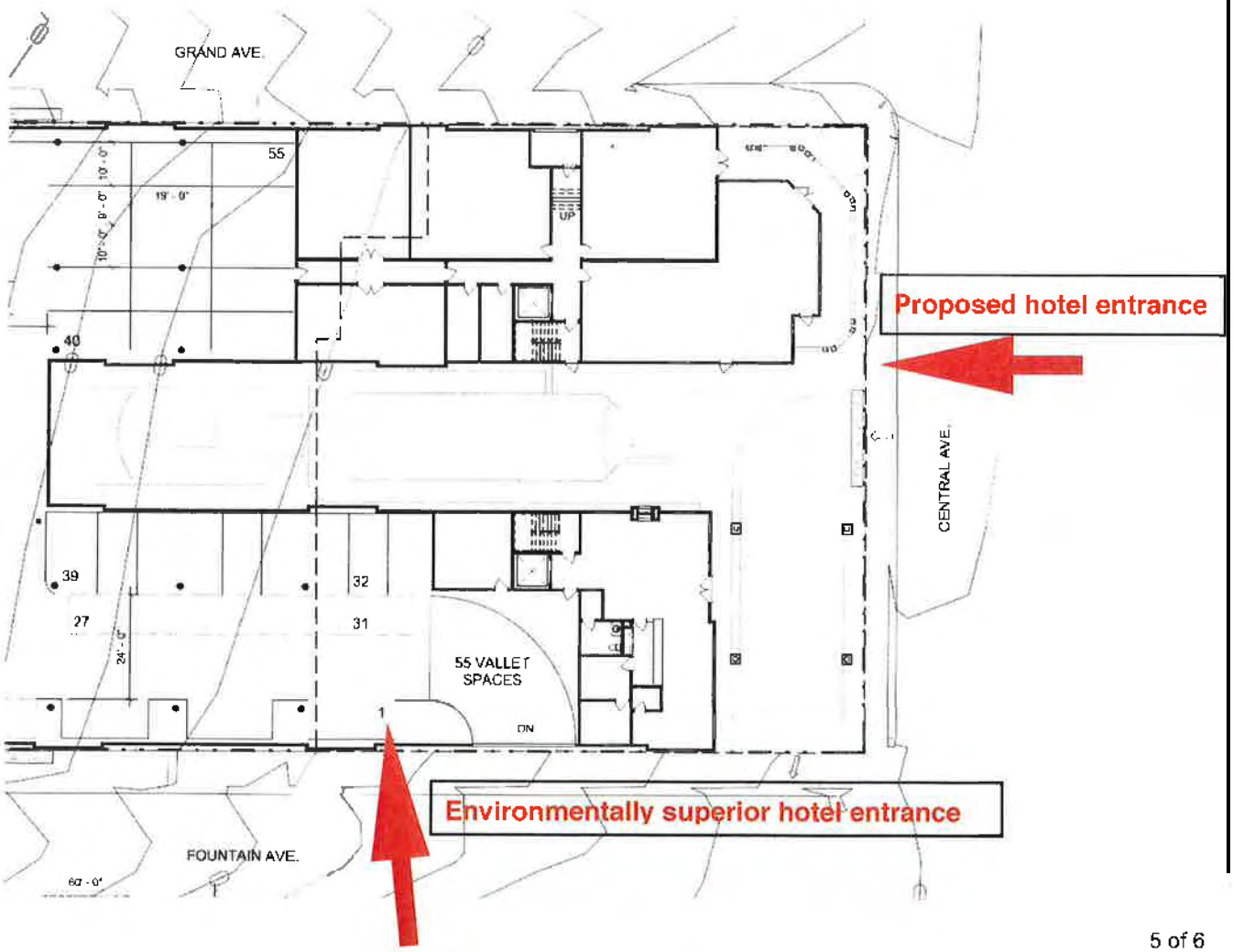

Jewell Park is located in PG's Coastal Zone

## III.
## An environmentally superior project alternative is feasible

"[P]ublic agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects" of the project. (Public Resources Code, § 21002.) The DEIR proposes alternatives that do ***not*** lessen the project's significant environmental effect. They are the same size and same configuration as the proposed project, so they have the same environmental impacts:

Hotel Durell - 63,775 square feet, 4 stories - entrance on Central Avenue
Alternative 2 - 63,775 square feet, 4 stories - entrance on Central Avenue (Table 4.0-1)
Alternative 3 - 63,775 square feet, 4 stories - entrance on Central Avenue (Table 4.0-2)

However, relocating the hotel entrance from Central Avenue to Fountain Avenue is a feasible alternative that would allow the farmers' market to remain in its current location because vendor tables would not interfere with the hotel entrance. Leaving the farmers market in its current location would eliminate project-caused impacts to Jewell Park and residences on Park Place and Forest Avenue. 5



## IV.

## CEQA Guidelines §15088.5 requires preparation and recirculation of an informationally-adequate Draft EIR

The comments I submitted on October 4, 2017 quote CEQA Guidelines Section 15088.5. Section 15088.5 requires the lead agency to recirculate an EIR when significant new information is added. This EIR needs to respond to the issues I and others raise about its vague content, not through a Final EIR but through a revised Draft EIR. It must meet the standard quoted on page one: "*An EIR must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.*" (Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 404-405). The below issues must be addressed before the public can understand and consider meaningfully the issues raised by the proposed Durell Hotel project:

I. relocating farmers' market vendors from Central Avenue to Jewell Park will adversely affect the Park and nearby residences (10/16/17 comments),

II. the proposed mitigation of widening the sidewalk will require a Coastal Development Permit (10/16/17 comments)

III. an environmentally superior project alternative is feasible (10/16/17 comments)

IV. the expert opinion of an architect, in addition to the submitted opinions of forty-seven local residents, show that the project's bulk and mass are not compatible with the surrounding areas (10/4/17 comments),

V. the DEIR must identify authority for its claim that the City of Pacific Grove "does not consider shade and shadow impacts under CEQA" (10/4/17 comments),

VI. the Hotel will cause a shadow on the library lawn and roof that will obliterate a scenic resource enjoyed by hundreds of Pagrovians daily (10/4/17 comments),

VII. the sidewalk-widening mitigation measure is inconsistent with Pacific Grove General Plan parks and recreation policies 1 and 7 (10/4/17 comments), and

VIII. DEIR Figure 3.1-2 misrepresents how Jewell Park would look after the hotel project is complete (10/4/17 comments).

An informationally-adequate DEIR must be prepared and recirculated.

Sincerely,

Jane Haines

5 cont.

## RESPONSE TO LETTER JANE HAINES (JH-B)

### Response to Comment JH-b-1

*The commenter states that the Draft EIR is deficient in showing feasible alternatives and adequate reasoning in the alternatives analysis discussion.*

Refer to Response EHarv-9.

### Response to Comment JH-b-2

*The commenter states that relocating farmers market vendors from Central Avenue to Jewell Park will adversely affect the park and nearby residences, the widened sidewalk mitigation will require a Coastal Development Permit, an environmentally superior project alternative is feasible, and CEQA Guidelines Chapter 15088.5 requires preparation and recirculation of the Draft EIR.*

Refer to Master Response 5: Widening the Sidewalk, regarding Jewell Park and Master Response 7: Coastal Zone Permitting, regarding the Coastal Development Permit.

With regard to the selection of alternatives for evaluation, CEQA Guidelines Section 15126.6 states:

> "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives, which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason."

In addition, refer to Response JH-a-4 regarding recirculating a Draft EIR and Response EHarv-9 regarding alternatives.

### Response to Comment JH-b-3

*The commenter states that an [amended] Draft EIR must provide "detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project" and expresses the opinion that this Draft EIR fails to meet that standard.*

The Draft EIR was prepared in accordance to CEQA Guidelines Sections 15080 to 15097. A Notice of Preparation was published on March 15, 2017, beginning the 30-day scoping period, which ended on April 15, 2017. In addition, comments on the scope of the EIR were received at a public scoping meeting on April 4, 2017. The Draft EIR was published on September 11, 2017, beginning the 45-day review period that ended on October 26, 2017. The Draft EIR examined the following environmental topics: aesthetics, cultural resources, noise, transportation and traffic, tribal cultural resources, utilities and service systems, alternatives to the project, and energy consumption,

among others. The Draft EIR summarized various technical reports that were presented as appendices to the Draft EIR, which provided in-depth information and analysis on the project's potential impacts on environmental resources. Sufficient detail on the project and its potential environmental impacts were provided throughout the Draft EIR and summarized in the Executive Summary for ease of reading.

In addition, this comment does not raise a new potentially significant impact not previously analyzed in the Draft EIR.

**Response to Comment JH-b-4**

*The commenter states that relocating the farmers market from Central Avenue to Jewell Park will adversely affect the park and nearby residents. The commenter further states that the proposal to widen the sidewalk by 18 feet will necessitate demolishing either the "Little House" or a portion of the donor plaque wall.*

The project does not propose to demolish the Little House or the wall plaque. See Master Response 5: Widening the Sidewalk.

**Response to Comment JH-b-5**

*The commenter states that the mitigation to widen the portion of sidewalk in Jewell Park will require a Coastal Development Permit since the park is located within the Coastal Zone.*

Refer to Master Response 7: Coastal Zone Permitting.

**Response to Comment JH-b-6**

*The commenter states that an environmentally superior project alternative is feasible. The commenter adds that the current project alternatives do not lessen the project's significant environmental effect. Since they are the same as the proposed project in size and configuration, they may have the same environmental impacts.*

Refer to Response EHarv-9 regarding alternatives.

# Letter JH-c

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Hotel Durrell Draft EIR

1 message

**JaneHaines80@gmail.com** <janehaines80@gmail.com> Mon, Oct 16, 2017 at 8:57 AM
To: Mark Brodeur <mbrodeur@cityofpacificgrove.org>
Cc: O'Halloran Laurel <lohalloran@cityofpacificgrove.org>, Bill Kampe <bkampe@cityofpacificgrove.org>, "huitt@comcast.net huitt@comcast.net" <huitt@comcast.net>, Rudy Fischer <rudyfischer@earthlink.net>, Bill Peake <bpeake@cityofpacificgrove.org>, Ken Cuneo <kencun17@icloud.com>, Garfield Cynthia <cgarfield@cityofpacificgrove.org>, Smith Nick <nsmith@cityofpacificgrove.org>

Dear Mark,

This is the most informationally-deficient EIR I've ever seen, and I've represented the Sierra Club, Resource Defense Council and more than a dozen citizens' groups in judicial challenges to EIRs.

I doubt there will be many public comments because I don't think reviewers can understand this EIR. 1

I hope the City will send it back to the consultant with instructions to address the issues I and others raise concerning important information ***missing*** from this EIR.

Sincerely,
Jane

**2 attachments**

**Durell2_101617.pdf**
426K

**20171004113939.pdf**
524K

## RESPONSE TO LETTER JANE HAINES (JH-C)

### Response to Comment JH-c-1

*The commenter states that the Draft EIR is informationally deficient and hopes the City sends the document back to the consultant to address missing information.*

Refer to Response JH-b-3.

# Letter JT

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Hotel Durell

**James Thorsen** <jthorsen61@gmail.com> Thu, Oct 12, 2017 at 10:47 AM
To: lohalloran@cityofpacificgrove.org

Ms. O'Halloran,
I wish to be placed on the record in opposition to the proposed Hotel Durell. I find the city's hypocrisy particularly flagrant considering the restrictions the city places on development in the adjacent Retreat and the placement of this abomination right next to it. To maintain that all significant impacts can be mitigated to insignificance is ludicrous. A wart cannot be mitigated away by calling it a beauty spot. The draft EIR is deficient in many ways that have been detailed by other writers, there is no need to repeat them here. Suffice it to say that the city fathers should not ignore them in their mad pursuit of tax revenue. 1
James Thorsen
115 Grand Ave.

## RESPONSE TO LETTER JAMES THORSEN (JT)

### Response to Comment JT-1

*The commenter states that he wishes to be placed on record as being in opposition to the proposed Hotel Durell, and he questions whether all significant impacts in the Draft EIR can be mitigated to less than significant.*

Thank you for your comment. This comment expresses an opinion about the merits of the project in general. It does not pertain to the analysis of environmental impacts.

# Letter JV

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## hotel Durrell

**Jeffrey Varnum** <jvarnum512@gmail.com> Wed, Sep 27, 2017 at 11:08 AM
To: lohalloran@cityofpacificgrove.org

Greetings,

Looking at the artist drawing of the Hotel it appears that it is 3 stories high and I believe the discloser records it as saying 4 stories high. Does that mean that there is a 4th story but maybe set back? And the picture is drawn in such a way to fool the eye to thing it isn't very high. Four stories high is too high even if set back. Also the picture shows the main drive up entrance to check into the Hotel is at the corner of an intersection. The intersection is all ready busy with traffic without compounding it with more traffic entering and exiting the drive-up check-in. 1 2

Jeffrey Varnum
512 16th St
Pacific Grove, CA

# Letter JV Continued

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## hotel Durrell

**Jeffrey Varnum** <jvarnum512@gmail.com> Thu, Sep 28, 2017 at 7:20 AM
To: lohalloran@cityofpacificgrove.org

Dear Laurel,

Just a follow up. I'm against Durrall Hotel because of the devastating impact (visually and physically - traffic!) it will have for the town of Pacific Grove. Please send a confirmation for my two emails here in. 1

Thank you,
Jeffrey Varnum
512 16th Street
Pacific Grove
[Quoted text hidden]

## RESPONSE TO LETTER JEFFREY VARNUM (JV)

### Response to Comment JV-1

*The commenter states that drawings of the proposed hotel make it appear that the structure is three stories, not four, and wonders whether the fourth floor is set back from the rest of the hotel.*

As described in Draft EIR Section 2.0, Project Description, the proposed project would be four stories. The architectural renderings and the visual simulations incorporate the site's topography and illustrate that the project would be no more than 37 feet in height. In addition, see **Figure 2-1** in Master Response 4: Massing and Visual Character, for another visual simulation of the project.

### Response to Comment JV-2

*The commenter notes that drawings of the proposed hotel show the main drive-up entrance is at the corner of a busy intersection that will create traffic problems.*

Refer to Master Response 1: Traffic Safety, regarding the addition of a four-way stop at the intersection of Central and Fountain avenues.

# Letter JBicket

To: Laurel O'Halloran, City of Pacific Grove

I am writing again over my concerns with the Hotel Durell project. I have been living in Pacific Grove since 1998. First, I must comment that the City code that allows 1 parking space for four hotel rooms needs to be revised immediately so that the Hotel Durell Project parking issues will not become a nightmare for the Pacific Grove neighborhoods that surround the proposed project.

I am extremely concerned about parking for the Hotel Durell project. There are 97 parking spaces that developer has available but cars for those spaces must be valet parked. Many people will not allow a valet to park their car; therefore, those people will use alternate street parking. They will park on the already crowded neighborhood city streets. This is made worse by limited parking in the downtown area.

This will also include parking in front of the library so that library patrons will be unable to park. The Pacific Grove Public Library is immediately across the street from the proposed Hotel Durell. Patrons of the library park around the block of the library every day when the library is open (6 days a week). I believe that hotel patrons will park in these spaces and people who want to use the library will not be able to park. Also, I believe that hotel patrons will utilize parking in the adjacent neighborhood thus not allowing homeowners to park at their homes.

Sincerely,
Jennifer Bicket

1

## RESPONSE TO LETTER JENIFER BICKET (JBICKET)

### Response to Comment JBicket-1

*The commenter states that there should be an increase in parking spaces for hotel residents because some guests will not use the valet parking service and park their own cars off-site.*

Refer to Master Comment 3: Parking.

# Letter JM

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Comments to draft EIR for Durrell Hotel

**John Moore** <jmoore052@gmail.com> Wed, Sep 20, 2017 at 8:09 AM
To: lohalloran@cityofpacificgrove.org

Ms.O'halloran: Please file these comments per the law;

1. I Incorporate my previous comments to the NMD for this project, including my qualifications.

2. I incorporate the building permit and all conditions for the adjacent Holman project for the construction of 25 condominiums of about 60,000 sq. ft.and about 40,000 sq. ft. of office and retail.

USE PERMIT

The Draft EIR(herein DEIR) fails to provide adequate CEQA review based on the fact that several aspects of the project are to be determined by the Planning Commission by its issuance of a use permit, not by zoning rules that would otherwise apply. The use permit requirement is set forth in Chapter 23.31 PGMC "COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS", including this CIT zone,and specifically provides:

"8. Hotel uses shall be allowed, subject to first securing a use permit in each case, and subject to the building height , site coverage, and yard requirements of this chapter. ALL OTHER(emphasis mine) regulations and conditions of approval shall be as provided by use permit approved pursuant to this title. Said regulations and conditions shall include, without limitation, provisions for architectural review, land area per unit, neighborhood compatibility, landscaping, parking, traffic and accessory buildings. Required parking, if any, may be located on or off the site, the location to be designated by the use permit. See also, PGMC 23.31.0s0(b)(1)(A)." 1

The three areas that my negative comments relate to from the above rule are neighborhood compatibility, parking and traffic. As the provision says: the use permit may control these areas "without limitation." I acknowledge that the administration of that provision must be reasonable and not arbitrary.

Parking is discussed in the DEIR in Section 2.0 Project description"Project Site Parking." Per that section, the project would provide 97 valet parking spaces. 14 of those would be dedicated to the adjacent 100,000 sq. ft. Holman condo-office-retail project. The Holman project for 25 condo's and 40,000 sq. ft. of retail and office provided for 25 underground parking spaces-one per condo- and the 14 additional spaces located on the Durrell parking lot(so the 14 parking spots are counted twice, once for each project). And even worse, of the 55 parking spaces on the Durrell parcel, less 14 for the Holman project, the balance of 41 spaces are to be "shared" with Holman users

Finally, the DEIR said about parking: "The project shall exceed the 32 spaces(or one space per four rooms) required by the city. As set forth below, I disagree.

My comments about Parking:
1. As set forth in the section on the "use permit", parking is an area to be determined by the Planning Commission, the so called "city" criteria do not apply. 2a
2. The one space per four rooms, actually says "one covered space per four rooms." None of the spaces are covered, so even if that standard applied, it is not covered by the project.
3. Valet parking should not be allowed, and if so, should not be counted as project parking. Valet parking is a separate business: guests at the hotel will pay an extra charge for a hotel parking spot. Other charges may be applied for Valet Parking for non-hotel guests.
4 Both the Durrell and the Holman restrict their parking, but the extreme over-flow after that parking is filled, will take up public parking for the library, parks, museum and public parking now available to guests of other businesses. The project is about 400 yards from Forest Ave., the main entry and exit from downtown.
The project is totally dependent on near by public parking in order to provide parking for its customers, but non-customers can't use the project parking because it is all restricted. That is unconscionable city planning.
5. The combined parking for the Durrell and the Homan is a total of 122 parking spaces, none of them available to the public. The parking needs of the two projects easily require 250 parking spaces on 60% occupancy days for the Durrell and another 75 on 100%occupancy days for the Durrell. Pacific Grove is impacted by numerous "special events" during the year, when the whole peninsula "fills up." Those are maximum use periods for the Durrell, not the national charts and surveys of the type used in the DEIR regarding traffic, parking and the impact on the residential culture of Pacific Grove.

# Letter JM Continued

At this density, and in view of the need for a use permit regarding parking and traffic, this part of the DEIR is not relevant and the Project requires a severe reduction in density which would provide reasonable parking and traffic and not destroy the culture of the area. **2a cont.**

Transportation and Traffic are discussed in Section 3.4 of the DEIR

My comments about traffic and the divisive cultural impact of the projects on Pacific Grove follow:

1. The DEIR did not provide expert evidence about parking, traffic and the tendency of the Project to divide the city culturally. Instead it referred to models relating to maximum delays for models not related to "special events" that fill the town several weeks a year.etc. to arrive at a conclusion that impacts on the three areas is modest and not negative. **3a**

2 In order to appreciate the real time impacts of the projects, it is necessary to set forth a common sense description of the impact of the Durrell in a "special events" setting like Pacific Grove, which have special events that fill the town and occur several weeks each year Assume it is car week and that as usual the lodging facilities on the peninsula are sold out.

The DEIR estimates 19 staff employees for the hotel. The restaurant will require 20(three meals a day). There will be two full shifts so the employees and that creates a need for double parking while one shift arrives and then the other shift leaves. Valet parking will require at least 3 employees. So about 40 parking spaces for employees. In addition, the Holman is short about 20 parking spaces.

3. Parking The 125 rooms would be sold out, requiring at least 125 parking spaces(a few will come with no car and a few will meet up with each having a car). **2b**

Non hotel guest restaurant customers will require about 20 parking spaces.

I have not included provision for suppliers for linens, toiletries, meat and other restaurant supplies etc., but still, the Durrell, requires 165 parking spaces, but is providing only 83. A short fall of 82 spaces per day for about a ten day period. That over flow will steal the near by public parking, creating a free for all for parking.

4. Traffic. The DEIR again uses charts and studies derived from experiences of places with systemic low and high periods of traffic. The estimate of the additional trips to and from the hotel is underestimated by 200 trips a day at peak hours. Peak hours for hotels is check in and check out time. The two groups converge about one hour after the other. But for 125 rooms, that requires 125 trips in and 125 trips out on the same day. Add that to the "special event" traffic and parking short fall and there will be grid lock of the highest degree. **3b**

Summary: As shown, by 1-4 above, the severe lack of parking and the serious traffic gridlock result because the Durrell is much to dense at 125 rooms, or, even 90 rooms, described as an alternative. The planning commission has a specific responsibility in issuing a use permit, to require a severe down-sizing of the project. Otherwise the traffic and parking deficiencies will divide the culture of the community in the area. **4**

The detrimental impacts are so severe that the project should provide for 50 rooms at the most, and 45 would be even better. The future of Pacific Grove as a city of residents is at stake. John M. Moore, resident of Pacific Grove

## RESPONSE TO LETTER 20 – JOHN MOORE (JM)

### Response to Comment JM-1

*The commenter states that the Draft EIR fails to provide adequate CEQA review because several aspects of the project are to be determined by the Planning Commission by its issuance of a use permit, not by zoning rules that would otherwise apply.*

Subsection 2.5, in Draft EIR Section 2.0, Project Description, lists the permits required for the project. Additional permits relating to stormwater management are described in Draft EIR Section 3.0, Impacts Found to Be Less Than Significant, subsection Hydrology and Water Quality. Refer to Master Response 7: Coastal Zone Permitting, regarding the need for a Coastal Development Permit.

Per Pacific Grove Municipal Code Section 23.77.020, the City's Community Development Director has the authority to determine whether a proposed project may or may not have a significant effect on the environment in accordance with CEQA. The Community Development Department is authorized to initiate and process the completion of environmental impact reports and determinations. Such reports are prepared by the community development department in compliance with CEQA guidelines, and no licenses or permits will be issued for a project prior to the completion of an environmental impact report and a notice of determination as been issued ([Ord. 1803 N.S. Section 1, 1991).

### Response to Comment JM-2

*The commenter lists concerns about parking for the project regarding permitting, the number of allotted parking spaces, valet parking, and project impacts to available public parking.*

Refer to Master Response 3: Parking.

### Response to Comment JM-2a

*The commenter states that the need for a conditional use permit for parking and traffic is not relevant as part of the Draft EIR, as the project would require a severe reduction in density to provide adequate parking.*

Refer to Master Response 3: Parking.

### Response to Comment JM-2b

*The commenter notes the Draft EIR estimates the hotel would employ approximately 19 full-time staff, but does not take into account contractor service workers and vendors. The commenter estimates that, during special events, there would be a shortfall of 82 spaces for a 10-day period and that the hotel should provide 165 spaces instead of 83.*

Refer to Master Response 3: Parking.

**Response to Comment JM-3a**

*The commenter states that the Draft EIR does not provide expert evidence about parking and traffic and the "tendency for the project to divide the city culturally." The commenter opines that the Draft EIR should include parking and traffic impacts as they apply to special events taking place in Pacific Grove for several weeks during the year.*

Refer to Master Response 3: Parking.

**Response to Comment JM-3b**

*The commenter states that the Draft EIR's traffic analysis underestimates peak-hour trips by 200 trips per day, not including special events days.*

Refer to Master Response 2: Project Traffic regarding estimates of project trips. In addition, refer to Master Response 1: Traffic Safety, and Master Response 3: Parking. Additional information for the Draft EIR traffic analysis can be found in Draft EIR Section 3.4, Transportation and Traffic, and the full transportation impact assessment (TIA) presented as Draft EIR Appendix 6: TRA.

**Response to Comment JM-4**

*The commenter summarizes his concerns as follows: the severe lack of parking and the serious traffic gridlock result because the Hotel Durell is much too dense at 125 rooms, or, even 90 rooms, described as an alternative.*

Refer to Master Response 1: Traffic Safety, Master Response 3: Parking, and Master Response 4: Massing and Visual Character.

# Letter MLS

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Draft EIR Durell Hotel

**Maryanne Larson-Spradling** <frogmbay@gmail.com> Mon, Oct 16, 2017 at 2:55 PM
To: lohalloran@cityofpacificgrove.org

The hotel is not consistent with the General Plan and is not wanted by the people of Pacific Grove. 1
Your photo composite of the hotel is highly misleading, resulting in deceiving the public. Please see page two. 2
Please send an email to me regarding receipt of this email.
Thank you, Maryanne Larson-Spradling

**Hotel Durell Draft EIR.pages**
858K

## RESPONSE TO LETTER MARYANNE LARSON-SPRADLING (MLS)

**Response to Comment MLS-1**

*The commenter states that the hotel is not consistent with the General Plan*

Refer to Response to Comment BA-2.

**Response to Comment MLS-2**

*The commenter states the photo composite of the hotel is misleading and refers to page 2 of the document.*

Refer to Master Response 4: Massing and Visual Character.

# Letter NK

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Hotel Durrell

**nkillen23@gmail.com** <nkillen23@gmail.com>
To: lohalloran@cityofpacificgrove.org

Thu, Oct 12, 2017 at 2:24 PM

To Whom It May Concern,

Having grown up in Pacific Grove and a resident and property owner on the 1st block of Grand Ave., I am saddened to see the proposal for this hotel that could belong in any nondescript town. It does not flow with the beauty and history of our museum, library and community.

Understanding the interest in development, I could see a smaller boutique hotel with courtyards and gardens, in keeping with the library and museum. **1**

The traffic flow at that corner is already difficult to cross and I can only imagine the increase of cars with the hotel. **2**

As we all know, parking is a nightmare sometimes causing me to not leave the house, giving up my spot. On Mondays with the farmers market it is extremely difficult with my neighbor having to tow a car blocking her driveway this month. **3**

I do hope the heartfelt thoughts of our community are listened to.

Thank you for your time and may I please request a receipt.

Nina Killen

Sent from my iPad

## RESPONSE TO LETTER NINA KILLEN (NK)

### Response to Comment NK-1

*The commenter states that as a property owner and resident of on the first block of Grand Avenue, she is saddened by the project, as it does not reflect the city's history and beauty. The commenter suggests that a smaller boutique-style hotel be built Instead.*

The comment does not pertain to the adequacy of the EIR. No changes required.

### Response to Comment NK-2

*The commenter states that traffic flow will increase with the project.*

See Master Response 2: Project Traffic.

### Response to Comment NK-3

*The commenter states that parking in the area is very difficult and that she sometimes doesn't leave her home in order to preserve her parking spot.*

See Master Response 3: Parking.

# Letter NH

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Hotel Durrell

**Nan Heller** <hellerman@gmail.com> Wed, Sep 20, 2017 at 7:48 AM
To: lohalloran@cityofpacificgrove.org

Dear Laurel,

I am writing to comment on the Hotel Durrell project. The architectural design is attractive, of course depending on the materials used. I DO NOT want the hotel project to be approved **#1** because we have been crying 'no water' for as many years as I have lived here (since 1976) and yet we entertain the possibilities of putting in hotels which take even more water. Tourists are not sensitive to our water situation, no matter how many signs are put up in the hotel rooms. **#2** there are 2 two lane roads leading in and out of Pacific Grove, the traffic created by the guests and staff shifts will accaserbate our traffic issues. Our quality of life is already challenged with the amount of cars on our over crowed roads coming in and out of town. **#3** Pacific Grove has always been different from Monterey, Carmel and Pebble Beach, it is a family oriented town. The proposed hotel will change our home town feeling and especially the area in which it boarders. 1 2 3 4

Please, DO NOT approve the Hotel Durrell.

Sincerely,
Nan Heller

## RESPONSE TO LETTER NAN HELLER (NH)

### Response to Comment NH-1

*The commenter notes that the architectural design is attractive and dependent upon materials used in construction.*

Thank you for your comment. The comment is noted and does not require revisions to the Draft EIR.

### Response to Comment NH-2

*The commenter states she opposes the project because a hotel would use more water resources than city residents.*

Refer to Master Response 8: Water Usage.

### Response to Comment NH-3

*The commenter states she opposes the project because it would create parking and traffic that would affect quality of life.*

Refer to Master Response 3: Parking.

### Response to Comment NH-4

*The commenter notes that Pacific Grove is different from neighboring coastal communities and that the project would change the city's "hometown feeling."*

The comment does not pertain to the adequacy of the EIR. No changes required.

# Letter PB

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Hotel Durrell development

**Peter Bolton** <peter@pagroveca.com>
To: lohalloran@cityofpacificgrove.org
Cc: forthecolors@comcast.net

Thu, Oct 12, 2017 at 12:19 PM

Dear Ms O'Halloran,

I was just skimming through the draft EIR for the Hotel Durrell development and there was one subject I don't think is adequately addressed: the traffic implications. It's becoming increasingly troublesome on we residents to get from Pacific Grove to Monterey during late afternoons and early evenings. The sole practical route is Lighthouse Avenue and that is often jammed up. (Anecdotally, I once parked my car in front of UPS store and walked to downtown Monterey faster than a MST bus.)

The jam ups are not just occasionally on weekends either nor are they predictable (which is really annoying). My personal sense is they're already occurring 3, sometimes 4, times per week. Do you have any studies that report on the scope and frequency of the congestion? A lot of my neighbors are affected and angry. **1**

There is nothing in the report that describes the projected increase in traffic unless it's supposed to be addressed in Impact 3.4.3. If that's relevant be topic, I think the response is insensitive to the current situation. How many vehicles do they project will be driving to the hotel? On what days and during what hours do they project it will be the most intense? How much will the cars driven by Hotel Durrell patrons affect the traffic for PG events, like Good Old Days and Feast of Lanterns?

Maybe there's no impact; maybe there's a lot. How about someone do some research? Traffic's becoming an increasing burden to we residents. Please, let's start paying attention to the load, the impact on local businesses, and the impact on our way of life. **2**

Thank you,

Peter Bolton
389 Junipero Ave

## RESPONSE TO LETTER PETER BOLTON (PB)

### Response to Comment PB-1

*The commenter states that the Draft EIR does not adequately address traffic impacts from Pacific Grove to Monterey during the late afternoon and early evening hours. The commenter further states that measures to reduce traffic under Impact 3.4.3 are not addressed. The commenter asks for data regarding vehicles traveling to and from the project site at various days and times.*

Refer to Master Response 2: Project Traffic.

# Letter PV

Dear Ms. O'Halloran:

It's once again time to write a letter of protest against the proposed Hotel Durrell which will be spitting distance from my home. But I've been thinking, having grown up in Los Angeles, wouldn't it be a bit like going home?

I have some ideas to make it even more like L.A. but smack in the middle of Pacific Grove. The recent report mentions parking issues for the guests and employees. Well how about turning Jewell Park into a parking garage for the hotel overflow? After all, who needs a park? Think of all the money the city will save on mowing and maintenance! And what's one more dense looming structure?

Then there's the library. Does anyone really read books anymore or use the library to do their homework? So how about turning the library into a lounge for the hotel guests? Or perhaps a comfy spot to wait for their valet parked cars? We have all those Little Free Libraries around town. Aren't they enough for folks who insist on reading an actual book?

And let's face it, does a library across the street from a hotel really make sense? I don't think the hotel guests will be interested in visiting the library. And that's what we're taking about isn't it? What will suit the visitors, not us full time residents.

Now with all the traffic resulting from the hotel, I think a few stoplights in the retreat area should do the trick. And signage. We'll need a lot more signs instructing visitors where to go. I'm already asked a lot of questions when I'm out walking my dog. Signs would certainly cut down on some of that.

So, in closing, do the powers that be really want to sell out Pacific Grove for the almighty dollar? And I'm telling you, people from L.A. will not want to come here if it's just like where they came from. The plan will backfire. People want to visit here for the quaint atmosphere, the historic nature of our little town, the peace and quiet. A huge very modern looking hotel simply doesn't fit. Please let Pacific Grove remain the way it is. Please be respectful of those of us who actually live full time in the retreat area.

Sincerely,

Patsy Volpe
126 Grand Avenue
Pacific Grove, CA

P.S. May I please be provided with confirmation that you have received my letter? Thank you.

## RESPONSE TO LETTER PATSY VOLPE (PV)

**Response to Comment PV-1**

*The commenter states she is writing a letter of protest against the proposed Hotel Durell and suggests that the city is turning into Los Angeles.*

Thank you for your comment. The comment is noted and does not require revisions to the Draft EIR.

# Letter RF

October 12, 2017

Laurel O'Halloran, lohalloran@cityofpacificgrove.org
City of Pacific Grove Community & Economic Development Department

I have several concerns with the Draft Environmental Impact Report (DEIR) for the proposed Pacific Grove Hotel Durrell project:

The parking identified in the DEIR is not adequate for a four-story, 125-room hotel with restaurant and meeting rooms. Consider the number of guests, visitors, employees, and attendees. The inevitable congestion would block traffic and become a safety hazard. **1**

In addition, a survey needs to be done on how this oversized project will affect the occupancy rate of the existing B&B's in Pacific Grove which currently enhance the unique residential character of our town. What's being done to ensure we maintain our quality of life and not put them out of business in a similar way that fast food outlets can put an unfair strain on local restaurants? **2**

The cultural and residential resources of Pacific Grove's Retreat area cannot be ignored. P.G. is a "City of Homes." The unique character of this Retreat area must be preserved. This hotel does the opposite. The City General Plan which supports the residential character and preservation of the historical flavor has to be honored so that future residents can enjoy our Piney Paradise. **3**

The design of the hotel looks like a mass-produced building rather than an artistically appointed structure. An alternative would be a scaled back hotel (less than 50 rooms) with a unique design that fits the personalized look of the majority of overnight accommodations in Pacific Grove. **4**

This review process needs to be thorough and in compliance with the recorded parameters for development which are included in the General Plan. While I have only outlined a few of my apprehensions here, I and others have raised many points at the earlier public meeting and in written comments. This DEIR does not mitigate the significant negative impacts which have been raised previously. It does not take into account the General Plan protections. **5**

In sum, this building in design, size and impact is totally out of context and should not be built.

Sincerely,

Robert Fisher
429 Lighthouse Ave. Apt 2
Pacific Grove, Ca. 93950
(831) 920-2731

## RESPONSE TO LETTER ROBERT FISHER (RF)

**Response to Comment RF-1**

*The commenter states that parking identified in the Draft EIR is not adequate for a four-story, 125-room hotel.*

Refer to Master Response 3: Parking.

**Response to Comment RF-2**

*The commenter requests that a survey be done to determine the hotel's effect on occupancy rates of existing bed and breakfasts in Pacific Grove*

The comment does not pertain to the adequacy of the Draft EIR. No changes required.

**Response to Comment RF-3**

*The commenter notes that cultural and residential resources in Pacific Grove's Retreat area should be preserved in accordance with the City's General Plan.*

Refer to Master Response 4: Massing and Visual Character.

**Response to Comment RF-4**

*The commenter states the hotel's design looks like a mass-produced building and suggests a scaled back alternative with 50 rooms.*

Refer to Master Response 4: Massing and Visual Character.

**Response to Comment RF-5**

*The commenter states the project review process should be thorough and in compliance with the City General Plan.*

Refer to Responses to Comments BA-1 and BA-2 and Response to Comment JH-b-2.

# Letter RH

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Hotel Durell Project

**Bobbie Hall** <bobdango@pacbell.net>
To: lohalloran@cityofpacificgrove.org

Fri, Oct 13, 2017 at 9:38 AM

My objections to this project are the following:

Size – it is massive in comparison to its surroundings (of course except to the Holman building). 1

Resources – where does all the water required for a hotel for consumption, laundering, cleaning, bathing, etc., come from to accommodate both a hotel and condominiums on the same block? Not to mention the restrictions of usage on the rest of us. 2

Traffic – there are only a very few ingress and egress points for this city and they are already crowded at certain points in the day. This hotel will exacerbate this issue to the extreme. 3

Parking – really? where? Certainly not in underground parking for employees and business people. 125 rooms. With any occupancy at all there couldn't possibly be enough spaces for guests and staff. Where will there be parking for surrounding businesses, including the library? Really? 4

Quality of life for residents of PG should be a concern for the City. 5

And I wonder how the residents of the condominiums are going to feel about the view from anyplace except the penthouse units?

I say No.

Maybe if the Hotel Bella plans go down the drain, the Hotel Durell could go there!

Roberta Hall

228 17th Street

Pacific Grove

## RESPONSE TO LETTER ROBERTA HALL (RH)

### Response to Comment RH-1

*The commenter states the project is too large for the surrounding area, with the exception of the Holman Building.*

See Master Response 4: Massing and Visual Character.

### Response to Comment RH-2

*The commenter inquires whether there will be enough water to accommodate the hotel and surrounding condominiums in light of water use restrictions in place.*

Refer to Master Response 8: Water Usage.

### Response to Comment RH-3

*The commenter states that there are very few ingress and egress points for the city and they are very crowded at certain times during the day; the hotel will exacerbate the situation.*

Refer to Master Response 2: Project Traffic, regarding the additional vehicle trips generated by the project.

### Response to Comment RH-4

*The commenter asks how the project would provide enough parking spaces for hotel guests, staff, and surrounding businesses.*

Refer to Master Response 3: Parking.

### Response to Comment RH-5

*The commenter asks how the project will affect views from condominium penthouses.*

As noted in Draft EIR Section 3.1, Aesthetics, private views are not considered a resource under CEQA.

# Letter RG

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Durrell Hotel

**Nan Heller** <hellernan@gmail.com>
To: lohalloran@cityofpacificgrove.org

Wed, Sep 27, 2017 at 6:49 PM

I am writing to let you know that I am very concerned about additional traffic & parking that will be created by adding a 125 room hotel to our beloved hometown, Pacific Grove. As we all know getting in & out of P.G. is already very difficult. I have lived here since 1971, working as an architect & have been active with the Heritage Society. The biggest change I have seen in my time her is the traffic congestion, we can not afford to continue to add to the congestion for it erodes our quality of life. **1**

I am also very concerned about water usage. As an architect I had many clients, going back into the 1980's that simply could not add a bathroom to their house as their family grew, yet time & time again additional water usage was, & still is granted to businesses catering to outside visitors who do not understand our policies for water conservation. This practice has to stop until we solve our water shortage issues. **2**

I oppose the hotel project because I love Pacfic Grove and I am very concerned for it's future.

Robert Gunn,
Architect

## RESPONSE TO LETTER 28 – ROBERT GUNN (RG)

### Response to Comment RG-1

*The commenter expressed his concern over increased traffic resulting from the project's 125-room hotel.*

Refer to Master Response 2: Project Traffic.

### Response to Comment RG-2

*The commenter noted his concern about the project increasing water usage. The commenter notes that the City grants water usage to businesses and visitors who don't understand the City's water usage and conservation policies.*

Refer to Master Response 8: Water Usage.

# Letter SD

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Comments on Draft EIR for Hotel Durrell

**Sarah Diehl** <ioniansd@yahoo.com>
Reply-To: Sarah Diehl <ioniansd@yahoo.com>
To: "lohalloran@cityofpacificgrove.org" <lohalloran@cityofpacificgrove.org>

Thu, Oct 12, 2017 at 1:25 PM

Ms. Laurel O'Halloran
City of Pacific Grove
300 Forest Avenue
Pacific Grove, CA 93950

October 12, 2017

Dear Ms. O' Halloran:

I want to express concerns regarding the Draft EIR and proposal(s) for the Hotel Durrell; the proposed project raises many concerns that cannot be mitigated. The project is in the Historic Pacific Grove Retreat neighborhood and adjacent to the Coastal Zone and should be given the utmost scrutiny as it affects a critical area of historic, civic and natural resources.

A four story hotel with 125 rooms will literally and figuratively overshadow the historic Carnegie Library, Jewell Park and the Museum, which are the heart of Pacific Grove. Several historic churches and Greenwood Park open space are also a few blocks away. The hotel will also bring more traffic than that already crowded area can manage, particularly as it envisions not only hotel guests and the necessary staff (which certainly will be more than the stated 19 employees) but also meeting rooms, special events and a restaurant. The proposal does not provide enough parking for all the people that will be drawn into the area and the overflow would crowd residential streets and the Coastal Zone, which are already overburdened, particularly on weekends. Also residents and visitors to the Holman Building will draw in more traffic and need for parking once it opens. **1a** **2**

The Draft EIR indicates that the project will provide 83 parking spots, and then states it provides 97 parking spaces, 14 of which will be shared with the Holman Building. Hasn't the minimum parking requirements for the Holman Building been established? It needs to be clarified which of these projects (Holman or Durell) the 14 spaces are designated in order to fulfill the minimum requirements. Also, is that enough parking for 125 guest rooms, all attendant employees, visitors, restaurant and meeting patrons? **3**

Not only would a large hotel ruin the visual character of that area and degrade the historical residential areas, it will also increase the noise levels (Impact 3.33) not just during the anticipated 18 months of construction but for the lifetime of the business. A hotel of that size with an outdoor pool, etc. will add the noise of many more vehicles (including staff and delivery vehicles). Also the influx of vehicles in a crowded area will add to public safety concerns particularly given the number of library and museum visitors crossing Central Avenue. The proposed Mitigating Measures MM3.4.2a, MM3.4.2b and MM3.4.2c are outside of the C-1-T zone and would hurt the visual and physical characteristics of the neighborhoods while not mitigating the public safety hazard. Moreover, Mitigating Measure MM3.4.2c **1b** **4** **5**

# Letter SD Continued

would physically alter Jewell Park, Grand Avenue, and the Carnegie Library, all in the Coastal Zone and the Pacific Grove Retreat.

Given potential harm to the surrounding area, the proposed project(s) within this Draft EIR should be subject to public hearing by the California Coastal Commission. **6**

The proposed construction would be a huge burden on the downtown and adjacent residential area. Mitigation Measure MM3.4.1 states that construction traffic for hauling materials in and out of the project area would use Forest Avenue and Central Avenue, which are residential areas. The proposal calls for construction six days per week for almost 12 hours per day on weekdays. **7**

As currently envisioned, he Hotel Durrell is too large and intrusive a project for the heart of Pacific Grove. The Pacific Grove General Plan clearly states that the maximums assigned to the various land use categories do not constitute an entitlement, nor is there any guarantee that any individual project, when tested against the policies of the General Plan, will be able to or will be permitted to achieve the maximums indicated. The project places too great a burden on the historic, residential and coastal zones of the town, and the proposed mitigation measures are not adequate to address the short-term and long-term disruption and degradation of private residential and public environments. **8**

Please confirm that you have received my comments. Thank you.

Sincerely,
Sarah Diehl
431 Spruce Ave
Pacific Grove, CA 93950

## RESPONSE TO LETTER SARAH DIEHL (SD)

### Response to Comment SD-1a

*The commenter states that a four-story, 125-room hotel will overshadow neighboring buildings, including the library, the museum, and Jewell Park.*

See Master Response 4: Massing and Visual Character.

### Response to Comment SD-1b

*The commenter states the project will ruin the visual character of the area and degrade historical residences in the project vicinity.*

See Master Response 4: Massing and Visual Character.

### Response to Comment SD-2

*The commenter states that the project will create more traffic impacts and believes that the hotel will have more than 19 employees in need of parking.*

See Master Response 3: Parking.

### Response to Comment SD-3

*The commenter notes the project would provide 83 parking spaces, 14 of which will be shared with the Holman Building. The commenter asks for clarification on how the 14 spaces will be allocated in order to satisfy minimum parking requirements.*

See Master Response 3: Parking.

### Response to Comment SD-4

*The commenter states that noise impacts described in Impact 3.3.3 of the Draft EIR would be in effect not just for the 18-month project construction period but for the lifetime of the hotel's operation.*

Refer to Response to Comment EF-2.

### Response to Comment SD-5

*The commenter states that mitigation measures MM 3.4.2a, MM 3.4.2b, and MM 3.4.2c are outside of the C-1-T zone and would hurt the visual and physical characteristics of the neighborhoods while not mitigating the public safety hazard.*

The mitigation measures and conditions of approval are found in Draft EIR Section 3.4, Transportation and Traffic. Condition of approval 1 pertains to crosswalks at the Grand Avenue/Central Avenue intersection and at the Fountain Avenue/Central Avenue intersection. Condition of approval 2 pertains to the intersection at Central Avenue and Fountain Avenue, while condition of approval 3 relates to a sidewalk along the eastern edge of Jewell Park. While

the park is located in the Coastal Zone and designated as open space, all three areas are within the C-1-T zone, as shown on the City's Zoning Map (2013). Refer to Master Response 1: Traffic Safety, and Master Response 7: Coastal Zone Permitting, for additional information.

**Response to Comment SD-6**

*The commenter states that mitigation measure MM 3.4.2c would physically alter public resources in the area and that the project should be subject to California Coastal Commission hearings.*

Refer to Master Response 7: Coastal Zone Permitting.

**Response to Comment SD-7**

*The commenter notes that mitigation measure MM 3.4.1 states that construction traffic hauling construction materials would use Forest Avenue and Central Avenue in residential areas. The commenter adds that project construction would occur 6 days a week for almost 12 hours a day during the week.*

Refer to Master Response 1: Traffic Safety, regarding construction routes.

**Response to Comment SD-8**

*The commenter states that the project is not consistent with the General Plan land use designation. The commenter adds that the project would place too great a burden on historic, residential, and coastal zones in the city. Finally, the commenter states that proposed mitigation measures do not adequately address short- and long-term disruption and segregation of the surrounding project area.*

See Master Response 4: Massing and Visual Character.

# Letter SMil

**Sharon Miller**
**442 Lighthouse Ave.**
**Pacific Grove, CA 93950**
**831-6010-0403; hbmcclane@juno.com**

Oct 12, 2017

Laurel O'Halloran, Associate Planner
City of Pacific Grove, Community and Economic Development
City Hall
300 Forest Avenue
Pacific Grove, CA 93950

**RE: DURRELL HOTEL EIR**

Dear Ms. O'Halloran:

After reading the draft EIR on the Durrell Hotel project, **I am in support of Altetnative 1 – No Project**. I have come to this conclusion because of the project's size and height, its impact on traffic, parking, and water, and its degradation Pacific Grove's character as a Victorian hometown. 1

**SIZE and HEIGHT**: The great majority of Pacific Grove homes and businesses are one or two stories. The historic Holman Building is an exception, but it was already in place. There is no reason to raze a one-story building to erect a four-story one that will overshadow the library, museum, homes and businesses in the vicinity. Even the old El Carmelo Hotel was only three stories, and it occupied the whole block with only 114 rooms. 2

**TRAFFIC SAFETY:** The project would increase the number of cars and pedestrians in an area used by children going to the library, residents shopping at the Farmers' Market, cyclists getting their exercise, and dog-walkers taking a stroll. This is a recipe for disaster, and I don't see how widening the width of the sidewalk or putting in crosswalks is sufficient remediation of the problem. The draft EIR predicts increased motor traffic congestion at peak hours. We live in Pacific Grove to avoid traffic jams. 3

**PARKING:** How many parking places will be provided for guests of the 125 rooms and for the 19 staff people? I counted 55 parking spaces proposed on-site and 28 off-site for a total of 83, although the draft EIR says 97. It sounds like library patrons and others will be competing with hotel patrons for on-street parking, something I never expected in our hometown. 4

**WATER:** The top priority of water in Pacific Grove is for residents, not tourists. According to the draft EIR, water usage on the Durrell site would rise from 1.7 acre-feet per year to 4.08. This does not seem the best use of a precious and already scarce resource. We do not currently have sufficient water to serve this project, and I don't see that changing in the near future. As the draft EIR said, "Small-scale infill developments... would require less water than large-scale developments." 5

**VICTORIAN HOMETOWN CHARACTER**: There are already existing hotels, motels, B&Bs and short-term rentals in Pacific Grove that afford charmingly unique accommodations to our guests. They are dispersed throughout town, and do not pose the problems a large development like the Durrell Hotel would. 6

Thank you for giving me an opportunity to comment.

Sincerely,

Sharon Miller

Sharon Miller

## RESPONSE TO LETTER SHARON MILLER (SMIL)

### Response to Comment SMil-1

*The commenter supports Draft EIR Alternative 1, No Project, because of project impacts on traffic, parking, water, and visual character.*

Refer to Master Response 1: Traffic Safety, Master Response 3: Parking, Master Response 4: Massing and Visual Character, and Master Response 8: Water Usage.

### Response to Comment SMil-2

*The commenter expresses concern about the size and height of the project.*

See Master Response 4: Massing and Visual Character.

### Response to Comment SMil-3

*The commenter states that the project will increase both vehicular and pedestrian traffic, and doesn't think that widening the sidewalk and installing crosswalks is sufficient remediation for these impacts.*

Refer to Master Response 1: Traffic Safety, and Master Response 2: Project Traffic.

### Response to Comment SMil-4

*The commenter expresses concern about adequate parking for hotel guests and employees, stating that residents will be competing with the hotel for parking spaces.*

Refer to Master Response 3: Parking.

### Response to Comment SMil-5

*The commenter states that water usage for the project would rise from 1.7 acre-feet per year to 4.8 acre-feet per year, and the hotel is not the best use of a scarce resource. The commenter notes, "Small-scale infill developments…would require less water than large-scale developments."*

Refer to Master Response 8: Water Usage.

### Response to Comment SMil-6

*The commenter states that Pacific Grove's existing guest accommodations dispersed throughout the city would not create the problems that a large project like Hotel Durell would.*

The comment does not pertain to the adequacy of the EIR. No changes required.

# Letter SMoo

35

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Hotel Durell

1 message

**Sally Moore** <sallymoore361@hotmail.com> Mon, Oct 16, 2017 at 4:25 PM
To: Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

I just realized today is my last chance to comment on Hotel Durell.

At the very least I feel that the hotel, as designed, would greatly impact the area by overshadowing the museum and library. The height would definitely be out of place. 1

Another concern is parking for the very active library. It's almost impossible now to find a spot available. The traffic situation at that intersection is quite busy and confusing. Pedestrian traffic is difficult and dangerous for those who are already accustomed to the situation. Additional vehicle traffic from the hotel will only elevate those difficulties. 2

Sally Moore

Virus-free. www.avast.com

## RESPONSE TO LETTER SALLY MOORE (SMOO)

### Response to Comment SMoo-1

*The commenter states that the project as designed would overshadow the museum and library; the hotel's height would be out of place.*

See Master Response 4: Massing and Visual Character.

### Response to Comment SMoo-2

*The commenter states that vehicular traffic in the area is congested and confusing; pedestrian traffic is difficult and dangerous even for those who are used walking in the area.*

Refer to Master Response 1: Traffic Safety.

# Letter WS-a

Dear Ms. O'Halloran -
I have an addition to the note I wrote you on October 4 on the Hotel Durrell project.

Yesterday morning (Sunday) I drove about the area where the proposed hotel is to be built. I was impressed by the high traffic congestion and lack of street parking, with people circling the block looking for spaces, especially on Central but also in the tiny tributaries leading into it. There are three churches on Central Avenue within walking distance of the proposed hotel. The crowd associated with the Hotel Durrell would compete for these places.
Recall that Pacific Grove was established as a Methodist retreat center, and the spiritual lives of these people was so important that they created the beginnings of this town. This is not only a historic aspect of Pacific Grove, but part of its present heritage. I do not see what service it is to the individuals who attend these places of worship to construct a hotel business in their midst which would complicate their getting there. **1**

I would propose another site for the Durrell project: that which is currently occupied by Nob Hill Grocery. I understand that another supermarket chain might be replacing Nob Hill. Why does Pacific Grove need another supermarket? There are probably water credits associated with the Nob Hill site, a sewer system, and the site would be more in the tourist region of town, adjacent to the Aquarium, etc. That area is also traffic-congested, but this solution gets the congestion away from the direct middle of our town. **2**

I gather that the severe financial situation in which Pacific Grove finds itself is attributed to past city councils approving benefit packages to personnel which the city now cannot afford to cover. Probably these deals were made out of the thought that PG needed to compete for the best people to serve our citizenry, and that seemed to mean offering these benefit packages. Those city councils probably thought they were working in the town's best interest, but then they rotated off and other councils who rotated in continued the pattern, leading to the current debacle. My point is this - when you put down a building like the proposed, it is permanent. It will not go away and it will affect the tone and life of PG indefinitely. There are aspects other than the financial in contemplating this hotel, and in the stress of financial crisis, I fear this council will respond for monetary relief and not appreciate the ramifications to the culture and history of Pacific Grove. Then they will rotate off the council and their involvement will be forgotten, as has happened with previous boards. **3**

Sincerely,

William L. Siegfried

## RESPONSE TO LETTER WILLIAM L. SIEGFRIED (WS-A)

### Response to Comment WS-a 1

*The commenter notes that there are existing high traffic volumes and congestion in the project area and that the proposed project would create additional impacts to people attending religious services at churches near the hotel.*

Refer to Master Response 2: Project Traffic.

### Response to Comment WS-a 2

*The commenter suggests the project be relocated to the Nob Hill grocery store site because it is set up for adequate water and sewage service. The site would also be closer to what the commenter states is the "tourist region" of the town. The commenter adds that relocating the project would move traffic congestion away from the center of town.*

Refer to Master Response 4: Massing and Visual Character, for a history of the project site.

### Response to Comment WS-a 3

*The commenter notes that the local government officials may have approved the project because of the project's financial incentives without considering how to best serve city residents.*

The comment does not pertain to the adequacy of the EIR. No changes required.

# Letter WS-b

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Thoughts on the Durrell Hotel project

**Will Siegfried** <willmsieg@gmail.com> Wed, Oct 4, 2017 at 1:08 PM
To: Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

I have resided in Pacific Grove for 20 years and my cottage is near downtown, on 17th Street near Pine. I am able to walk practically anywhere to get my needs met. I have observed traffic patterns and the level of courtesy among those traveling through town for years.

I oppose the placement for this facility for the following reasons:

1. Traffic congestion - Central Avenue in the area of the proposed hotel is already one of the few direct arteries into downtown. Add traffic to and from the hotel for staff and guests, inadequate parking for the hotel's guests (whose cars *do not stay in their garage but will go out into the streets*), and the kind of difficulties tourists have in navigating our region, we locals will have much more difficulty traveling about our town. All this will also confound travel for emergency vehicles. 1

2. Parking - other writers have noted in detail that coverage for the number of guests and needed hotel staff is inadequate. A similar statement can be made for the Holman condo project next door. I do not see where the impact of both projects has been adequately assessed and an effective solution proposed. Already it can be a challenge to find parking if I have to drive somewhere. 2

3. Responsible driving - when I first came to PG, I noted that it would be prudent to be careful of two main kinds of drivers - military personnel, who tended to drive fast, and very elderly drivers, who sometimes became confused or made sudden unexpected changes in their trajectory. Now I am noting many more tourist vehicles and their drivers - people checking their directions with hand-held gizmos while at the wheel, doing rolling stops at "stop" signs, and driving with less courtesy toward pedestrians than we locals are used to. Just a few days ago a van with out of state plates nearly collided with a car at 17th and Pine by suddenly doing a left turn right in front of them. I would rather have a hotel placed further out on the periphery of town, if at all, hoping that the added distance would temper their driving. 3

4. Water - already I am paying double what I paid several months ago. Why should I continue if a water-guzzling hotel is built in my community? There is no extra water for those new hotel guests, and until there is a solid water supply at a reasonable price, I am opposed to worsening an already tight situation. 4

5. Cultural degredation - I have travelled in Europe and various parts of the US where towns have thrown themselves into depending on influxes of tourists to sustain their budgets. In practically all cases, the town has become a shell of what it was before - a cutsy version of itself where locals have to put up with incredible inconveniences by large numbers of blundering part-timers who show up. I don't want PG to become like this and I have been grateful to return here for the peace and quiet of our town. I do enjoy seeing people strolling about and enjoying themselves, but I believe that hoards of them would degrade our standard of life. 5

6. Probable effect on local rents - I expect that if a hotel is built at the proposed location, rents in general in downtown would rise. I worry about losing local businesses I depend on by being priced out, whether it is shoe repair, fabric and stationery supplies, groceries, or anything else. 6

7. Loss of our farmer's market and businesses supplanted by the hotel. This is obvious. 7

Sincerely,
William L. Siegfried

## RESPONSE TO LETTER WILLIAM SIEGFRIED (WS-B)

### Response to Comment WS-b 1

*The commenter states that traffic congestion from the hotel will impact emergency vehicle access and mobility within the project area.*

As noted in Response to Comment CBua-10, project impacts on public services were analyzed in the IS/MND (Draft EIR Appendix 1: IS) and were found to be less than significant.

### Response to Comment WS-b 2

*The commenter states that onsite parking for both the project and the adjacent condominium development is inadequate.*

As noted in Master Response 3: Parking, the project would comply with Pacific Grove Municipal Code requirements for off street parking and required parking for hotel uses.

### Response to Comment WS-b 3

*The commenter expresses concern about unsafe drivers traveling within the project area and would like to see the project relocated to the periphery of Pacific Grove as a solution.*

Thank you for your comment. The comment does not pertain to the adequacy of the Draft EIR. No changes required.

### Response to Comment WS-b 4

*The commenter states that the water supply in Pacific Grove is inadequate and too expensive to accommodate the project.*

Refer to Master Response 8: Water Usage which addresses water rates and the City's process for approval projects related to water supply.

### Response to Comment WS-b 5

*The commenter is concerned that the project will contribute to overcrowding in the project area and will degrade the quality of life for city residents.*

Thank you for your comment. The comment does not pertain to the adequacy of the Draft EIR. No changes required.

### Response to Comment WS-b 6

*The commenter believes the hotel development will drive up rents in the project area and is concerned that local businesses will suffer.*

Thank you for your comment. The comment does not pertain to the adequacy of the Draft EIR. No changes required.

**Response to Comment WS-b 7**

*The commenter is concerned farmers market and local businesses will close as a result of the project.*

As noted in Response to Comment CG-3 the project would not require closure of the farmers market.

# Letter YCZ

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Hotel Durrell

**Y Zena Corby** <andale@cruzio.com> Mon, Oct 16, 2017 at 4:04 PM
To: lohalloran@cityofpacificgrove.org
Cc: Sally Aberg <forthecolors@comcast.net>, Patsy And Mel Volpe <patsymelvin@comcast.net>, Kevin Downey <kevtrex68@yahoo.com>, Linda Downey <shumaylinda@yahoo.com>, Rose Mary Downey <rosemarydowney1938@gmail.com>

Dear Ms. Halloran:

I am writing to add my voice to those such as Sally Aberg and Patsy Volpe regarding the poor design of Hotel Durrell and it's accompanying hardships for the homeowners in the neighborhood.

My family has been based at Grand Avenue since 1972. We currently have two school-age children who are being raised there. I plan to live in the house full time as a retiree. So do my brother and sister-in-law. We have a perspective that goes far into the future of our family and our town. 1

Hotel Durrell appears to be a behemoth, unbefitting a town the size and scale of Pacific Grove. The Holman building and block was never an architectural marvel for our little town, and the Durrell takes advantage of it's hideous footprint. Why are there no gardens on the sides of the hotel fronting Grand, Central and Fountain? Places where homeowners and their families can smell flowers and appreciate a bit of space and shade on a hot day? 2

As I understand from others, why isn't the Coastal Commission involved? They were certainly involved when we built our house in 1989. 3

Why will Durrell parking worsen an already awful parking situation for homeowners in a small town? When it already takes inordinately long to enter or exit the town at certain hours, why exacerbate the traffic? 4

My family tries to rest and recover on Saturdays, and we eat dinner at 6p on weekdays… can't we be spared the construction noise up the street? 5

We walk and ride bicycles here… will we be safe? 6

My eyes hurt when I see the architects' rendering of Durrell. Did the architect ever visit Pacific Grove? 7

Hotel Durrell needs to be taken back to the drawing board and edited with a little more compassion, less concern for money, and a meaningful look at the character and aesthetic of Pacific Grove.

Y. Zena Corby

## RESPONSE TO LETTER Y. ZENA CORBY (YZC)

### Response to Comment YZC-1

*The commenter states that she is adding her voice to others who have submitted public comments regarding the project's poor design and the hardship the project would place on homeowners in the neighborhood.*

The comment does not pertain to the adequacy of the EIR. No changes required.

### Response to Comment YZC-2

*The commenter states that the project is unbefitting a town the size and scale of Pacific Grove. The commenter adds that the project takes advantage of the Holman Building's footprint. Finally, the commenter asks why there are no gardens around the hotel.*

As described in subsection 2.3 in Draft EIR Section 2.0, Project Description, the project would feature a variety of amenities, including a landscaped courtyard area. As described on page 2.0-10, the project would also feature landscaping design for aesthetics and water conservation. Also refer to Master Response 4: Massing and Visual Character.

### Response to Comment YZC-3

*The commenter asks why the Coastal Commission isn't involved with the project.*

See Master Response 7: Coastal Zone Permitting.

### Response to Comment YZC-4

*The commenter states that traffic and parking in the project area will worsen.*

Refer to Master Response 1: Traffic Safety, Master Response 2: Project Traffic, and Master Response 3: Parking.

### Response to Comment YZC-5

*The commenter states that her family will be impacted by construction noise in the area.*

Refer to Master Response 6: Construction Noise Impacts, and Response to Comment Letter EF-2 for a discussion of noise impacts resulting from project implementation.

### Response to Comment YZC-6

*The commenter asks about bicycle and pedestrian safety measures that will be implemented for the project.*

Refer to Master Response 1: Traffic Safety.

**Response to Comment YZC-7**

*The commenter states that the project should be redesigned with a "more meaningful look at the character and aesthetic of Pacific Grove."*

Refer to Master Response 4: Massing and Visual Character and Master Response 5: Widening the Sidewalk.

# Letter MPWMD

MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

October 6, 2017

Ms. Laurel O'Halloran, Associate Planner
City of Pacific Grove
Community & Economic Development Department
300 Forest Avenue, 2nd Floor
Pacific Grove, California 93950

**Subject: MPWMD Comments on Draft Environmental Impact Report (DEIR) for the Pacific Grove Durell Project, 157 Grand Avenue, Pacific Grove (APNs: 006-173-001 and 006-173-003)**

Dear Ms. O'Halloran:

The Monterey Peninsula Water Management District (MPWMD or District) appreciates the opportunity to comment on the City of Pacific Grove's Draft Environmental Impact Report (DEIR) for the Hotel Durell project in Pacific Grove. The project is described as a four-story, 125 room hotel. The hotel's ground floor would consist of the hotel lobby, restaurant, kitchen, laundry room, meeting room, and on-site parking. The upper three floors would accommodate 125 hotel rooms. The hotel Site will also include a variety of amenities including a swimming pool, soaking spa, landscape courtyard, and meeting rooms. The proposed project would demolish an existing 17,650 square-foot Non-Residential building that contains a restaurant and retail uses. The DEIR also identifies three alternative projects. Alternative 1 states, there would be no change to the project Site, Alternative 2 consists of a four-story mixed-use project, including commercial and office spaces, Alternative 3, a reduced hotel project with 90 rooms is proposed. The District is submitting these comments based on current rules and policies which are subject to revision by action of the Board of Directors. The District has the following comments: 1

MPWMD

The DEIR should include a description of MPWMD. MPWMD is a California Special District whose boundaries encompass the cities of Carmel-by-the-Sea, Del Rey Oaks, Monterey, Pacific Grove, Sand City, Seaside, portions of Monterey County (primarily Carmel Valley, Pebble Beach and the Highway 68 corridor), and the Monterey Peninsula Airport District. Each of these Jurisdictions regulates land uses within its boundaries. The MPWMD does not regulate land uses. Although not a water supplier, MPWMD has power to regulate some aspect of water production and distribution by private purveyors such as CAW, which supplies water to ninety percent of the District's population. One of MPWMD's responsibilities is to balance water supply and demand through the MPWMD Water Allocation Program, and to carefully track how much of the allotted water has been used by member Jurisdictions. Every applicant must receive the Jurisdiction's authorization for a specific quantity of water or have sufficient Water Use Credits before applying to the District for a Water Permit. The District evaluates the project's water demand and issues a Water Permit for the project description as depicted on the final construction plans. 2

# Letter MPWMD Continued



3.6 Utilities and Service Systems

In the MPWMD's January 30, 2017, comment letter on the Initial Study/Mitigated Negative Declaration, the District expressed concerns about the water demand for the proposed Project. The Initial Study and DEIR indicate water supply is a less than significant impact with mitigation incorporated. According to the DEIR the projected water use for the Project would be approximately 5.47 Acre-Feet per year (AFA). Water use in the DEIR was calculated using water use rates in the Pacific Institute's Waste Not, Want Not: The Potential for Urban Water Conservation in California. This estimate does not agree with MPWMD's Rule 24, *Calculation of Water Use Capacity*. MPWMD estimates water demand and water credits based on the District's factors as displayed in Rule 24, Table 1: *Residential Fixture Unit Count Values* and Table 2: *Non-Residential Water Use Factors*. The Water Use Factors are subject to change by action of the Board of Directors. The use of factors, when they are available, calculates the estimated water demand for the use. The factors are based on regional averages; therefore actual water use may be higher or lower than the factored use. Based on the District's factors for hotel rooms alone (not including restaurant, banquet, landscaping, etc.) Hotel Durell will require at least 12.5 AFA. **3**

The Plan does not provide clear details on the range of the new Project, and fails to include estimates for projected water demand for the Alternatives. This is a critical step to confirm water demand for new development. The City should describe and evaluate sources of its, estimate water use capacity, and confirm that there is adequate supply for the proposed Project. A breakdown on the number and types of water fixtures for the Residential dwelling units is also recommended.

The next comment sections **reiterate** discussion of water demand.

Water Efficiency Standards in New Construction

Water Permit applications are processed in accordance with MPWMD Rules and Regulations. In 2012, MPWMD adopted and implemented water efficiency measures for the installation of plumbing fixtures in New Construction, and requires all water fixtures to be water efficient. Installation of water efficient plumbing fixtures reduces the burden of new, expanded or modified uses on the water resources. Current MPWMD Rules and Regulations are available at the following website: www.mpwmd.net. All residential and non-residential users must comply with MPWMD's extensive water conservation and water efficiency standards (Regulation XIV, Water Conservation and Regulation XV, the 2016 Monterey Peninsula Water Conservation and Rationing Plan). **4a**

MPWMD Water Efficient Landscape Requirements

New development projects that include landscape areas of 500 square-feet or more must install and maintain landscaping that complies with the California's Model Water Efficient Landscape Ordinance (MWELO) and District rules. The MWELO promotes efficient landscapes in new developments that provide substantial water savings through proper landscape design, installation, and maintenance. Complete Landscape Documentation Packages and landscape plans must be submitted to the District. The Landscape Documentation Package is available at www.mpwmd.net/regulations/water-permits/landscape-permit-requirements/. The Pacific Grove Durell Hotel Project is subject to these rules and regulations prior to issuance of a Water Permit. **4b**

# Letter MPWMD Continued



Water Meters and Moratorium on New and Expanded Water Service Connections
As a condition of the Water Permits, each user will be required to have individual water meters owned and maintained by the Water Distribution System Operator. A "user" is defined as "a customer or consumer of water delivered by a Water Distribution System. Each residence, commerical enterprise, or industrical enterprise shall be deemed a separate and distinct user." District Rule 23 B-2 (c) also requires all fire suppression systems to be separately metered from the domestic supply. **4c**

Thank you for the opportunity to review and provide feedback. We trust that our comments will be addressed in the final EIR of the Project. If you have any questions or would like to discuss our comments please contact Gabriela Ayala at gabby@mpwmd.net or 831-658-5601.

Sincerely,

Stephanie Locke
Water Demand Manager

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## RESPONSE TO LETTER MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (MPWMD)

### Response to Comment MPWMD-1

*The commenter notes the project's main components and states that the MPWMD is submitting comments on the project based on current rules and policies which are subject to revision by action of the Board of Directors*

The comment is noted. No changes to the DEIR are required.

### Response to Comment MPWMD-2

*The commenter states that the Draft EIR should include a description of the MPWMD as a California Special District and add the project's requirements for receiving a water permit.*

Pages 3.6-1 and 3.6-2 of the Draft EIR have been revised to include the following text:

> Monterey Peninsula Water Municipal District
>
> The Monterey Peninsula Water Municipal District (MPWMD) is a California Special District whose boundaries encompass Carmel-by-the-Sea, Del Rey Oaks, Monterey, Pacific Grove, Sand City, Seaside, portions of Monterey County (primarily Carmel Valley, Pebble Beach, and the State Route 68 corridor), and the Monterey Peninsula Airport District. Each of these jurisdictions regulates land uses within its boundaries. The MPWMD does not regulate land uses. Although not a water supplier, the MPWMD has power to regulate some aspect of water production and distribution by private purveyors such as California American Water, which supplies water to 90 percent of the district's population. One of the MPWMD's responsibilities is to balance water supply and demand through the MPWMD Water Allocation Program and to carefully track how much of the allotted water has been used by member jurisdictions. Each applicant must receive the jurisdiction's authorization for a specific quantity of water or have sufficient Water Use Credits before applying to the district for a Water Permit. The MPWMD will evaluate the project's water demand and issue a Water Permit for the project description as depicted on the final construction plans.

### Response to Comment MPWMD-3

*The commenter questions the project's water demand and requests more information on fixtures.*

Refer to Master Response 8: Water Usage, for updated information on the project applicant's projected water usage for the project.

### Response to Comment MPWMD-4a

*The commenter states all water fixtures need to be water efficient to comply with the MPWMD's extensive water conservation and water efficiency standards.*

The comment is noted. No changes to the Draft EIR are required.

### Response to Comment MPWMD-4b

*The commenter notes that landscaping must comply with California's Model Water Efficient Landscape Ordinance and district rules.*

The comment is noted. No changes to the Draft EIR are required.

### Response to Comment MPWMD-4c

*The commenter states the project would need individual water meters and that fire suppression systems would need to be separately metered from the domestic supply.*

The comment is noted. No changes to the Draft EIR are required.

# Letter LCian-a

Thank you, Laurel.

I am continuing to prepare my full comments on the DEIR. My earlier question to you was about the page in the DEIR that explains that a copy of “each letter” is included in the appendices of the DEIR, when in fact that is not the case. Please consider this email to be a formal comment on the DEIR, with more to follow. 1

The DEIR for the Hotel Durrell project is confusing and misleading and lacks integrity. How can it summarize and respond to public comment when it does not indicate that the consultants reviewed all the public comment? Many detailed letters from the public are not contained in Appendix 2 - NOP despite the description on page ES-2, Section ES.4, which I am quoting below more fully than in my earlier email.

The DEIR states in Section ES.4 on page ES-2:

"A scoping meeting was held on April 4, 2017, to receive additional comments. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses by interested parties are included in Appendix NOP.

"The City received numerous comment letters on the project’s Initial Study and NOP. Comments were received from three sources: written comments by mail or email, public comments at the project’s scoping meeting, and comments on the project’s previously circulated Initial Study. A copy of each letter is included in Appendix NOP of this Draft EIR.”

I am writing to request that a new DEIR be issued after correcting the Appendix 2 - NOP to include ALL the public comment letters, consistent with the description in the context provided above, "A copy of each letter is included in Appendix NOP of this Draft EIR.” Clearly, “each letter” means “every letter”, not just a random assortment. The DEIR does not present a complete document for public review, when it provides some of the comment letters from January as well as April, and leaves out MANY other comment letters that are, or should be, the basis of the DEIR analysis. 2

Specific letters I know to be missing are listed here, based on my records and the City’s CEQA webpage; however, except for my own April letter, I don’t know what other April letters may be missing because they are not posted on the City’s CEQA webpage:

Letters from:

Lisa Ciani January 30, 2017 (letter emailed 01/31/17)
Lisa Ciani April 14, 2017
Anthony Ciani January 31, 2017 (2 emailed letters missing; one letter emailed on January 30 is included in the Appendix NOP—Anthony Ciani sent 3 letters total in January)
Anthony Ciani April 14, 2017 email
Jane Haines January 30, 2017
Vicki & John Pearse January 28, 2017
Michelle & Jim Raine January 31, 2017
Lynn Mason January 30, 2017
Luke Coletti January 31, 2017
Janet Cohen January 30, 2017
Jeffrey Becom January 31, 2017
Inge Lorentzen Daumer January 31, 2017
Claudia Sawyer January 31, 2017
Heidi Zamzow & Ken Pollack January 31, 2017
Sarah Hardgrave for Everyone’s Harvest January 30, 2017

# Letter LCian-a Continued

Also of concern is the fact that there is no "Appendix 1", but instead an "Appendix C - Combined". When you open it, it's actually titled "Appendix 4 - CUL" and "Appendix C - Cultural Resources" and includes the timeline of correspondence with the OCEN Tribal Chairperson, Louise Ramirez, and Council's 2015 meeting minutes re: HRI status of the Holman Garage and the historical report. These should be two separate appendices clearly titled to reflect their contents. One is about cultural resources, the other is about tribal cultural resources. Neither is about "Combined". A table of contents is meant to help people find the contents; Appendix C obscures the contents.

3

Thank you for considering my comments.

## RESPONSE TO LETTER LISA CIANI (LCIAN-A)

### Response to Comment LCian-a 1

*The commenter requests specific information on the Draft EIR as it relates to public comments included as appendices to the IS/MND. The commenter states that not all of the letters were included in that report.*

**Appendix C: Updated NOP and Comment Letters** of the Final EIR has been updated to include all comment letters on the IS/MND. We apologize for the oversight.

### Response to Comment LCian-a 2

*The commenter notes that Draft EIR Section ES.4 page 2 states that a scoping meeting was held on April 4, 2017, to receive additional comments. The commenter states that not all comment letters in Draft EIR Appendix 2: NOP are included.*

See Response to comment LCian-a-1.

### Response to Comment LCian-a 3

*The commenter believes the online cultural resources appendices file should split into two appendices and clearly titled to reflect their contents.*

For the purposes of simplicity, Draft EIR Appendix 4: CUL includes all historical, archeological, and tribal cultural resources material. Appendix CUL is referenced in both Sections 3.2 and 3.5 of the Draft EIR.

# LCian-b

October 26, 2017

To: Laurel O'Halloran
From: Lisa Ciani
Re: Draft EIR for Hotel Durrell—Public Comment

The Draft EIR for Hotel Durrell fails to respond to all the information about significant negative impacts the public has provided during the MND and NOP public comment periods. As described in my October 24, 2017 comment, my January 31, 2017 and April 14, 2017 comments were not included in the DEIR Appendix 2 - NOP, and there is no evidence of their being considered in preparing this document. Many other substantive public comments were left out of the DEIR appendix. **1**

1) PROJECT DESCRIPTION, Section 2.0:

a) The project description states in Existing Conditions Section 2.2*: "Pedestrian access is available via two crosswalks, both stretching from the Pacific Grove Public Library to the proposed hotel site across Central Avenue at Grand Avenue and Forest Avenue."* The project site is accessed via crosswalks at Grand Avenue and Fountain Avenue, not Forest Avenue. **2a**

b) While the "Holman's block" may have a border along Lighthouse Avenue, the project site does not. The DEIR states in Section 2.2, *"The project site is bordered by Lighthouse Avenue, Fountain Avenue, Central Avenue, and Grand Avenue and is designated as the "Holman's Block" in the City's General Plan."* The fact that the Holman's block of the downtown was approved for hotel use does not place this project site on Lighthouse Avenue. (General Plan, chapter 2 Land Use, page 10.) **2b**

c) The Project Description fails to recognize that the site is located in the Historic Residential area described in the General Plan ("*generally bounded by Junipero Avenue, 1st Street, Ocean View Boulevard, Pacific Avenue, and Alder Street*"). And more specifically, it is in an area of civic and public assembly buildings as described in the Historic Context statement (pages 184-187, 231-234). **2c**

d) The Project Description says the project would demolish a "commercial building", failing to acknowledge that the Holman Garage building is a historic building identified in the Historic Context Statement (page 158-163), despite the questionable findings of the Historic Report attached, obscurely, to the DEIR in Appendix C-Combined. **2d**

e) In Section 2.4 Project Objectives, objectives #2 and #6 are not valid objectives. Object #2 states, *"Improve the pedestrian environment in the City through the addition of street fronting uses."* There are no setbacks and the proposed hotel is four stories high as compared to **2e**

the existing one-story building. (**Where are the story poles**???) That does not improve the pedestrian environment. Objective #6 states, "*Removal of a building in a distressed state*." The building is in a distressed state due to poor maintenance by the current owner, which has encouraged demolition by neglect. **2e cont.**

2)AESTHETICS, Section 3.1

a) The DEIR states, "*The project site is located in the city's historic commercial core, which is a tourist attraction with three nearby existing hotels*." I assume those three nearby existing hotels are three historic inns (Centrella, Gosby House, and Seven Gables) which gives a very different visual image than "hotels". This primary description does not emphasize the paramount significant fact that the site is in an area of civic and public assembly buildings as described in the Historic Context Statement, as I mentioned earlier. The DEIR description continues*, "… the project site's visual character is that of a developed commercial property surrounded by a museum, a library, and tourist-oriented uses."* This description fails to mention the surrounding historic residential areas, and does not adequately or appropriately describe the visual character of the area. **3a**

*b)* The project would *substantially degrade the existing visual character or quality of the site and its surroundings.* Being next door to the Holman Building does not justify allowing this project to maximize its height and bulk. The Holman Building is clearly an anomaly in terms of scale, accepted for its historical significance, not a building to be used as a model in determining the appropriate size of the proposed hotel project. An additional aspect of this aesthetic degradation created by the height and mass of the project is the blocking of the dappled light on the landscape in front of the Library, as so effectively described by Jane Haines. **3b**

c) The DEIR fails to consider the aesthetic degradation that the intensity of use and incompatible design of this project would impose on Pacific Grove's vital historic and cultural center. **3c**

d) The project would substantially block the public views from the Museum garden and from Forest Avenue looking through the Museum garden toward Mt Toro. **3d**

e) I see no appreciable change in the design since the MND. I'm including here my description—from my two earlier letters (January 30 and April 14, 2017) which the DEIR failed to include in the Appendix - NOP—of the inappropriateness of the architectural design in the context of this very special location. I am including a discussion of cultural resource impacts here since they are also part of the aesthetic impacts: **3e**

Regarding the AESTHETICS of the design of the proposed building:

First, the design is not consistent with the prominent neighboring buildings, the Library (Mission Revival) and the Museum (Spanish Colonial Revival), or with the authentic historic buildings of the Retreat. The design may be consistent with the commercial building to the north, at the SE corner of Fountain and Central, but that is not in the same sort of focal location of the project site as seen from the important public buildings and park. The Architectural Review Guidelines also state, "New construction should appear similar in mass and scale to other buildings seen as traditional in the neighborhood." It doesn't look that way on paper.

Second, determination of the project's consistency with the Architectural Review Guidelines in terms of mass and scale of the structure, scale and rhythm of the streetscape, and architectural details should not be considered a foregone conclusion. That does not provide meaningful environmental review.

Third, the project would NOT "match in style" the existing historical Library and Museum buildings which are set back from the sidewalk on Central and have beautiful arches, architectural details and fenestration, and the clean lines of the Mission Revival and Spanish/Mediterranean Revival styles. While Pacific Grove's historic architecture is notable for its variety of architectural styles, this building is not designed in any recognized style, and does not claim to be. Superior design is exhibited by the Library and the Museum, and the current hotel design is not consistent with that. And while the Library and Museum are set back from Central Avenue with drought-tolerant and/or native plant gardens, a covered portico at the Library with benches, and a plaza with a life-size gray whale model in front of the Museum, the hotel would be set back only to accommodate a driveway and outdoor seating for the restaurant. **3e cont.**

Furthermore, with the site of the proposed hotel located in Pacific Grove's historic cultural core in the heart of the historic Retreat across the street from the Library, the PG Museum of Natural History, and Jewell Park, and 2 blocks from Chautauqua Hall, this will be a highly visible building for residents and visitors. There will be significant negative impacts on the Library and Museum in terms of aesthetics, loss of views (to Mt. Toro to the east from the Museum garden and from the sidewalk on Forest Ave.), loss of light (shade and shadow likely at both the Museum and Library, traffic, and parking.

The negative visual impacts will NOT be limited to the construction period—the completed project will have long-term negative impacts. While the maximum allowed height limit is 40 feet, this proposed building appears out of scale with the adjacent streetscapes of important civic and public assembly buildings. The height needs to be reduced and the building needs to step back in a meaningful way, in addition to modification of design features to be compatible with the surrounding area (not with the Holman Building). Landscaping should make use of California native plants.

What is the mitigation for increasing the permeable surface by 27%? **4**

CULTURAL, Section 3.2

The existing building has been there, well used, since at least 1921. It would be most appropriate to incorporate as much as possible of the original building into the proposed structure, conserving resources, and to step back substantially from that as the height increases, to minimize the impact on the streetscape and views.

The determination that the building does not have historic or architectural integrity, is not consistent with the historic documentation, and was approved by City Council, not the Historic Resources Committee where the review should have taken place. The historic significance of the existing building, is described in the Historic Context Statement (pages 158-163), quoted here in part:

*"In 1919 Wilford [Holman] constructed a large reinforced concrete auto garage, repair and supply store that spanned the entire block between Fountain and Grand Avenues south of Central Avenue (extant). The garage could hold 90 cars and featured Pacific Grove's first gas station.* 5

*"Construction of the garage was the first step toward the development of a new Holman's Department Store, which would be much larger than any of the family's previous operations."*

On pages 187-190 of the Historic Context Statement, there is a discussion of our surviving light industrial properties from the period 1903-1926, "primarily stables and automobile garages…indicative of the transition from horse to automobile travel". The connection of the Holman Garage to the Holman family and to the development of Holman's Department Store adds significance. "As evidenced by Sanborn maps, the construction of [garage] buildings, parking lots, service stations and other auto-related infrastructure would have a tremendous impact on early twentieth century Pacific Grove, particularly in the central business district. Auto-related light-industrial buildings such as these may therefore be significant as an example of this important trend." (Historic Context Statement, page 162)

In addition to incorporating elements of the original building, the developer should provide a descriptive plaque placed in a prominent location outside the building for the public to read about the history of the Holman Garage; and large historic photos in the lobby should be provided, accompanied by descriptions of the role of the automobile, and garages such as the Holman Garage, in Pacific Grove's development, in this historic core area of the City.

3)TRAFFIC/PARKING

a) The mitigations providing for high-tech crosswalks on Central at Fountain and Grand, and a 4-way stop intersection at Fountain and Central are very good ideas, but they 6

need to be provided as part of the project, with project completion (and opening for business) dependent on those provisions being completed. Having the applicant "provide funds" is not sufficient. There is no guarantee when the mitigation will be implemented, and at what cost to the City. **6 cont.**

b) The mitigation providing for widening the sidewalk at Jewell Park is poorly thought out, and unacceptable. It runs counter to the City's adopted 2017 goal to upgrade Jewell Park. Taking away open space park land to accommodate the hotel is a bad idea—and fails to consider the requirement for a coastal development permit, as Jewell Park is in the coastal zone. Furthermore, it does not solve any problem with regard to relocating the Farmers Market. **7**

c) The suggestion, discussed in other public comments, of moving the hotel's entrance to Fountain Avenue, sufficiently uphill from the corner of Fountain and Central to avoid congestion on the block of Central between Fountain and Grand, is an alternative that merits serious consideration. It would relieve congestion in our well-used cultural area, and allow the Farmers Market to continue to operate successfully providing a vital service to the community. The Farmers Market is a continuing weekly event—not an occasional special event, and it needs to be accommodated generously. Hotel automobile arrival and parking uses need to be kept off of Central Avenue. **8**

Additional concerns from my previous letters:

Increased traffic on Central, Fountain, Grand due to hotel visitors, employees, and restaurant patrons is not realistically assessed for its impacts on the library and museum.

The City's requirements for off-street parking for the hotel are extremely inadequate. One parking space for every four rooms means 75% of the hotel visitors (approximately 94 cars) will have to park on the street when the hotel is at full capacity. In addition, the parking for employees, restaurant and bar patrons, and meeting attendees who are not staying at the hotel appears to be significantly less than adequate. This has major implications for people using the Library and the Museum, both during the day and for evening programs, and likely will impact parking in residential neighborhoods nearby. While the off-street parking spaces provided may be more than the inexplicably low percentage the City requires, there is a significant negative impact on the available street parking. And why do the numbers not add up? The 55 on-site parking spaces and 28 off-site spaces do not add up to the 97 total spaces that are claimed. How does 83=97? **9**

If the hotel uses the parking lot across the street (Fountain Ave.), where will the cars park that currently use that lot? Last spring, at least 3 spaces had signage reserving

them for the credit union. The rest had signage reserving them for the Holman Building. The parking impact is highly significant and has not been realistically assessed. **9 cont.**

4) TRIBAL CULTURAL RESOURCES

It would be helpful to see the Tribal Chairperson's acceptance of the mitigation provided. Archaeologists and the Ohlone Costanoan Esselen Nation (OCEN) are not always in agreement about how to deal with artifacts or tribal resources. Ground disturbance for this site is to be overseen by a tribal monitor. **10**

5) ALTERNATIVES

Alternative #3 is not a valid alternative since it does not reduce the out of scale size of the hotel. Alternative #2 also does not reduce the height, the size, and most of the negative impacts. Reasonable alternatives would be ones that retain the quality of life of our community and its historic cultural center, use sustainable development practices, rehabilitate and re-use the existing building, maintain a low profile (2 stories or less, second story could be visitor accommodations), provide significant setbacks and native landscaping to attract pollinators (hummingbirds, butterflies, and others), retain the existing retail and restaurant businesses which are well-loved and well-used, provide patio dining and additional retail. **11**

If the City allows the proposed project, it will be ignoring the Architectural Review Guidelines, ignoring the impacts on cultural resources, ignoring traffic and parking impacts, and it will be ignoring the vision statement for Pacific Grove adopted by the City Council this year: "*An iconic seaside community that protects historic resources, promotes sustainable development and ensures respect for the environment*." It will also be ignoring the adopted goal to "*Stimulate business within the City's historic downtown while preserving its unique 'small-town' charm and feel."* How will a bulky, imposing, non-descript 4-story hotel in our historic cultural core, with cars coming and going immediately across the street from the Library and seriously inadequate parking provisions, contribute to our small-town charm and feel? (Why haven't story poles been provided? They should have been in place during the public review period.) **12**

Thank you for considering my comments. Please post all comments online on the City's CEQA webpage as well as in binders at the CEDD office.

Lisa Ciani

## RESPONSE TO LETTER LISA CIANI (LCIAN-B)

### Response to Comment LCian-b 1

*The commenter states that the Draft EIR fails to respond to all information regarding significant negative impacts the public provided during the IS/MND and NOP comment periods. The commenter refers to her previous letter of October 24, 2017.*

**Appendix C: Updated NOP and Comment Letters** of the Final EIR has been updated to include all comment letters on the IS/MND. We apologize for the oversight.

### Response to Comment LCian-b 2a

*The commenter notes the project site is accessed via crosswalks at Grand Avenue and Fountain Avenue, not Forest Avenue.*

Page 2.0-1 of the Draft EIR has been revised as follows:

> There are two vehicle entrances on Grand Avenue and Fountain Avenue. Parallel street parking is available on all sides of the proposed hotel site. Pedestrian access is available via two crosswalks, both stretching from the Pacific Grove Public Library to the proposed hotel site across Central Avenue at Grand Avenue and ~~Forest~~ Fountain Avenue. The proposed hotel site is flat and contains no natural vegetation or landscaping.

### Response to Comment LCian-b 2b

*The commenter notes that the project site does not border Lighthouse Avenue.*

Page 2.0-2 of the Draft EIR has been revised as follows:

> The project site and the surrounding area are designated as Commercial-Downtown (D) in the City of Pacific Grove General Plan (Pacific Grove 1994). This land use designation provides for retail and services uses, offices, restaurants, entertainment and cultural facilities, multi-family residential units above the ground floor, gas stations, and similar and compatible uses. The project site is bordered by ~~Lighthouse Avenue~~, Fountain Avenue, Central Avenue, and Grand Avenue and is designated as the "Holman's Block" in the City's General Plan. In 1994, the City Council placed a measure, which was passed by voters, to allow the development of condominiums and hotel uses in the Holman's Block (Pacific Grove 1994).

### Response to Comment LCian-b 2c

*The commenter believes the project site is located in a historic residential area.*

Refer to Master Response 4: Massing and Visual Character.

### Response to Comment LCian-b 2d

*The commenter states the project description doesn't acknowledge the Holman Garage as a historic building as described in General Plan pages 158–163.*

Refer to Master Response 4: Massing and Visual Character.

**Response to Comment LCian-b 2e**

*The commenter states that project objectives #2 and #6 [listed in subsection 2.4] are not valid objectives.*

As stated on Draft EIR page 2.0-24, objective 2 is intended to "Improve the pedestrian environment in the City through the addition of street fronting uses." Objective 6 states the project would include the "Removal of a building in a distressed state." The California Supreme Court has found that a lead agency has broad discretion to formulate project objectives.[6] The statement of project objectives is closely tied to the evaluation of mitigation measures and project alternatives in an EIR. CEQA Guidelines state generally that the mitigation measures and alternatives evaluated in an EIR should be capable of being feasibly implemented and, in particular, that alternatives should be consistent with attaining most of the basic objectives of the project (CEQA Guidelines Section 15126.6).

Also refer to Master Response 1: Traffic Safety, and Master Response 4: Massing and Visual Character.

**Response to Comment LCian-b 3a**

*The commenter notes the Draft EIR describes the project site as being located in the city's historic commercial core, which is a tourist attraction with three nearby existing hotels. The commenter adds that the project description does not emphasize the historic significance of the site and fails to adequately describe the visual character of the area.*

Refer to Master Response 4: Massing and Visual Character.

**Response to Comment LCian-b 3b**

*The commenter states the project would substantially degrade the existing visual character or quality of the site and its surroundings.*

Refer to Master Response 4: Massing and Visual Character.

**Response to Comment LCian-b 3c**

*The commenter states "The Draft EIR fails to consider the aesthetic degradation that the intensity of use and incompatible design of this project would impose on Pacific Grove's vital historic and cultural center."*

Refer to Master Response 4: Massing and Visual Character.

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[6] *California Oak Found. v Regents of Univ. of Cal.* (2010) 188 CA4th 227, 276.

### Response to Comment LCian-b 3d

*The commenter states that the project "would substantially block the public views from the Museum garden and from Forest Avenue looking through the Museum garden toward Mt Toro."*

The City does not include Mt. Toro as a scenic vista in the General Plan. As discussed in Master Response 4: Massing and Visual Character, Pacific Grove citizens approved the project site for C-1-T zoning. Therefore, the project would be within the City's established height limitations for this zoning district.

### Response to Comment LCian-b 3e

*The commenter states the project is incompatible with historic architectural design standards as compared to surrounding buildings*

Refer to Master Response 4: Massing and Visual Character.

### Response to Comment LCian-b 4

*The commenter inquires, "What is the mitigation for increasing the permeable surface by 27%?"*

This comment refers to CEQA Checklist Hydrology and Water Quality item (c), which asks, "Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?" Per Section E.12.e(ii)(d) of the National Pollutant Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (Order No. 2013-0001-DWQ), off-site flows are not allowed to exceed pre-development conditions for a project. On-site measures such as detention basins or storm drainage systems designed to slow the rate of off-site flows are intended to prevent alteration of drainage patterns on- or off-site. As such, this impact was analyzed both in the project IS/MND and in the Draft EIR. The project would include standard construction and design elements and best management practices (BMPs) that would reduce this impact to less than significant.

### Response to Comment LCian-b 5

*The commenter would like the project to incorporate as much of the original building as possible into the new hotel.*

Refer to Master Response 4: Massing and Visual Character.

### Response to Comment LCian-b 6

*The commenter states mitigation providing sidewalks at Central Avenue and a four-way stop intersection at Fountain and Grand are good ideas. However, the commenter states that merely providing funds for the mitigation would not guarantee they would be implemented.*

Refer to Master Response 1: Traffic Safety, regarding the four-way stop. The applicant will work with the City's Department of Public Works to ensure implementation.

**Response to Comment LCian-b 7**

*The commenter states that sidewalk widening at Jewell Park is poorly thought out and runs counter to the City's adopted 2017 goal to upgrade Jewell Park. The commenter adds that taking away parkland to accommodate the hotel is a bad idea and that the mitigation would require a Coastal Zone permit. Finally, the commenter states the mitigation would not solve the problem of relocating the farmers market.*

The goal to upgrade Jewell Park is not part of the proposed project. Refer to Master Response 1: Traffic Safety, Master Response 5: Widening the Sidewalk, and Master Response 7: Coastal Zone Permitting.

**Response to Comment LCian-b 8**

*The commenter suggests relocating the hotel entrance to Fountain Avenue to alleviate congestion.*

As stated in Draft EIR Section 3.4, Transportation and Traffic, the project would not modify the existing site circulation plan. It would maintain the same ingress and egress points with appropriate signage. The project would not result in any new design features or incompatible uses. Although work crews would use existing public roads to transport equipment and haul out demolition materials, the work crews would follow traffic laws, would not require special permission from local governments, and would not require the use of warning or chase vehicles. The project would not require the permanent alteration of any roadways or generate vehicle uses incompatible with the existing roadways. Therefore, it would have a less than significant impact on road hazards.

**Response to Comment LCian-b 9**

*The commenter expresses concern over the lack of parking and increased traffic as a result of project implementation.*

Refer to Master Response 2: Project Traffic, and Master Response 3: Parking.

**Response to Comment LCian-b 10**

*The commenter states that the tribal chairperson should agree with proposed mitigation for tribal cultural resources and that ground disturbance of the site should be monitored by a member of the tribe.*

As stated in Draft EIR Section 3.5, Tribal Cultural Resources, CEQA Guidelines Section 15064.5(e) requires that excavation activities be stopped whenever human remains are uncovered and that the county coroner be called in to assess the remains. If the county coroner determines that the remains are those of Native Americans, the Native American Heritage Commission (NAHC) must be contacted within 24 hours. At that time, the lead agency must consult with the appropriate Native Americans, if any, as timely identified by the NAHC. Section 15064.5 directs the lead agency (or the project applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains. Mitigation measure MM 3.5.1 addresses treatment of unidentified tribal cultural resources during project construction and requires that a Native American monitor certified by the Ohlone/Costanoan-Esselen Nation

(OCEN) be present for all ground disturbance. For clarification purposes, mitigation measure **MM 3.2.2a** has been revised as follows:

**MM 3.2.2a** **Treatment of previously unidentified archaeological or paleontological deposits.** During project construction, if any archaeological or paleontological resources (i.e., fossils) are found, the project applicant and/or its contractor shall cease all work within 25 feet of the discovery and immediately notify the City of Pacific Grove Community & Economic Development Director. The project applicant and/or its contractor shall retain a qualified archaeologist or paleontologist to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered archaeological or paleontological resources. The City and the project applicant shall consider the mitigation recommendations and agree on implementation of the measure(s) that are feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, or other appropriate measures in consultation with the Ohlone/Costanoan-Esselen Nation (see mitigation measure MM 3.5.1).

### Response to Comment LCian-b 11

*The commenter believes Alternative #3 is not a valid alternative since it does not reduce the out of scale size of the hotel, and Alternative #2 also does not reduce the height, the size, and most of the negative impacts.*

Refer to Response to Comment EHarv-9.

### Response to Comment LCian-b 12

*The commenter summarizes her concerns regarding the project's impacts on aesthetics, visual resources, and parking and traffic. The commenter adds that "story poles" should have been installed on the project site.*

As discussed in Draft EIR Section 3.1, Aesthetics, analysis of visual impacts from project implementation is based on visual simulations showing the existing site conditions and the project (Draft EIR Figure 3.1-2, Visual Simulations), architectural elevations, field review of the project area, review of topographic conditions, and aerial photographs. The conclusions are determined based on anticipated changes in the project area as the result of project implementation. The use of story poles as part of the impact analysis is not required under CEQA. In addition, see **Figure 2-1** in Master Response 4: Massing and Visual Character.

# Letter KB

Laurel,
Good Morning.
Please find comments on the traffic level for the Hotel Durell.
The primary issues:
1) Rate of car parking during peak check in time
2) Assumption of number of visitors walking to down town restaurants vs taking cars, cab, or Uber to an evening restaurant
3) Assumption of number of employees on shift at one time with overlap for next shift.
4) Assumption of number of employees taking public transportation vs driving

1

Comments to the traffic pattern for the Hotel Durrell

1) Traffic patterns can be sliced and diced multiple ways depending on what information one wants. Since there is currently no information available to decide how long guest stays at hotel, one has to make assumptions. One can only calculate arrival of guest, departure of the next morning , trips out for breakfast , dinner, and tourist attractions. Assumptions have to be made about traffic density via car, Uber, and taxi cab. Will there be a taxi stand nearby or taxi's only on call?

2) Assuming that there is one car per every 4 rooms, and the guest checks in and uses car to go to dinner, then there would be 125/4 = 31.25 x 3 trips = 93.75 uses of valet going onto Fountain to the underground garage or parking lot across the street on Fountain.

3) The remaining hotel guests 125- 31.25 = 94 would require cabs or Uber for a total of 3X 94 = 284 trips for guests. Adding in the arrival and departure of the cabs or Uber for each trip was guest arrival and guest dinner adds another 284 UBER or cab rises for a total of 568 vehicle trips to hotel during the 3 to 9 PM time period

2

4) Adding item 2 and 3 above that comes to 662 vehicle trips in the hotel area between 3 and 9 PM. If one assumes that 20 present use the hotel restaurant or walk to downtown Pacific Grove restaurants, then the 662 number reduces to 530 trips.

5) If guests stay at hotel over weekend or for several days, then there are breakfast trips and tourist trips to Carmel, Monterey, Big Sur, and other points on the Monterey peninsula.

6) Check out on Sunday or Monday , if people stay for the weekend, would incur the similar increased pattern between 9AM and 12 noon as items 2, 3 and 4

7) The removal of the use of parking lot next to the Monterey credit union would require the 28 cars parking in the that lot currently to park on city streets? Or behind the Theater?

8) What would prevent Hotel Guests from not using the valet parking and parking on local streets?

9) In the EIR, there should be a discussion of Hotel concept of operations. Most hotels need a night front desk and in this case a valet person. If the Hotel is going to serve breakfast starting at 7AM, there needs to be cold preparation and cooking of bacon and other preparations by 5 AM . In the evening, if dinner is being served, there needs to be a clean up after dinner and food service breakdown. Maid service for 125 rooms could be as low as 5 maids or as high as maids 10-12 depending on level of service and turnover for a full hotel. During the day, there may be a head maid, hotel manager, and /or office to take calls and book the conference room. How will reservations be handled? By the front desk or office site office?

3

10) In summary of item 9, where will the employee's park? Depends on shift schedule whether public transportations will be available or cars needed or local employees would walk to work.

# Letter KB Continued

11) During shift change when the evening crew comes in and days haven't fully left, there will be a need for additional parking for overlap period. If this is not accounted for, there will be overflow parking issues into the local neighborhood at night.

12) Example of possible Hotel Staffing needs. Actual needs will be determined by level of service of hotel owner

| | Day Time | Swing | Nights | Comments |
|---|---|---|---|---|
| Shift times TBR | 9 am to 5 | 5- to 1 | 1 to 9 | |
| Type of employee | | | | |
| Hotel | | | | |
| front desk | 2 to 3 | 2 to 3 | 1 to 2 | |
| Valet | 2 to 3 | 2 to 3 | 1 to 2 | |
| housekeeping | 6 to 12 | 1 on call TBR | 1 on call TBR | |
| Maintenance | 2 to 3 | 1 on call TBR | 1 on call TBR | |
| Laundry | 1 to 2 | | | |
| | | | | |
| | | | | |
| Restaurant | | | | |
| Cook | 2 to 3 | 2 to 3 | 2 to 3 | Need prep people coming in around 4 or 5 to open at 6 or 6:30 AM |
| waitpersons | 2 to 3 | 3 to 4 | 1 to 2 | |
| | | | | |
| House Manager | 1 | 1 TBR | | |
| | 18 to 30 | 9 to 13 | 5 to 10 | |

**3 cont.**

13) The number of employee round trips could be as much as 50 round trips or 100 one way trips depending on the hotel concept of operations.

**2 cont.**

## RESPONSE TO LETTER K. KUBICA (KB)

### Response to Comment KB-1

*The commenter has concerns about the project's impacts on parking and traffic, considering the number of hotel guests and employees working at the hotel.*

Refer to Master Response 1: Traffic Safety, and Master Response 3: Parking.

### Response to Comment KB-2

*The commenter offers a traffic analysis for peak-hour traffic based on hotel guest check in, check out, and mode of transportation to and from the hotel.*

Refer to Master Response 2: Project Traffic, for regarding methods of analysis and the volume of traffic from the project.

### Response to Comment KB-3

*The commenter summarizes offers a parking analysis for the project based on hotel operating functions for both guests and employees.*

See Master Response 3: Parking.

# Letter CS

Oct.25, 2017

Laurel O'Halloran
Associate Planner
City of Pacific Grove Community & Economic Development Dept.

**RE: Hotel Durrell, 157 Grand Avenue, Pacific Grove, CA 93950, Initial DEIR**

Dear Ms. O'Halloran,

I have the following concerns:

1. Construction
   A. Parking impacts
      (1) Parking for workers inadequately addressed
      (2) Parking for heavy equipment and impact on traffic patterns on city roads inadequately addressed
      (3) Parking for customers and patrons of neighboring businesses
   B. Traffic Impacts on area streets during construction
   C. Proposed Hours of Work during Construction
      Weekdays 8-7 p.m.? Current code only permits construction until 5 p.m.
      Sat. 9-4
   D. Noticing of Traffic disruptions not addressed
   E. Site condition post 1918-1950 era garage and gas station- are there environmental hazards. No indication of any type of survey has been made re. this situation.

**1**

**2**

2. Design impact of proposed project
   A. No set backs for hotel
   B. **Massing overwhelming** for neighborhood area
      Current building 17,650 sq. ft
      Proposed project 84,000 sq. ft and 4 stories (37 feet height)

**City of Pacific Grove Municipal Code states projects must be found to be compatible with the neighborhood.**

**Where is the compatibility**?

   C. Design features are not in kind or sympathetic with other area buildings
      ie. Stone facing on building, gabled design features, lack of set backs, massing
   D. Blockage of sun to Natural History Museum, its gardens and Pacific Grove 's Carnegie Library and its garden.
   <u>Mitigation suggestion - Sun Study and impact of building mass and height</u>
   E. Entrance into hotel on Central Ave. immediately across from library – impact on library patrons, parking and safety inadequately explored

**3**

**4**

**5a**

# Letter CS Continued

F. Trash area on Grand –waste removal impact on traffic and visual aesthetics not addressed and actual trash area not numbered on site plan **5a cont.**

G. Valet parking on Fountain –Impact of on traffic patterns inadequately explored.

H. Additional parking across street via gated entrance – traffic and parking issues inadequately addressed –

(1) impact on traffic flow on Fountain and Central

(2) impact on nearby neighborhoods and their parking spaces

(3) impact on local businesses– where will their customers park? Credit Union, Paint store, Monarch knitting, Resale shops, Aqua Terra and other businesses?

(4) impact on Ricketts Row – traffic pattern and parking

I. Increase sidewalks to 18 ft. on east side of Jewell Park.

(1) Where will that additional footage come from; the street or the park

(2) What impact would that have on the historic integrity of the park??

**5b**

3. Water availability? No mention of water credits available or arrangements for obtaining water for such a mammoth undertaking is mentioned except in passing.

A. For 125 rooms

B. For Lap pool, soaking spa and water feature

C. Gym area bathrooms and are showers planned for gym area?

D. Hotel laundry

E. Landscape

E. **No potential water usage calculation for a-e is provided**.

4. Inappropriateness of water use in design. Pacific Grove is constrained by Cal Am Water in amount of water that can be pumped from the Carmel River—yet this design features a lap pool, soaking spa, and water features. Consider this a poor use of a dwindling resource.

5. City Waste Water infrastructure –

A. Is it capable of handing massive increase in waste water?

B. Can our current sewage system and sewage pipes handle this increase and without further impact on the environment?

Issue is not adequately addressed.

**6**

6. Parking Issues

A. Parking for 19 employees??? Feel number of employees was under estimated. Where will these employees park? How will this impact neighborhood parking? This was not adequately addressed.

B. Inadequate parking spaces for hotel. Impact on neighborhood parking??

(1) Parking totals per design for hotel equal 97.

Underground = 55

Offsite gated = 28

Shared with Holman building = 14 (there is an assumption in the equation that these spaces will always be available, despite being shared)

(2) Rooms = 125 + 19 employees = 144 spaces needed.

PG codes state 1 space per 4 hotel rooms. This antiquated code makes little sense as people drive to the Peninsula and expect adequate parking.

**5c**

# Letter CS Continued

7. Impact on historic character of downtown Pacific Grove
    A. Massing of building, not in keeping with historic features of downtown
    B. Significant detrimental impact on downtown area's historic visual character and quality
    B. Need to keep structures compatible and in keeping with the designs of the historic properties that inhabit downtown Pacific Grove.

8. Negative Impact on cultural resources
    A. Natural History Museum
    B. Jewell Park
    C. Pacific Grove Carnegie Library

9. Other Issues
    A. Does the city of Pacific Grove population 15,624 need a hotel that has 125 rooms?
    B. Disruption to downtown businesses – and will they recover? Or want to stay in Pacific Grove?
    C. Impact on the flavor and sense of Pacific Grove – we are a destination as we are touted as the Last Home town.

7

A mixed use project with stepped back or scaled back mass and height would be more appropriate for this site and would encourage further revitalization of downtown Pacific Grove.

Respectfully submitted,

Claudia Sawyer

## RESPONSE TO LETTER CLAUDIA SAWYER (CS)

### Response to Comment CS-1

*The commenter states her concerns regarding traffic and parking impacts as the result of project construction.*

See Master Response 1: Traffic Safety, and Master Response 3: Parking.

### Response to Comment CS-2

*The commenter questions whether the former garage and gas station on the site have left hazardous materials.*

Pursuant to Government Code Section 65962.5, a project that is included on a list of hazardous materials sites would create a significant hazard to the public and the environment. As stated in Section 4.8 of the IS/MND, the project site is not listed as a hazardous materials storage or release site. IS/MND Table 4.8-1 lists hazardous materials sites located within a half mile of the project site. The Holman Building Garage at 542 Lighthouse Avenue is not included in this list of sites. According to a GeoTracker search, there are no federal superfund sites in Pacific Grove. The IS/MND determined there would be no impact on the public or the environment because of exposure to hazardous materials. However, if hazardous materials are encountered during project construction, implementation of mitigation measure MM HAZ-4 in the IS/MND would reduce any impacts to less than significant.

### Response to Comment CS-3

*The commenter expresses concern over design impacts on the proposed project in terms of setbacks and massing. The commenter adds that projects must be compatible neighborhoods per the City's Municipal Code.*

Refer to Master Response 4: Massing and Visual Character.

### Response to Comment CS-4

*The commenter states that the project would block the sun from the museum, gardens, and library. The commenter further suggests there should be a "Sun Study" to analyze impacts from the project's building mass and height.*

As noted on page 3.1-8 in Draft EIR, Aesthetics, impact analysis is based on visual simulations showing the existing site conditions and the project (see Draft EIR Figure 3.1-2, Visual Simulations), architectural elevations, field review of the project area, review of topographic conditions, and aerial photographs. The conclusions are determined based on anticipated changes in the project area as the result of project implementation. The Draft EIR concludes that project implementation would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. This impact would be less than significant. Refer to Master Response 4: Massing and Visual Character, for additional information.

### Response to Comment CS-5a

*The commenter states that the entrance into the hotel on Central Avenue immediately across from the library and impacts on library patrons, parking, and safety were inadequately explored.*

Refer to Master Response 1: Traffic Safety, and Master Response 3: Parking.

### Response to Comment CS-5b

*The commenter states that impacts on parking and traffic have not been adequately analyzed.*

Refer to Master Response 1: Traffic Safety, and Master Response 3: Parking.

### Response to Comment CS-5c

*The commenter states based on the number of hotel rooms and hotel employees, the project would require 144 parking spaces.*

Refer to Master Response 3: Parking.

### Response to Comment CS-6

*The commenter states that the Draft EIR does not mention water credits available or methods for obtaining a water credit. The commenter also asks if the city's sewer system is adequate to handle increased usage without further impacting the environment.*

As stated on page 3.6-4 in Draft EIR Section 3.6, Utilities and Service Systems, Chapter 11.68 of the Pacific Grove Municipal Code establishes rules and procedures for the allocation of water to new projects in the city. Water is allocated to the categories of residential, commercial, public, and reserve uses. As stated in the Existing Setting subsection, new project applications are placed on a waiting list and projects will not be issued a building permit until a water permit is issued.

Page 3.6-5 of the Draft EIR further states, "the City has a system in place to manage its water supply availability and to determine water availability prior to approval of a construction permit. All new projects in the city requiring new water supplies are placed on a water waiting list. Water credits necessary for projects are given through City Council approval. Building permits are issued only when there is sufficient water to serve the project. To receive a construction permit, project applicants must show that water supplies are available and must complete the CEQA process."

IS/MND Section 4.17 addresses wastewater and sewer capacity. The City of Pacific Grove provides sewer services for residences and commercial businesses. The City owns and operates the sewer collection system consisting of approximately 58 miles of pipeline (with pipes varying in size from 4 to 18 inches in diameter), 900 manholes, and 7 pump stations. Wastewater collected in the city is conveyed to the Monterey Regional Water Pollution Control Agency (MRWPCA) Regional Treatment Plant in Marina via an interceptor pipeline located along the coast through the cities of Monterey, Seaside, and Marina. The regional treatment plant has a current capacity of 29.6 million gallons per day and receives 18.5 million gallons per day. The regional treatment plant would be able to accommodate an incremental increase in the number of visitors to the city. The project would result in an incremental increase in wastewater, and no new or expanded treatment facilities would be required.

**Response to Comment CS-7**

*The commenter expresses concern over the project impacts on historic character, recreation, and cultural resources in Pacific Grove.*

Refer to Master Response 4: Massing and Visual Character.

# Letter ADow

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Re: Comments on EIR on the proposed Hotel Durrell

**Anne Downs** <dandadowns@redshift.com>
To: lohalloran@cityofpacificgrove.org

Thu, Oct 26, 2017 at 9:40 AM

Dear Laurel O'Halloran,

Please send an email acknowledging receipt of the email below. Thank you, Doug and Anne Downs

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On Oct 15, 2017, at 9:13 AM, Anne Downs <dandadowns@redshift.com> wrote:

Dear Laurel O'Halloran,

We would like to make the following statement regarding the EIR for the proposed Hotel Durrell: the EIR as it currently is written does not adequately address the highly probable major toxic impact of the former Holman Garage on this project. The Holman Garage and service station existed from about 1920 or 1921 to 1941 on the proposed development site. It is very likely that when the service station was sold and converted for other purposes that the gasoline storage tanks or tanks were left in the ground as was the custom of the period. Such abandoned gasoline tanks require major toxic cleanup procedures in the state of California( lead based gasoline introduced in the mid 1920's). Failure to follow all State guidelines in relation to removal of old buried storage gasoline tanks and the toxic clean up of the surrounding highly likely contaminated area would result in major health hazards for residents and visitors to P.G. and to substantial litigation to the developer and the city. See sources below

Thank you and please send an email acknowledging receipt of this email,

Doug and Anne Downs, 405 Alder St. P.G. 375-3650

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On line source: earthepair.ca then click Resources, then Scenarios, then gas stations

Old gas station sites are among the many toxic sites that litter urban and rural landscapes. Their leaking underground storage tanks, also referred to with the amazingly ironic acronym of LUSTs, contain hazardous liquids, primarily petroleum products such as gasoline, diesel, kerosene or oil. Many of these old tanks are leaking and forming hydrocarbon plumes that contaminate groundwater, drinking water and the surrounding soil. As of March 2012, over 504,000 leaks had been recorded from federally-regulated LUSTs in the USA. For the grassroots remediator, cleaning up and regenerating gas stations is not easy and poses some significant challenges.

**Contaminants at Old Gas Station Sites**

From volatile organic compounds and polyaromatic hydrocarbons to heavy metals, see the list below for some of the many contaminants that you may find lurking in the soil and water on gas station sites.

- Benzene, Toluene, Ethylbenzene, Xylenes. Lead
- Lead and other heavy metals
- MTBE (gasoline additive)
- Ethylene dichloride (EDC)
- Naphthalene

If there is an autoshop too, you may also find: Trichloroethylene (TCE), Perchloroethylene (PCE or PERC), Methylene chloride, Carbon tetrachloride, oils, blended oils and glycol solutions, heavy oil distillates (motor oil, hydraulic fluid), Ethylene glycol , detergents, acid solutions, and more.

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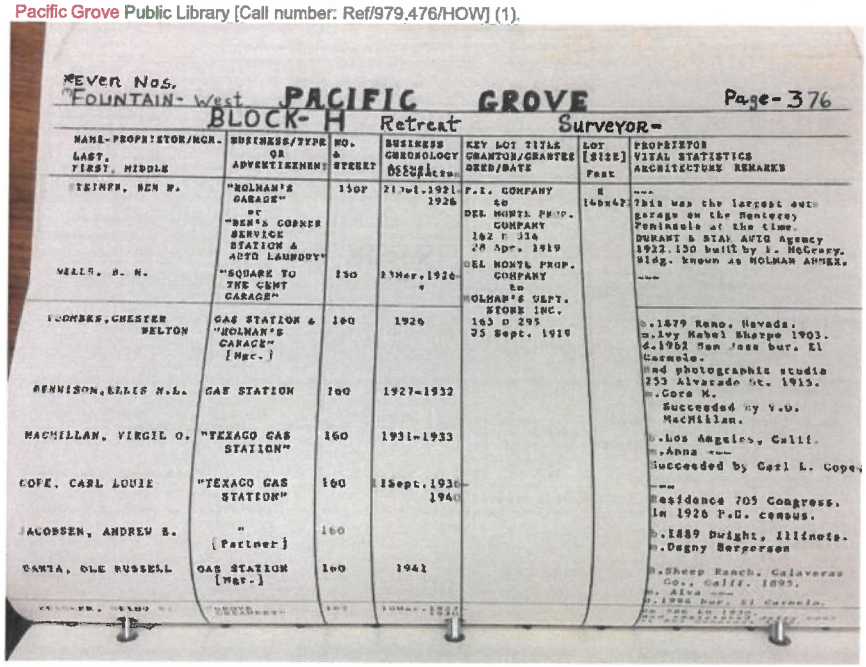
Source:

**The old Pacific Grove Retreat: a business-biography history, 1875-1940, / by Don Howard.**
by Howard, Donald M.

1

Pacific Grove Public Library [Call number: Ref/979.476/HOW] (1).

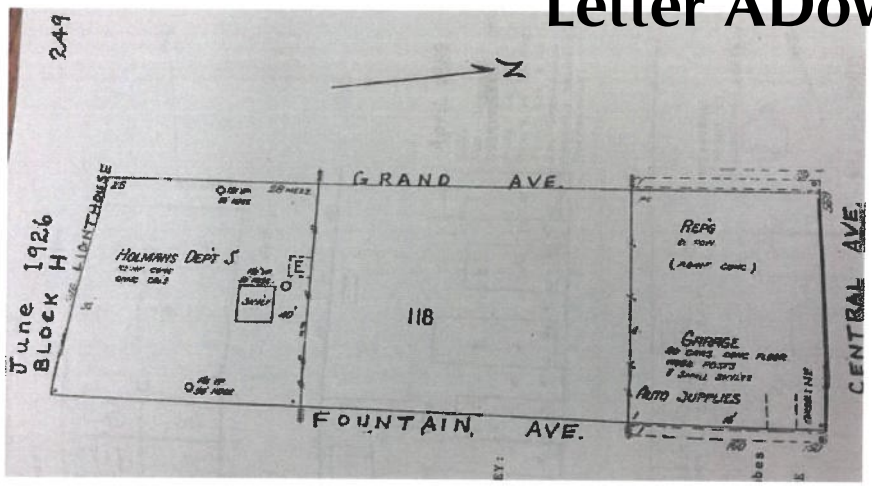


Seven Nos.
Fountain- West PACIFIC GROVE Page-376
BLOCK- H Retreat Surveyor-

| NAME-PROPRIETOR/MGR. LAST, FIRST, MIDDLE | BUSINESS/TYPE OR ADVERTISEMENT | NO. & STREET | BUSINESS CHRONOLOGY OCCUPATION | KEY LOT TITLE GRANTOR/GRANTEE DEED/DATE | LOT [SIZE] Feet | PROPRIETOR VITAL STATISTICS ARCHITECTURE REMARKS |
|---|---|---|---|---|---|---|
| TEINER, BEN W. | "HOLMAN'S GARAGE" or "BEN'S CORNER SERVICE STATION & AUTO LAUNDRY" | 150P | 21 Jul.1921-1926 | P.I. COMPANY to DEL MONTE PROP. COMPANY 162 D 314 28 Apr. 1919 | 8 140x42 | --- This was the largest auto garage on the Monterey Peninsula at the time. DURANT & STAR AUTO Agency 1922. 150 built by I. McCrary. Bldg. known as HOLMAN ANNEX. --- |
| WELLS, B. N. | "SQUARE TO THE CENT GARAGE" | 150 | 23Mar.1926- | DEL MONTE PROP. COMPANY to HOLMAN'S DEPT. STORE INC. 143 D 295 25 Sept. 1919 | | |
| COMBES, CHESTER WELTON | GAS STATION & "HOLMAN'S GARAGE" [Mgr.] | 160 | 1926 | | | b.1879 Reno, Nevada. m.Ivy Mabel Sharpe 1903. d.1952 San Jose bur. El Carmelo. and photographic studio 253 Alvarado St. 1915. m.Cora M. Succeeded by V.O. MacMillan. |
| BENNISON, ELLIS N.L. | GAS STATION | 160 | 1927-1932 | | | |
| MACMILLAN, VIRGIL O. | "TEXACO GAS STATION" | 160 | 1931-1933 | | | b.Los Angeles, Calif. m.Anna --- Succeeded by Carl L. Cope. |
| COPE, CARL LOUIE | "TEXACO GAS STATION" | 160 | 1Sept.1933-1940 | | | --- Residence 705 Congress. In 1926 P.G. census. |
| JACOBSEN, ANDREW E. | " [Partner] | 160 | | | | b.1889 Dwight, Illinois. m.Dagny Bergersen |
| SANTA, OLE RUSSELL | GAS STATION [Mgr.] | 160 | 1941 | | | b.Sheep Ranch, Calaveras Co., Calif. 1895. m. Alva --- d.1956 bur. El Carmelo. |

Source: 1926 Sanborn map available at Pacific Grove Heritage Society and in Don Howard's book

# Letter ADow




1 cont.

## RESPONSE TO LETTER ANNE DOWNS (ADOW)

### Response to Comment ADow-1

*The commenter states that the Holman Building Garage near the project site was a former gas and service station, and as such, leaking underground storage tanks (LUSTs) may still be on the property and leaking toxic petroleum.*

See Response to Comment CS-2.

# Letter DH

Name: Diana Howell
Email: artemy2001@yahoo.com

Message:
Good Morning Council Members,
My two cents regarding the proposed Hotel Durrell, is that I think the hotel project is not appropriate for this town. First of all, we are still in a water crisis, and hotel guests take usually two showers a day, (I do, when I travel), plus toilet use. Why should the people of Pacific Grove suffer through un-flushed toilets to provide for this? Secondly, more hotels and condominiums DO NOT coincide with the "Last Hometown" concept. Third, more hotels undermines the livelihood of current motel owners, who are never filled to capacity unless it is January golf event or August car week. Fourth, parking is already a mess in that area, with construction worker parking, and it will compromise the use of our wonderful library. Elderly library users, who do not have handicap stickers, mothers with young children, will have difficulty finding parking; as well as every other library user. The point of city planning is NOT to cover every available parcel with more short term use residents (that is what hotels are); it is to create areas beneficial to the residents. There should be a solid hotel tax for all motel, B & B, and short-term rentals; Hawaii has a very high one, and NO ONE stops going there. Finally, for more tax revenue, the city should encourage the existing landlords of various downtown retail spots to offer more reasonable rents, and not to double and triple rents upon vacancy by a business. Look around the downtown area and see how many retail spaces are vacant, it is not because businesses do not want to go in, it is because the greedy landlords are demanding unreasonable rents. Perhaps, there should be a retail rent control policy, or tax when a retail space is left empty for 6 months or a year or more.
Thanks for considering my opinions,
Diana Howell (a 44 year resident, who knows something about this town)

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## RESPONSE TO LETTER DIANA HOWELL (DH)

### Response to Comment DH-1

*The commenter states that the city is still in a water crisis and that hotel guests use more water than city residents.*

Refer to Master Response 8: Water Usage.

### Response to Comment DH-2

*The commenter states that hotels and condominiums do not coincide with the "Last Hometown" concept of Pacific Grove.*

The comment does not pertain to the adequacy of the EIR. No changes to the Draft EIR are required.

### Response to Comment DH-3

*The commenter states that more hotels would undermine the livelihood of current hotel owners whose rooms are often not filled to capacity.*

Refer to Master Response 9: Other Project Effects.

### Response to Comment DH-4

*The commenter states that the project would make parking in the area more difficult.*

Refer to Master Response 3: Parking.

### Response to Comment DH-5

*The commenter suggests the City should institute a flat hotel tax on all motels, B&Bs, and short-term rentals. The commenter also states that City rental policies should be amended so that rents are more reasonable.*

The comment does not pertain to the adequacy of the EIR. No changes required.

# Letter JS

Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

## Hotel Durrell

**Joanna Smith** <whitewavecreations@yahoo.com>
Reply-To: Joanna Smith <whitewavecreations@yahoo.com>
To: "lohalloran@ci.pg.ca.us" <lohalloran@ci.pg.ca.us>

Thu, Oct 19, 2017 at 7:47 PM

I have lived in Pacific Grove for over 24 years and I feel that Hotel Durrell is not in keeping with the spirit of Pacific Grove. The traffic is barely manageable as it is, let alone what the traffic from the proposed hotel will bring. This will not enhance our town in any meaningful manner and it will distract from the many exceptional qualities we have managed to hold on to over the decades. I sincerely feel that approving the hotel will make life extremely difficult for the residents of our town. Our traffic problem is beginning to mimic Santa Cruz, there are two hour periods, one in the beginning of the day and another at the end of the day (which may even be longer) whereas venturing out is genuinely not a lovely coastal experience. Those of us who can, avoid getting in our cars to do anything or to go anywhere...we can not add to this already serious traffic problem and spoil our Pacific Grove experience further. 1

Please deeply consider the concerns of Pacific Grove residents...we do not need, nor do want this hotel in the middle of our beloved town.

Sincerely,
Joanna Smith
Pacific Grove

Virus-free. www.avg.com

## RESPONSE TO LETTER JOANNA SMITH (JS)

### Response to Comment JS-1

*The commenter states that the project will increase an already difficult traffic problem in Pacific Grove.*

Refer to Master Response 2: Project Traffic.

# Letter LS

Lucy Stewart from Pacific Grove ·

I think it will be a beautiful addition to our city! It not only helps the tax dollars but local business and jobs. As for the traffic concerns noted right now those buildings are rarely being used or occupied as intended due to economic issues in our area so they were as intended there would be more traffic. Secondly not everyone drives to hotels. We have a great airport and many people fly in and/or use Uber /Lyft/taxis and even after arriving to our coast they use those means of transportation to get arou live here and don't always drive. Times have changed. 1 2

## RESPONSE TO LETTER LUCY STEWART (LS)

### Response to Comment LS-1

*The commenter states she is favor of the project and is aware that transportation options have changed; not everyone drives to hotels.*

The comment is noted. No changes are required in the Draft EIR.

# Letter SG

Dear Mr. Mark Brodeur, Mr. Anastazia Aziz, Mr. John Kuehl & Ms. Jessica Edwards, Department of community Economic Development:

In regard to the building of Hotel Durell
why when considering a hotel or condominiums is not the full Peninsula should be able to vote on a yes or no ... 1
The traffic effects the Peninsula not just the town of Pacific Grove, as the trafficked flows from Lighthouse to the tunnel to
Del Monte Blvd to the exit for Highway 1 going north and south is impacted, from 3:30 pm the back up begins this is daily and when there are events its worse.
Has not the government of PG driven this area at least 3 x s a week at this hour ? If not they should
Monterey Cannery Row wants condominiums built along the street Cannery Row near the Chart House
more traffic... the Tin Cannery wants to sell for a Boutique hotel PG more traffic, the first deal fell through.

Holman Building is almost compete in PG more traffic
San City, has a request for a new Hotel along the Highway 1 near the exit for The Target center off of California ave, Sand City area. 2

Fort Ord wanted a race track and hotels retail shops, more or less the size of Carmel by the Sea.
this could still happen if not this development company other.

off Imjim road Marina is building heavily homes and business the traffic ends onto Highway 1 and Gen Jim Moore
which the traffic is heavy till almost 9:00 am daily same on the return home.

Highway 68 is backed up from Salinas to Monterey highway 1
the city is looking to put in 12 round about's to help the traffic flow from cars entering onto 68 from
private homes and business.
all of these roads dump traffic onto Highway 1 north and south and Del Rey Oaks to Fremont and highway 1.

the traffic on 68 will not be eased !!

A NO VOTE FOR ANY NEW HOTELS OR CONDOMINUMS ANY WHERE ON THE PENINUSLA
Shirley Graham

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## RESPONSE TO LETTER SHIRLEY GRAHAM (SG)

### Response to Comment SG-1

*The commenter states that all communities located along the Peninsula should be allowed to vote on hotel and condominium projects.*

The comment does not pertain to the adequacy of the EIR. No changes required.

### Response to Comment SG-2

*The commenter states that traffic impacts are not exclusive to Pacific Grove, but along roads in the Peninsula. Because of this, the commenter states no new hotel or condominium projects should be approved in cities along the Peninsula. The commenter further describes specific developments along the Peninsula which increase traffic impacts.*

Refer to Master Response 2: Project Traffic. The comment does not pertain to the adequacy of the EIR. No changes required.

# Letter ACian

Anthony A. Ciani 220 Walnut Street Pacific Grove, California 93950
ARCHITECTURE - PLANNING - HISTORIC PRESERVATION - COASTAL CONSULTANT

October 25, 2017

Laurel O'Halloran, Associate Planner
Community & Economic Development Department
City Pacific Grove 300 Forest Avenue, 2nd Floor,
Pacific Grove, CA 93950

**RE: HOTEL DURELL 157 GRAND AVENUE PACIFIC GROVE, CA 93950**
**DRAFT INITIAL STUDY/EIR DATED AUGUST 2017**

The Draft IS/EIR does not adequately address the potentially significant adverse effects and cumulative impacts to the environment regarding the aesthetic quality, intensification of land use, traffic congestion and parking, water quality, community resources, social and recreational uses, and public access in the Coastal Zone. The alternatives are simplistic and self-serving options that do not provide an analysis of meaningful and reasonable solutions that would reduce the impacts below a level of significance. The following is an outline of the EIR deficiencies and defects: **1**

**1) ES.3 Project Alternatives Summary**

- Alternative 2 – Mixed-Use Development. Under Alternative 2, the project site would be developed with a four-story mixed-use project which would include parking, commercial, office, and residential space.

  **Comment:** This alternative could provide housing in the central business district with commercial retail, restaurants or other pedestrian (non-office) uses at the ground floor, but in order to address the building size: mass, bulk, height and scale relative to those elements prevalent in the existing neighborhood should be limited to a low profile, two stories at the north increasing to 4 stories at the south portion. It requires an economic pro forma. **2a**

- Alternative 3 – Reduced Hotel Capacity. Under Alternative 3, a smaller hotel would be constructed on the project site.

  **Comment:** This option requires an economic analysis to reduce the number of rooms and suites to be 60 with a commensurate reduction in the building **2b**

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RE: HOTEL DURELL 157 GRAND AVENUE PACIFIC GROVE, CA 93950 INITIAL STUDY/ EIR August 2017



size: mass, bulk, height and scale relative to those elements prevalent in the existing neighborhood similar to comment 2 above. **2b cont.**

**2) TABLE ES-1 PROJECT IMPACTS AND PROPOSED MITIGATION MEASURES**

- Impact 3.1.2. MM 3.1.2 The project applicant shall install construction screening, with a design approved by the City of Pacific Grove, during project construction.

  **Comment:** The proposed mitigation is a screen to camouflage the real aesthetic issue of the proposed structures failure to be compatible with the surrounding establish historical character and architectural scale. **3a**

- Impact 3.3.3 The project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

  **Comment**: The EIR fails to provide empirical evidence to support this claim. The main entrance and automobile court drive-through will substantially increase the noise from the automobile's wheels, brakes, engines, slowing, braking, idling, and ignition over the existing conditions. Drive-thru restaurants and other commercial facilities are known to change the ambient noise level, and this project's entrance is proposed to be located directly across the street from the entrance and portico to the library. **3b**

- Impact 3.4.2 Although the project would result in an overall reduction in the number of trips, it would increase motor vehicle traffic and congestion during the AM and PM peak traffic times on roadways used by transit, bicyclists, and pedestrians. The project would increase pedestrian usage in the vicinity of the project site. **3c**

  **Comment:** Agreed.

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Laurel O'Halloran, Associate Planner

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- PS MM 3.4.2a The project applicant shall pay an appropriate fee (fair share), as determined by the City's Public Works Department, to provide funds for the addition of crosswalks at the Grand Avenue/Central Avenue intersection and at the Fountain Avenue/Central Avenue intersection. The crosswalks shall be speed tables (raised crosswalks) with crossing lights embedded in the pavement and a pedestrian-activated push button on each street corner. **3d**

  **Comment:** The applicant's project should be responsible to pay for the entire cost for the engineering studies, design and construction for this work as a benefit for the entitlement to building the project.

- MM 3.4.2b The project applicant shall pay an appropriate fee (fair share), as determined by the City's Public Works Department, to provide funds for the installation of stop signs at the intersection of Central Avenue and Fountain Avenue to make the intersection a four-way stop. **3e**

  **Comment:** The applicant's project should be responsible to pay for the entire cost for the engineering studies, design and construction for this work as a benefit for the entitlement to building the project.

  Further, the project applicant shall pay an appropriate "in-lieu of developers' impact fee" to commence a fund to support a free community shuttle to loop between the east boundary of the City at Eardley Ave. and Ocean View Blvd./Central gateway, and Asilomar State Park, including downtown and Hotel Durell.

- MM 3.4.2c The project applicant shall pay an appropriate fee (fair share), as determined by the City's Public Works Department, to provide funds to increase the width of the sidewalk along the eastern edge of Jewell Park to approximately 18 feet to accommodate increased pedestrian/vendor activity during special events such as the farmers market. **3f**

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Laurel O'Halloran, Associate Planner

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**Comment:** The applicant's project should be responsible to pay for the entire cost for the engineering studies, design and construction for this work as a benefit for the entitlement to building the project, except the established Farmer's Market use of the street shall not be prohibited, at all. **3f cont.**

- Impact 3.4.3 Under cumulative traffic conditions, the project would not increase traffic congestion to a significant level.

  **Comment:** There needs to be a site specific study to support his claim. Further, the plans provide a building code analysis for the occupancy of all areas to be a total capacity of 533 persons, but the proposed parking uses minimum standards per zoning that are not supported by empirical evidence. The project should provide free off street parking for employees; that total could be 16. The restaurant and assembly meeting room could have as many as 113 people, and a ratio of 1 on-site (off street) parking space to 6 occupants would require 19 spaces. Together that's 35 off street spaces which should be free to employees and customers, beyond the hotel guests. The notion that only 1 car will be used by guests in four rooms is a statistic that is not supported by common practice for the Pacific Grove peninsula resort area. **4**

  The Pacific Grove Downtown Parking Study by Wilbur Smith and Associates, revised 12-21-1997, outlines parking issues and potential negative impacts, and provides findings and conclusions that should be considered as part of the comprehensive analysis of this project's cumulative impact on parking in Pacific Grove. Public parking facilities are limited, therefore, on site parking must anticipate the highest range of needs.

# Letter ACian Continued

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Laurel O'Halloran, Associate Planner

RE: HOTEL DURELL 157 GRAND AVENUE PACIFIC GROVE, CA 93950
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I recommend mitigation of parking impacts must be conditions for approval for the project:
1) The surface parking lot shall be the subject of a shared parking agreement recorded to run with the land for that property for 99 years; and,
2) a mitigation monitoring reporting program (MMRP) and parking management plan to be recorded prior to the permit is issued that requires the hotel and ancillary uses, annually monitor and report the number of patrons who arrive by automobile, and other modes of transportation. In particular, if the hotel use determines a rate of more than one in four guests have cars, then the owner shall be limited to less rooms proportionately, pending acquisition of additional off street parking spaces; or, pays an in lie of fee into a City Parking Program to provide that parking. (See comment to MM3.4.2b, above)

Traffic into and out of Pacific Grove is already congested during peak commuting hours; additional traffic will exacerbate traffic congestion further. I recommend that as a condition of approval, the owners must annually fund and conduct additional studies beyond the corners of their property to judge the increased traffic from Highway 68/Forest Street corridors and Central/ Grand/Lighthouse routes. Those studies will assist the City to determine future land use and intensification. If the project is determined to result in negative adverse impacts to traffic congestion, the owners shall pay transportation impact fees to support alternative modes of transportation to and from the hotel, and within the community by its patrons.

**4 cont.**

# Letter ACian Continued

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Laurel O'Halloran, Associate Planner

RE: HOTEL DURELL 157 GRAND AVENUE PACIFIC GROVE, CA 93950
INITIAL STUDY/EIR August 2017

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- Impact 3.4.4 Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)

  **Comment:** There needs to be a site specific study to support his claim. The proposed auto ingress and egress conflict with the existing patterns of pedestrian and vehicular traffic, including the Farmers Market use. This does not reduce the potential adverse effects and impacts; worse the proposed mitigation measures transfer the adverse impacts to another public area with a high likelihood that the impacts will be significant and un-mitigated. **5**

- Impact 3.6.2 The project, in combination with other existing, planned, proposed, approved, and reasonably foreseeable development in the city, would increase the cumulative demand for water supplies and related infrastructure.

- **Comment:** The EIR claims there would be "Less Than Cumulatively Considerable [impacts}" I disagree. Simple arithmetic of past project, this and other currently anticipated projects, such as the proposed Hotel Bella, and future projects; many past developments plus one more, plus another one, and so forth adds up to potential cumulative impacts that must be addressed. **6**

- Land Use and Planning. Threshold 2
  Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. **7**

  **Comment**: The EIR wrongly concludes that there will be no such

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Laurel O'Halloran, Associate Planner

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impacts (conflicts) to the land use and planning. The project EIR proposes mitigation schemes be implemented in the Coastal Zone without any analysis of the potential effects to the public's recreational uses and or public access to and along the shoreline per the California Coastal Act of 1976, or the City of Pacific Grove LCP Land Use Plan of 1989, or the 2017 Draft Update to the City's LCP. The project may have substantial impacts on the ability to carry out those policies which the EIR failed to consider. **7 cont.**

Further, the proposed project in conjunction with some past and future projects with similar out "maximum" building size will result in the intensification of uses and unmitigated, significant direct and cumulative adverse impacts to the neighborhood and Pacific Grove Land use.

- Hydrology and Water Quality Threshold 1. Violate any water quality standards or waste discharge requirements. The EIR wrongly concludes there would be "less than significant impacts" and no mitigation is required. **8**

**Comment:**
The EIR fails to consider the cumulative effects on the Monterey Bay Area of Sensitive Biological Significance (Urban run off). The project proposes *"DRAINAGE - Rainwater in the city is generally directed to storm drains located along major roadways in Pacific Grove. The project site drains to the city's storm water system."* (MND, Page 4.0-58). The project's drainage will enter the ASBS. The project should be further conditioned to mitigate potential significant direct and

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Laurel O'Halloran, Associate Planner

RE: HOTEL DURELL 157 GRAND AVENUE PACIFIC GROVE, CA 93950
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cumulative adverse impacts to the water quality unless it eliminates chemicals and metals from entering the City's drainage system. The proposed metal roof should not be allowed to be copper or any other metal roofing material that could harm the ocean and bay environment. A permit condition and MMRP to prohibit the use of harmful chemicals with any external effects, including those coming from the hotel and restaurant uses, gardening and landscaping must be guaranteed. the Parking areas and driveways must not be asphalt or oil based materials and should be pervious. **8 cont.**

**Cultural Resources**

I have submitted evidence of historical significance of the existing structure (Holman Garage). I understand the applicant submitted a 2012 report with a different conclusion, resulting in a difference of expert opinion, in addition to the opinion of residents that the building and property are an important historical landmark. I also understand that the City Historic Resources Committee was prevented from making an independent decision, and that a piecemeal review of the project's historical significance and merits was conducted contrary to CEQA Guidelines and case law. **9**

**Potential Impacts to Aesthetic Quality**

The project's bulk and mass are not compatible with the surrounding areas and relationships of the forms and design characteristics of the adjacent streetscapes, Grand, Central and Fountain. The predominant building heights of nearby structures are one and two stories. The Holman Department Store that increased in height to 4 levels should not be the yardstick to measure height for the proposed project. It is a blockbuster, despite its history. The proposed project will impose a new order on the **10**

# Letter ACian Continued

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Laurel O'Halloran, Associate Planner
RE: HOTEL DURELL 157 GRAND AVENUE PACIFIC GROVE, CA 93950 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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Central Avenue corridor that could intrude on the light and air space of the public Library and Museum and Museum's native gardens, resulting in direct negative impacts to the visual quality and enjoyment of the public areas. Where are the story poles to tell the real story that the public and decision makers can observe and use to judge the potential impacts?

The proposed architectural style is a false impression of Pacific Grove's authentic character. The question about the aesthetic appearance should be analyzed within the context of the existing setting and the prevailing size, mass, scale and height of the established surrounding development, not, ***if*** it would pass a compatibility test in the future. It should be examined at a sufficient level of detail to enable those effects to be mitigated or avoided by site specific revisions, or the imposition of special conditions. **10 cont.**

Architectural design based on compliance with the zoning code is ***not*** a test of how the proposed building will fit into the neighborhood. The maximum height limit is not a judge of compatibility with the historical setting and existing scale of the street scape. A 40-foot-high, four level building at this site will over shadow the public areas of the street and its neighbors, and impose four stories where two is the current maximum. An earlier proposal for this site found that: "a project would have a significant impact if it would unreasonably block sunlight on neighboring buildings or substantially impair the beneficial use of any public or quasi-public park, lawn, garden, or open space."

I strongly recommend that the applicant provide an accurate analysis of all reasonable project alternatives including, but not limited to, a reduced scope in the magnitude for the size of both alternatives 2 and 3, to be a maximum of 1-2 stories within the north 50 feet of the property and stepping up in height toward the south end. I also recommend that the false design narrative be replaced with a design that reflects the immediate scale and character of surrounding buildings.

Sincerely, Anthony A. Ciani

## RESPONSE TO LETTER ANTHONY CIANI (ACIAN)

### Response to Comment ACian-1

*The commenter summarizes his concerns that the Draft EIR does not adequately address potentially significant adverse effects and cumulative impacts to the environment regarding aesthetic quality, land use, traffic and parking, water quality, recreational and community resources, and public access to the Coastal Zone.*

Refer to Response to Comment JH-b-3 regarding the scope of the Draft EIR and Response to Comment EHarv-9 regarding alternatives. Refer to Master Response 1: Traffic Safety, Master Response 2: Project Traffic, Master Response 3: Parking, Master Response 4: Massing and Visual Character, Master Response 5: Widening of Sidewalk and Master Response 7, Coastal Zone Permitting for discussion of project design and measures that would mitigate potentially significant impacts to less than significant levels.

### Response to Comment ACian-2a

*The commenter states Draft EIR Alternative 2 could provide housing in the central business district with commercial retail, restaurants, or other pedestrian (non-office) uses at the ground floor, but that the project should be limited to a low profile, two stories at the north increasing to four stories at the south portion.*

Thank you for your comment. The comment does not pertain to the adequacy of the EIR. No changes required.

### Response to Comment ACian-2b

*The commenter states Draft EIR Alternative 3 "requires an economic analysis to reduce the number of rooms and suites to be 60 with a commensurate reduction in the building size."*

Thank you for your comment. The comment does not pertain to the adequacy of the EIR. No changes required.

### Response to Comment ACian-3a

*The commenter notes the following in reference to mitigation measure MM 3.1.2: "The proposed mitigation is a screen to camouflage the real aesthetic issue of the proposed structure's failure to be compatible with the surrounding established historical character and architectural scale."*

As described in Draft EIR Section 3.1, Aesthetics, mitigation measure MM 3.1.2 requires the project applicant to install construction screening with a design approved by the City to shield adjacent land uses from short-term aesthetic impacts. Also refer to Master Response 4: Massing and Visual Character, which explains the project's compatibility with the surrounding established historical character and architectural scale.

### Response to Comment ACian-3b

*The commenter notes that, in reference to Impact 3.3.3, Ambient Noise Levels, the EIR fails to provide empirical evidence to support the conclusion that the project would not result in a*

*substantial increase in ambient noise levels in the project vicinity above existing levels without project.*

The major source of ambient noise after project construction is vehicular traffic. Draft EIR Appendix 5: NOI includes a table that displays traffic noise levels and noise contours in the project area, including traffic volumes and community noise factors for the existing conditions and the existing conditions plus project. Since projected total traffic from the proposed project would be less than current levels, the analysis concludes there would be no increase in ambient noise levels with project implementation. Estimates of project-generated noise is based on information and guidance from the Federal Transit Administration (2006), the Federal Highway Administration (2006a, 2006b), and the California Department of Transportation (Caltrans) (2004).

**Response to Comment ACian-3c**

*The commenter agrees with the Draft EIR's conclusion for Impact 3.4.2.*

Refer to Master Response 2: Project Traffic.

**Response to Comment ACian-3d**

*The commenter notes that mitigation measure MM 3.4.2a requires the project applicant to pay an appropriate fee to provide funds for additional crosswalks and intersections as described in Section 3.4, Transportation and Traffic. The commenter believes the applicant should be responsible to pay for the entire cost for the engineering studies, design and construction for this work as a benefit for the entitlement to building the project.*

Please note that the Draft EIR does not recommend project approval or denial, nor does it advocate the merits of proposed mitigation measures, which are included to reduce the severity of environmental impacts as the result of project implementation. Further, the allocation of costs for implementation of mitigation measures is not within the purview of CEQA but may be considered by the City Council as part of the decision-making process. The purpose of the Draft EIR is to inform decision-makers and the public about potential project impacts. In addition to Section 3.4, Traffic and Circulation, the commenter is referred to Master Response 1: Traffic Safety, as well as Draft EIR Appendix 6: TRA, for additional analysis and recommendations to reduce project impacts on traffic.

**Response to Comment ACian-3e**

*The commenter notes that mitigation measure MM 3.4.2b requires the project applicant to pay an appropriate fee to provide funds to install stops signs, but believes the applicant should pay the entire cost.*

See Response to Comment ACian-3d.

**Response to Comment ACian-3f**

*The commenter notes that mitigation measure MM 3.4.2c requires the project applicant to pay an appropriate fee to provide funds to increase the width of the sidewalk along the eastern edge of Jewell Park but believes the applicant should pay for the entire cost.*

See Response to Comment ACian-3d.

**Response to Comment ACian-4**

*Regarding Impact 3.4.3, the commenter states that a site-specific study should be done to support the analysis taking into account room capacity and minimum zoning standards. The commenter adds that the project should provide free off-street parking for employees.*

As described in subsection 3.4.4 in Draft EIR Section 3.4, the roadway network under cumulative conditions was assumed to be the same as described for the existing conditions. Traffic volumes were estimated by adding approved and pending development projects in Pacific Grove to the existing plus project traffic volume trips. The cumulative conditions included two additional projects in the project vicinity: the approved Holman Building residential development project and the planned Bella Hotel development project. The Holman Building project would replace existing commercial space on the upper levels of the building with 25 condominium units and replace the basement with 33 parking spaces. The Hotel Bella project would replace the American Tin Cannery with a 225-room hotel. For pending projects where a traffic impact analysis has not been completed, traffic was estimated using ITE generation rates. This analysis is consistent with Pacific Grove General Plan goals and policies for coordinating local and regional transportation issues. Also see Master Response 3: Parking, regarding parking impacts. Per the CEQA Guidelines, parking demand is not considered an environmental impact.

**Response to Comment ACian-5**

*The commenter states there needs to be a site-specific study to support the claim made in the impact statement for Impact 3.4.4 related to traffic hazards due to design features.*

This CEQA checklist threshold of significance was analyzed in the project's Initial Study as item (d) in subsection 4.16 (Draft EIR Appendix 1: IS), and the project was found to have no impact. No further analysis is required in the Draft EIR.

**Response to Comment ACian-6**

*For Impact 3.6.2, the commenter disagrees that the project would be Less Than Cumulatively Considerable.*

As discussed in Draft EIR Section 3.6, Utilities and Service Systems, evaluation of potential water service impacts was based primarily on the City of Pacific Grove's water allocation strategy to ensure Pacific Grove would have sufficient water for the project. The City has a system in place to manage its water supply availability and to determine water availability prior to approval of a construction permit. All projects in the city requiring new water supplies are placed on a water waiting list. Water credits necessary for projects are given through City Council approval. Building permits are issued only when the City has sufficient water credits to serve a project. To receive a construction permit, project applicants must show that water supplies are available and must complete the CEQA process. While future development projects would be evaluated individually for impacts on water resources, these impacts as the result of project implementation would be considered less than cumulatively considerable. Also see Master Response 8: Water Usage.

### Response to Comment ACian-7

*The commenter refers to CEQA Checklist threshold 2 and that the EIR wrongly concludes there would not be significant impacts or conflicts to land use and planning.*

CEQA Land Use and Planning Checklist item (b) refers to ordinances adopted for the purposes of avoiding or mitigating an environmental effect. Pacific Grove's land use and planning policies for density and intensity are not adopted to avoid an environmental impact. Condition of approval 3 would require the applicant to work with the City to widen the sidewalk on the eastern edge of Jewell Park to 18 feet to accommodate increased pedestrian activity. Since Jewell Park is in the Coastal Zone, widening the sidewalk would require a Coastal Development Permit. Widening the sidewalk would also be required to comply with applicable California Coastal Commission standards as discussed in Master Response 7: Coastal Zone Permitting.

### Response to Comment ACian-8

*The commenter refers to CEQA Checklist threshold 1 for hydrology and water quality and that the EIR fails to consider cumulative effects on the Monterey Bay Area of Sensitive Biological Significance (ASBS) resulting from urban runoff.*

The commenter is referring to Hydrology and Water Quality significance threshold (a), which states that an impact would be potentially significant if a project were to violate any water quality standards or waste charge requirement. As discussed in subsection 4.9, Hydrology and Water Quality, in the project's Initial Study, Pacific Grove has two major drainage basins, including a northeasterly basin which drains into Monterey Bay. While Monterey Bay is considered an ASBS, the project site is currently developed and covered with 100 percent impermeable surfaces. All project site runoff currently drains to existing city drainage facilities.

The project would comply with NPDES General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (Order No. 2013-0001-DWQ). This permit requires the project site design to achieve an 85 percent capture rate. Although some runoff from the project would flow into the city's existing storm drainage system, the amount would not be significant because project design features and requirements for capturing stormwater drainage would minimize this impact. Therefore, the project would not substantially increase drainage flows entering the city's drainage system and this impact would be less than significant. The project would comply with NPDES Provision C.3, which requires all municipal development and redevelopment projects to include appropriate source control, site design, and stormwater treatment measures to address both soluble and insoluble stormwater runoff pollutant discharges and prevent increases in runoff flows from new development and redevelopment projects. This goal is to be accomplished primarily through the implementation of low impact development (LID) techniques. This impact was previously analyzed in the IS/MND (Draft EIR Appendix 1: IS), which found project impacts on water quality to be less than significant.

### Response to Comment ACian-9

*The commenter submitted evidence of historical significance of the existing structure (Holman Garage) and believes the City Historic Resources Committee was prevented from making an independent decision.*

As discussed in Draft EIR Section 3.2, Cultural Resources, a Phase I Historic Assessment was completed for the project site, pursuant to the Pacific Grove Guidelines for Historic Assessments. The assessment used property files maintained by the City, historic Sanborn Maps, the City of Pacific Grove Historic Context Statement, newspaper files at the Pacific Grove Library, city directories, historic photos, and a site visit to evaluate the site. The Phase I Historic Assessment is included in Draft EIR Appendix 4: CUL. Because of changes to the building, Holman's Garage is no longer a clear example of commercial architecture from its period of significance. As such, the report determined that Holman's Garage at 156–162 Fountain Avenue (APN 006-173-002-000) is not eligible for inclusion in the Pacific Grove Historic Resources Inventory (the City Council concurred on October 21, 2015), the California Register of Historical Resources, or the National Register of Historic Places. Impact 3.2.1 concludes that for the purposes of CEQA, the project site would not remove a historic resource.

### Response to Comment ACian-10

*The commenter believes the project's bulk and mass are not compatible with the surrounding areas. The commenter asks for story poles for the project.*

Refer to Master Response 4: Massing and Visual Character. Refer to Response to Comment LCian-b-12 regarding story poles.

# Letter LMR

*Ohlone/Costanoan-Esselen Nation*

*Previously acknowledged as*
*The San Carlos Band of Mission Indians*
*The Monterey Band*
*And also known as*
*O.C.E.N. or Esselen Nation*
*P.O. Box 1301*
*Monterey, CA 93942*

www.ohlonecostanoanesselennation.org.

October 26, 2017

Laurel O'Halloran, Associate Planner
City of Pacific Grove, Community and Economic Development Department
300 Forest Avenue
Pacific Grove, CA 93950

Re: Hotel Durell - EIR - Originally built in the 1920's , at which time Native American Human remains and artifacts were not protected and simply removed, or destroyed.

Saleki Atsa,

Ohlone/Costanoan-Esselen Nation is an historically documented previously recognized tribe. OCEN is the legal tribal government representative for over 600 enrolled members of Esselen, Carmeleno, Monterey Band, Rumsen, Chalon, Soledad Mission, San Carlos Mission and/or Costanoan Mission Indian descent of Monterey County.

**Ohlone/Costanoan-Esselen Nation objects to all excavation in known cultural lands, even when they are described as previously disturbed, and of no significant archaeological value.** Please be advised that it is our first priority that our ancestor's remains be protected and undisturbed. We desire that all sacred burial items be left with our ancestors on site or as culturally determined by OCEN. All cultural items returned to Ohlone/Costanoan-Esselen Nation. We ask for the respect that is afforded all of our current day deceased, by no other word these burial sites are cemeteries, respect for our ancestors as you would expect respect for your deceased family members in today's cemeteries. **Our definition of respect is no disturbance.** 1

OCEN's Tribal leadership desires to be provided with archaeological reports/surveys, including subsurface testing, and presence/absence testing. OCEN request to be included in mitigation and recovery programs, reburial of any of our ancestral remains, placement of all cultural items, and that a Native American Monitor of Ohlone/Costanoan-Esselen Nation, approved by the OCEN Tribal Council be used within our aboriginal territory **especially when a project is located in a highly sensitive area for prehistoric and historic period archaeological resources and Tribal Cultural Resources. These resources are described below and the locations and descriptions of archaeological resources are confidential and are not presented here. Archaeological Resources - The archaeological sensitivity of the project area is high for the occurrence of prehistoric and historic-period archaeological resources.**

Please clarify if an archaeological report was completed. I do not have a report based on the sensitivity of the project area. Please feel free to contact me at (408) 629-5189. Nimasianexelpasaleki. Thank you

Sincerely and Respectfully Yours,

Louise J. Miranda Ramirez, Chairperson
Ohlone/Costanoan-Esselen Nation
(408) 629-5189

Cc: OCEN Tribal Council

## RESPONSE TO LETTER LOUISE J. MIRANDA RAMIREZ (LMR)

### Response to Comment LMR-1

*The commenter is responding to cultural and tribal resources impacts as a representative of the Ohlone/Costanoan-Esselen Nation. The commenter also requests confirmation that an archaeological report was completed for the project.*

Refer to Draft EIR Section 3.2, Cultural Resources, and Section 3.6, Tribal Cultural Resources, for a discussion of state and local compliance and mitigation measures pertaining to impacts on cultural resources resulting from project implementation. Further information on this topic is found in Draft EIR Appendix 4: CUL.

# Letter ILD

**DeMichele, Paula**

**From:** Craciun, Florentina
**Sent:** Thursday, October 26, 2017 5:37 PM
**To:** DeMichele, Paula
**Subject:** FW: HOTEL DURELL DRAFT EIR PUBLIC COMMENTS:

**Florentina Craciun, AICP** | Michael Baker International
[O] 510-213-7915
fcraciun@mbakerintl.com | www.mbakerintl.com

**From:** Laurel O'Halloran [mailto:lohalloran@cityofpacificgrove.org]
**Sent:** Thursday, October 26, 2017 4:59 PM
**To:** Craciun, Florentina <fcraciun@mbakerintl.com>
**Subject:** Fwd: HOTEL DURELL DRAFT EIR PUBLIC COMMENTS:

---------- Forwarded message ----------
From: **Inge Lorentzen Daumer** <ilwd50@gmail.com>
Date: Thursday, October 26, 2017
Subject: HOTEL DURELL DRAFT EIR PUBLIC COMMENTS:
To: lohalloran@cityofpacificgrove.org, Anastazia Aziz <aaziz@cityofpacificgrove.org>, "Mark J. Brodeur" <mbrodeur@cityofpacificgrove.org>, Sandra Kandell <skandell@cityofpacificgrove.org>

Dear Laurel O'Halloran,
Please include my comments, for the record.

**First off, correction seems to be in order for the description of the Holman Bldg. placement in relation to the Proposed Project:**
**I would consider the Holman Bldg. to be South of the site, not East.** 1

*"SURROUNDING LAND USES*
*Commercial buildings are located on the south and east sides of the project site. Multiple-family*
*residences are located north of the project site. The block directly to the north contains the*
*City's Public Library. The Holman Building is located directly east of the project site across the*

# Letter ILD Continued

*parking lot. The Pacific Grove Museum of Natural History is located west of the project site, while*
*Jewell Park is located to the northwest adjacent to the library."*

**Since Forest Ave. and Central Ave. are the Only ways to get in or out of Pacific Grove, for Everybody, this statement seems pretty silly, especially as a Mitigation Measure.**

*"MM 3.4.1 Project construction traffic for hauling materials in and out of the project area shall utilize Forest Avenue and Central Avenue. Construction traffic shall avoid residential areas in the project area."* 2

**The design features of the Project are, in no way, compatible with the Carnegie Library, Pacific Grove Museum and Jewel Park, which are major destinations for Residents. Traffic and parking needs have been grossly underestimated, as well as physically dividing this established community.** 3

**The addition of a four-way stop at the intersection of Fountain and Central is ludicrously inadequate as a "mitigation measure" for traffic and pedestrian Safety at this major hub of downtown P.G.** 4

**This project is just too massive a structure that over-shadows our quaint historic city. Of course, there is no water, and even when the** 5

**Local Water Project comes on line to water the cemetery and golf course, any other potable water, supposedly "freed-up" will have to go back to the Carmel River until the CDO from the State Water Board is lifted! I also don't believe the sewer line is large enough to cumulatively handle any, or all of the other projects that are wending their way through approvals.** 6

**Noise? HOTELS NEVER SLEEP!!!!** 7

**Make it smaller, better design (don't put the entrance on Central Ave.) or don't do it at all...** 8

**Sincerely,**

**Inge Lorentzen Daumer**
**Resident Homeowner, Pacific Grove, CA**

---

Virus-free. www.avg.com

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**Thank you,**
**Laurel**

**Laurel O'Halloran, Associate Planner**
City of Pacific Grove, Community and Economic Development Department
300 Forest Avenue, Pacific Grove, CA 93950
T: (831)648-3127| Main Reception: 831-648-3183
www.cityofpacificgrove.org

Please visit the City's comprehensive Planning website for information regarding zoning for specific properties or long-term advance planning projects.

## RESPONSE TO LETTER INGE LORENTZEN DAUMER (ILD)

### Response to Comment ILD-1

*The commenter states that the description of the Holman Building placement in relation to the project site is to the south of the site and not to the east as in the Project Description.*

Page 2.0-2 in Draft EIR Section 2.2, Project Description, describes the Holman Building as follows: "The Holman Building is located directly east of the project site across the parking lot. The Pacific Grove Museum of Natural History is located west of the project site, while Jewell Park is located to the northwest adjacent to the library." Draft EIR Figure 2.0-2, Project Location, shows a satellite view of the project site with the Holman Building located east of the project site.

### Response to Comment ILD-2

*The commenter takes issue with mitigation measure MM 3.4.1. The commenter notes that Forest Avenue and Central Avenue are the only ways to get in and out of Pacific Grove.*

Refer to Master Response 1: Traffic Safety, regarding specific construction routes.

### Response to Comment ILD-3

*The commenter objects to the project's compatibility with nearby public facilities, resulting traffic and parking impacts, and infers that the project would physically divide an established community.*

Refer to Master Response 1: Traffic Safety, Master Response 3: Parking, and Master Response 4: Massing and Visual Character.

### Response to Comment ILD-4

*The commenter states that the addition of a four-way stop as a mitigation measure is inadequate for traffic and pedestrian safety.*

Refer to Master Response 1: Traffic Safety, regarding the four-way stop.

### Response to Comment ILD-5

*The commenter believes the project is too massive and would over-shadow our quaint historic city.*

See Master Response 4: Massing and Visual Character.

### Response to Comment ILD-6

*The commenter states there is not enough water in the city to accommodate the project given State Water Resources Control Board (SWRCB) restrictions on water usage, as well as other pending projects awaiting approval.*

See Master Response 8: Water Usage.

### Response to Comment ILD-7

*The commenter surmises the project would result in noise issues.*

Refer to Master Response 6: Construction Noise Impacts and Response to Comment EHarv-7.

### Response to Comment ILD-8

*The commenter requests a smaller, better design that would also relocate the hotel entrance off Central Avenue.*

Refer to Response to comment EHarv-9 regarding alternatives.

# Letter LC

## DeMichele, Paula

**From:** Craciun, Florentina
**Sent:** Thursday, October 26, 2017 5:38 PM
**To:** DeMichele, Paula
**Subject:** FW: Comments Hotel Durell Project

**Florentina Craciun, AICP** | Michael Baker International
[O] 510-213-7915
fcraciun@mbakerintl.com | www.mbakerintl.com

**From:** Laurel O'Halloran [mailto:lohalloran@cityofpacificgrove.org]
**Sent:** Thursday, October 26, 2017 4:59 PM
**To:** Craciun, Florentina <fcraciun@mbakerintl.com>
**Subject:** Fwd: Comments Hotel Durell Project

---------- Forwarded message ----------
From: **Luke Coletti** <ljc@groknet.net>
Date: Thursday, October 26, 2017
Subject: Comments Hotel Durell Project
To: lohalloran@cityofpacificgrove.org

Laurel,

I am submitting comments towards the EIR for the Hotel Durell Project:

Section 3.6.1 of the EIR mentions the following: "The Monterey Peninsula area, including Pacific Grove, is currently experiencing a water shortage, and new water meter connections are currently limited by a Cease and Desist Order (CDO) issued by the State Water Resources Control Board in 2009. The CDO limits California American Water's ability to install water meters for new projects that would increase withdrawals from the Carmel River." **1**

Comment (1): The EIR fails to mention that an increase in water meter size would also violate the SWRCB/CPUC moratorium on new meters within Cal-Am's Monterey service area. The hotel will require a larger water meter and if installed during the CDO enforcement period would violate the moratorium. An increase in water meter size needs to be clearly identified as a project restriction.

Section 3.6.1 of the EIR also mentions the following: "However, there is a potential that water entitlements may be recognized which would provide a source of water notwithstanding the CDO. Such entitlements would require legislative authorization by both the City and the Monterey Peninsula Water Management District." **2**

Comment (2): The EIR is introducing speculation, which can not be evaluated. Further, the EIR fails to describe exactly which "water entitlements may be recognized which would provide a source of water notwithstanding the CDO". If the

author is referring to entitlements based on the freed up potable water from the Pacific Grove Local Water Project (PGLWP) then the author should say so. Otherwise, this highly speculative statement should be removed. (See also Comment 7 below). **2 cont.**

Section 3.6.3 of the EIR mentions the following: "The project's water use would be approximately 5.78 acre-feet per year. As such, the increase in water use for the project would be approximately 4.08 acre-feet per year."

Comment (3): It's unclear as to what the author means by "current water usage". Cal-Am billing records would determine water usage, however, that has no relevance as regards to the site's water allocation, which the MPWMD describes as a "capacity to use water". The site's allocation is used by the MPWMD for permitting purposes. As recorded on the C-1-T parcel map, this site (APN 006-173-003) currently has a 1.4 acre-foot allocation. The project could require as much as 13-20 additional acre-feet. **3**

Comment (4): Here's a first order approximation (likely an underestimation) of the required water, per MPWMD TABLE 2 "use factors" (used in the permitting process), as found in MPWMD Rule 24:

1. Rooms: 125 rooms * 0.13 AF/room = 16.25 AF (with tub > 55 gals)
2. Rooms: 125 rooms * 0.10 AF/room = 12.50 AF (with tub < 55 gals)
3. Restaurant: 73 seats * 0.02 AF/seat = 1.46 AF
4. Banquet Room: 596 sq-ft * 0.00053 AF/sq-ft = 0.31588 AF
5. Lobby (Group I): 1897 sq-ft * 0.00007 AF/sq-ft = 0.13279 AF
6. Pool: 485 sq-ft * 0.02 AF/100 sq-ft = 0.097 AF
7. Spa: = 0.05 AF
8. Landscape (ETWU): = 0.2 AF (estimate)

Estimated Total min/max = 14.75567 AF (min) / 18.50567 AF (max)

Incidentally, 18.50567 acre-feet per year represents 1.56% of the City's total consumption, as recorded in Water Year 2015-16. The EIR must use relevant metrics for accessing the water allocation for this project. The fact that the author has already been told this during the IS/MND comment period makes me believe the author is deliberately avoiding analysis of the impacts on water supply. Please address the MPWMD permitting requirements, not your own fanciful estimates. **4**

Section 3.6.3 of the EIR mentions the following: "Currently, the proposed project is awaiting planning permit approval in order to be placed on the City's water waiting list. The City of Pacific Grove does not currently have sufficient water supplies available at this time to serve the project. Because the City does not currently have sufficient water supplies to serve the project, this impact is potentially significant and mitigation measure MM 3.6.1 would be required. The mitigation measure would prohibit the project applicant from proceeding with any project implementation activities until necessary water supplies are secured. With implementation of mitigation measure MM 3.6.1, project impacts on water availability would be less than significant." **5**

Comment (5): By only analyzing "project impacts on water availability" the EIR is deliberately avoiding a complete evaluation of the project's impacts on a yet to be determined water supply. The use of mitigation measure MM 3.6.1 is nothing more than trickery to fragment (and therefore avoid) the CEQA review process. Mitigation measures providing for the curtailment of development should water sources not materialize or be delayed is an appropriate tool under CEQA, but is not a substitute for an adequate impact analysis. When will the impact analysis on the yet to be developed water supply take place? Is the city proposing a supplemental analysis at a later date? The EIR must make provisions for a later evaluation of water supply impacts once they become available. **6**

Section 3.6.3 of the EIR mentions the following: "Additionally, as discussed in the Existing Setting subsection, California

# Letter LC Continued

American Water has undertaken the Monterey Peninsula Water Supply Project to meet water demands in the project area. The Water Supply Project was undertaken to serve the service area as a whole and not as a result of the proposed project."

Comment (6): The EIR for the Monterey Peninsula Water Supply Project has not been finalized or certified and therefore this EIR is relying on yet to be finalized environmental analysis. Further, water sources must bear a likelihood of actually proving available, and speculative sources or unrealistic amounts ("paper water") will not be sufficient bases for decisions under CEQA. (Santa Clarita Organization for Planning the Environment v. County of Los Angeles (2003) 106 Cal.App.4th 715.) This EIR identifies the Monteery Peninsula Water Supply Project (MPWSP) and the Pacific Grove Local Water Project (PGLWP) as "new water supplies". However both the MPWSP and the PGLWP are speculative sources of water for this project. Again, the EIR must make provisions for a later evaluation of water supply impacts once they become available. **6 cont.**

Section 3.6.3 of the EIR also mentions the following: "The Pacific Grove Local Water Project consists of the construction and operation of a new satellite recycled water treatment plant (SRWTP) to recycle a portion of Pacific Grove's municipal wastewater. Recycled water produced at the SRWTP, located at the retired Point Pinos Wastewater Treatment Plant, during the first phase, would be used primarily for landscape irrigation at the Pacific Grove Golf Links and El Carmelo Cemetery, owned by the City of Pacific Grove and located adjacent to the SRWTP. Future phases include extension of the recycled water system to other parts of the city to provide recycled water for landscaping purposes. Replacement of the irrigation demand with non-potable supplies will create a new offset of potable water for use by California American Water in meeting its obligations to find replacement supplies. As such, the project would have a less than significant impact."

Comment (7): Should the Pacific Grove Local Water Project be successful there would be a new offset of potable water created, however, this offset is meant to reduce Cal-Am's illegal diversions from the Carmel River by the same amount (1:1), not create a new supply for use by this and other projects (see Section 19.2 of SWRCB WRO 2009-0060). The author appears to be talking out of both sides of their mouth when they claim the PGLWP will help Cal-Am to meet their "obligations to find replacement supplies" while at the same time mentioning "there is a potential that water entitlements may be recognized which would provide a source of water notwithstanding the CDO". Both the city and the author are well aware that Condition 4b of SWRCB Resolution 2015-0070 (text and link below) specifically prohibits the reuse of any of the saved potable water ("ensuing demand reductions"). **7**

SWRCB Condition 4b: "The City shall apply recycled water produced by the Project to service of existing uses and shall use the ensuing demand reductions to offset deliveries from Cal-Am until such time as the City receives consent from the State Water Board's Executive Director to apply the Project's recycled water and associated demand reductions to new service connections or to increased use at existing service addresses resulting from a change in zoning or use."

http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2015/rs2015_0070.pdf

Comment (8): The EIR must make clear that both the MPWSP and PGLWP are both speculative supplies and that the PGLWP project is currently under a SWRCB financing condition that restricts access to any freed up potable water. Further, the EIR must make provisions for a later evaluation of water supply impacts once these (or other) supplies become available. **8**

Thank you for your consideration,

Luke Coletti
Pacific Grove

--
**Thank you,**
**Laurel**

**Laurel O'Halloran, Associate Planner**
City of Pacific Grove, Community and Economic Development Department
300 Forest Avenue, Pacific Grove, CA 93950
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Please visit the City's comprehensive Planning website for information regarding zoning for specific properties or long-term advance planning projects.

## RESPONSE TO LETTER LUKE COLETTI (LC)

### Response to Comment LC-1

*The commenter states that the EIR fails to mention that an increase in water meter size would also violate the SWRCB/CPUC moratorium on new meters in Cal-Am's Monterey service area. The hotel will require a larger water meter and if installed during the Cease and Desist (CDO) enforcement period would violate the moratorium. An increase in water meter size needs to be clearly identified as a project restriction.*

Refer to Master Response 8: Water Usage. In addition, whether the project requires a larger meter does not pertain to the CEQA analysis and no changes are required to the Draft EIR. The project's meter would be obtained once water is available and the project water permits applied for.

### Response to Comment LC-2

*The commenter believes Section 3.6.1 includes speculation which cannot be evaluated. Further, the commenter states the EIR fails to describe which water entitlements would be recognized which would provide a source of water notwithstanding the CDO.*

Refer to Master Response 8: Water Usage. In addition, California American Water has undertaken the Monterey Peninsula Water Supply Project to meet water demands in the project area. The Water Supply Project was undertaken to serve the service area as a whole and not as a result of the proposed project. Uses such as the project are considered in the EIR for the Monterey Peninsula Water Supply Project. Project construction would not begin until water is available; the project is not linked to the construction of the Monterey Peninsula Water Supply Project.

### Response to Comment LC-3

*The commenter states it is unclear what the EIR authors mean by "current water usage" and that current billing records are irrelevant to future water usage for the project. The commenter notes that the current property has a 1.4-acre-foot water allocation but the project could require as much as 13–20 additional acre-feet.*

The water calculations were provided by the applicant and represent an estimate of project water usage in the future. Refer to Master Response 8: Water Usage for revisions to page 3.6-5, paragraph 10, of the Draft EIR, water calculations.

### Response to Comment LC-4

*The commenter lists approximate water usage rates for the project based on MPWMD use factors (Table 2, Rule 24). The commenter states that the EIR must use relevant metrics for assessing the water allocation for the project.*

Draft EIR Section 3.6, Utilities and Service Systems, provides detail on water allocation and usage rates. These allocations must comply with state and local legislation and ordinances. Refer to Master Response 7: Water Usage regarding Rule 24.

### Response to Comment LC-5

*Since the City does not have sufficient water supplies available at this time to serve the project, the commenter states that by only analyzing the project's impacts on water availability, the EIR avoids the project's impacts on a yet-to-be determined water supply. Further, the EIR must make provisions for a later evaluation of water supply impacts once they become available.*

Refer to Master Response 8: Water Usage and Response to Comment LC-2.

### Response to Comment LC-6

*Regarding text in subsection 3.6.3 [page 3.6-6], the commenter states that the Monterey Peninsula Water Supply Project has not been finalized or certified, and therefore, the EIR is relying on speculation in its analysis and is insufficient under CEQA.*

Refer to Master Response 8: Water Usage. The Monterey Peninsula Water Supply Project will undertake its own CEQA analysis and will impose mitigation measures as appropriate. Project construction would not begin until water is available; the project is not linked to the construction of the Monterey Peninsula Water Supply Project.

### Response to Comment LC-7

*The commenter notes the Pacific Grove Local Water Project would replace existing irrigation demand with non-potable water supplies. The commenter adds that Condition 4b of SWRCB Resolution 2015-0070 specifically prohibits the reuse of any of the saved potable water.*

Refer to Master Response 8: Water Usage.

### Response to Comment LC-8

*The commenter states, "The EIR must make clear that both the MPWSP and PGLWP are both speculative supplies and that the PGLWP project is currently under a SWRCB financing condition that restricts access to any freed up potable water. Further, the EIR must make provisions for a later evaluation of water supply impacts once these (or other) supplies become available."*

Refer to Master Response 8: Water Usage, for further analysis. The project cannot move forward until the City determines there is adequate water supply to accommodate the project. Further, other pending projects would be evaluated based on their own merits and were not considered in the Draft EIR.

# Letter CBua

## DeMichele, Paula

**From:** Craciun, Florentina
**Sent:** Thursday, October 26, 2017 5:39 PM
**To:** DeMichele, Paula
**Subject:** FW: Please confirm receipt of these Comments on the DRAFT Environmental Impact Report for the Hotel Durrell

**Florentina Craciun, AICP** | Michael Baker International
[O] 510-213-7915
fcraciun@mbakerintl.com | www.mbakerintl.com

**From:** Laurel O'Halloran [mailto:lohalloran@cityofpacificgrove.org]
**Sent:** Thursday, October 26, 2017 4:58 PM
**To:** Craciun, Florentina <fcraciun@mbakerintl.com>
**Subject:** Fwd: Please confirm receipt of these Comments on the DRAFT Environmental Impact Report for the Hotel Durrell

---------- Forwarded message ----------
From: **Laurel O'Halloran** <lohalloran@cityofpacificgrove.org>
Date: Thursday, October 26, 2017
Subject: Please confirm receipt of these Comments on the DRAFT Environmental Impact Report for the Hotel Durrell
To: Cosmo Bua <philemata@gmail.com>
Cc: Laurel O'Halloran <lohalloran@ci.pg.ca.us>, Mark Brodeur <mbrodeur@cityofpacificgrove.org>

Thank you

On Thursday, October 26, 2017, Cosmo Bua <philemata@gmail.com> wrote:

**Comments on the DRAFT Environmental Impact Report for the Hotel Durrell**

The following email was received by Mark Brodeur, Community & Economic Development Director and Laurel O'Halloran, Associate Planner on 10/23/17. This DEIR Public Comment Period was not extended nor has there has been a correction of the posted public notification for it. **Is this process legally compliant? Does it meet hoped for standards?**

*Hi Mark,*

*I went by the Holman Garage today. I believe the Hotel Durell DEIR public comment period should be extended beyond 10/26, because the building is still posted with 10/16 as the final day to comment. It's entirely possible that some residents, having seen or having been informed of that after the 16th, will not comment because they think they are no longer allowed to. I suppose it should be extended for some period beyond whatever date the the new posting goes up.*

*Thank you,*
*Cosmo*
---

# Letter CBua Continued

**I disagree with Executive Summary Conclusion that "Project implementation would not generate any significant and unavoidable impacts."** 1

**General Statement**

In comment after comment, both verbal and written, the **sentiment** is near universal: This project is too big for the site, too big for the neighborhood, and too big for the **Last Home Town**. No analysis, whatever statistics are incorporated, can change the fact that the vast majority of the input from residents is that this project is not compatible with Pacific Grove. It is so opposed in character as to be incapable of existing together with the town as known and loved by residents. How exactly does this EIR measure ***small town charm*** ? Forcing the Hotel Durell into such a culture-defining area of town will irreparably damage Pacific Grove. This is the common understanding. 2

**The DEIR has not adequately dealt with concerns raised in the process proceeding the DEIR.**

I did not see where many quite specific comments and questions were addressed in this EIR. We are referred to the NOP Appendix which only provides the public input, no individualized responses. The DEIR also states, "... for detailed discussions of these environmental impacts, refer to the appropriate environmental topic section of this Draft EIR (i.e., Sections 3.1 through 3.6 and Section 5.0)." **But, Many questions and concerns are left unanswered.** Instead, referral is made to the general analysis. 3

**The Alternatives studied are insufficient,**

because there is no consideration of an Alternative which is reduced significantly enough to be compatible, especially aesthetically, with the immediate area, or the larger neighborhood, surrounding the development site. **The reduced alternative studied - "with 90 rooms, as well as all project site improvements proposed" - is much to large to fit this requirement.** 4

From the EIR: "Alternative 3 – Reduced Hotel Capacity. Under Alternative 3, a smaller hotel would be constructed on the project site, with 90 rooms, as well as all project site improvements proposed under the project"

The NOP stated: "Alternatives to be analyzed in the EIR will be defined based on their potential to reduce or eliminate significant environmental impacts associated with the proposed project. The specific alternatives may include, but are not limited to the "No Project" alternative as required by CEQA and a reduced capacity alternative"

**A Reduced Hotel Capacity Alternative should reduce the project by at least half - Capacity, Mass, and Height**.

**Aesthetic Impact**

will be very significant
- on the cherished buildings and the park adjacent by vastly over shadowing them, thereby changing their context and so the appropriateness, cohesion, and considerable, current, effective influence of their designs. The great mass alone will do this, but the design will cause the same. 5

- damaging the character of the entire neighborhood. Changing it from Pacific Grove "Last Home Town" Residential to overwhelmingly Commercial. And this, a Commercial Area without distinction or cohesion - It could be anywhere.

**Impact 3.1.2** Project implementation would introduce a new element in the project area, which would modify the area's visual

character and quality. **The EIR admits to and only concerns itself with the temporary modification** of the area's visual character and quality. The suggested mitigation is also temporary.

Currently, on exiting the **Library** one is struck by the view, through and above the trees in its front garden, of the beauty and spaciousness of the sky. This dependably available **Impact of aesthetic** pleasure will be entirely destroyed by the gigantic Hotel Durrell building completely blocking the sky. The loss of this sky is a loss of open space, and it is **a substantial adverse effect on a scenic vista.** **5 cont.**

The EIR is incorrect. **Impact 3.1.1** "Project implementation would not have a substantial adverse effect on a scenic vista."

**3.3.3 Permanent increase in ambient noise levels: Less than significant: I disagree.** While I am neither a machine capable of measuring decibels, nor a scientist, I believe I can state with absolute certainty that the "ambient noise level' around it will be **significantly impacted** by the addition of a 4 story, 125 room hotel where now exist only small businesses, intermittently visited. The definition of "substantial" can be argued, but the addition of this hotel will meet the criteria established in this report: "substantial permanent increase in ambient noise levels **in the project vicinity above levels existing without the project**." (Definition of ambient: "of or relating to the immediate surroundings of something") **6**

**Parking**

T**he City standard of one parking space for every four hotel rooms should be changed, not just quoted and blindly followed.** In this case, the project's 83 parking spaces to service 125 rooms, other meeting rooms, restaurant, bar, and special events, and for 19 staff members is inadequate. Every occupied hotel room will need a parking space - guests are not going to walk or take public transport to and from Pacific Grove. The other functions of the hotel will need to be accommodated as will the staff. This insufficient parking will impact the rest of the neighborhood and downtown. **7**

**The EIR does not concern itself with the uses and importance of particular parking spaces**. For one example, the 5 parking spaces on Central across from the library are to be eliminated. These spaces are constantly in use by library, museum, and park patrons. This will make using these facilities more difficult, probably even hamper their use because of the reduced access - in other words, their capacities will be reduced. Loss of these particular parking spaces is likely also to impact the surrounding residential neighborhood.

**Traffic**

Impact 3.4.2 "Although **the project would result in an overall reduction in the number of trips,..."** **8**

T**his is nonsensical.** It is incontestable that the addition of a 4 story, 125 room hotel where now exist only small businesses, intermittently visited will result in an overall increase in the number of trips. (Is this reduction assertion one of those "Alternative Facts" so much in the news?)

**Impact 3.4.4** "Substantially increase **hazards due to a design feature ..."**

A **Hazardous Condition will be created here.** Having the hotel's drive-in entrance on Central is likely to be a hazard both to pedestrians attempting to walk on that side of the street and to drivers attempting to drive by, because hotel customers waiting for valets and other assistance in the "drop off driveway" are certain to form a line of cars in this driveway which will back up onto Central during peak comings and goings from the hotel. An entrance of this sort should not be on Central. **9**

# Letter CBua Continued

**" Emergency Response** Public Services (TRAFFIC) Threshold 1: environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities."

The EIR states the project, "would increase motor vehicle traffic and congestion during the AM and PM peak traffic times on roadways used by transit, bicyclists, and pedestrians." **Emergency response will be affected** (Fire trucks from Monterey, etc.) **10**

**Cumulative Impacts**

I have not seen where the cumulative impacts on traffic, parking, noise, and light which result when this projects contributes to the effects created by the redevelopment of the Holman Building have been evaluated. **Where are the environmental impacts of the Holman Building redevelopment listed and evaluated together with the Hotel Durrell's impacts?**

From the DEIR: **"CEQA Guidelines Section 15130 requires that EIRs include an analysis of the project's cumulative impacts** to determine if the project's effect is considered cumulatively considerable**. The cumulative effects of the project and other potential development in Pacific Grove and the determination as to whether impact are cumulatively considerable (i.e., a significant effect) are contained in each technical section."** **11**

**Recreation**

Guests, especially because of the Durrell's large capacity, are likely to reduce the availability of Jewel Park for many of the recreational uses now enjoyed by residents. The space is bound to be overwhelmed by this out-of-scale recreational use.

Concern has been expressed that substantial increased recreational use of Jewel Park, shoreline parks, and the recreation coastal trail would result from this development and would harm those environments. .Where have these **potentially significant environmental impacts** on these various individual resources been evaluated? **12**

**"Threshold** Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated"

**Farmers Market**

I did not see how the weekly farmers market would be maintained after the addition of the Hotel Durrell, nor any analysis of **impacts on Jewel Park** if it was to be relocated there. **13**

**Affordable Housing**

Has the effect of introducing these new low wage jobs on Pacific Grove's already insufficient affordable housing been calculated. What about the environmental effects of required (by demand and by the State) new building on the overall environment of Pacific Grove? **14**

---

**Comments on the Hotel Durrell Project INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

This project will have potentially significant impacts that cannot be avoided or mitigated

# Letter CBua Continued

Please consider these comments on the following areas of concern:

**Aesthetics:**

The project would significantly degrade the existing visual character of its surroundings. As the report states, "The City's General Plan highlights the City's goal to promote a 'sense of place' in the community". The sense of place and visual character now existing in this immediate area is of small town residential and of resident serving places and activities. The size and appearance of this 4 story Hotel - and the number of people it will daily deposit - will completely overwhelm the neighborhood's ambiance. This large a Hotel and its activities will redefine the identity of the entire area as commercial.

Further, the surroundings generally present a gentle receding affect. The library and the museum both are significantly set back from the street and with character contributing landscaping. Jewel Park is completely open, green and welcoming. The shops across Fountain are small and single story and they attempt to fit in with the neighborhood atmosphere. The Center for Spiritual Awakening appears situated well back because of the large intersection of Fountain and Central and has significant landscaping between it and the street. This busy commercial project will come right out to the sidewalk 4 stories high on 2 1/2 sides with minimal landscaping.

Because of the building's great mass for its context, including especially its height, there will be significantly less feeling of open space and sky in its vicinity. This will be quite a loss to the perception and feel of the area particularly from the perspective of the library. The hotel's lighting will contribute to this loss; I don't agree that the hotel's lighting would blend in with that of the surrounding buildings and traffic.

**Air Quality**

I disagree. The extra transportation pollution associated with this hotel will definitely affect the immediately local air quality.

**Cultural Resources**

There will be a significant and permanent negative impact on the quality of the experience available to patrons of the Natural History Museum, the Public Library, and Jewel Park from the presence and activity of this large hotel.

This project will also displace the Farmer's Market which has become a very popular Pacific Grove cultural institution - and is perfect where it is.

**Noise**

I disagree. There would certainly be a substantial permanent increase in the ambient noise levels in the hotel's vicinity from its functioning. This hustle and bustle will be almost constant noise and disturbance.

**Public Services**

There would definitely be a significant impact on the availability of Jewel Park for resident use. Currently the park is almost always completely available for any spontaneous use. Hotel visitors can be expected to make the park less convenient for resident use**.**

# Letter CBua Continued

**Parking**

The standard of one parking space for every four hotel rooms should be changed. This projects 83 parking spaces to service 125 rooms, other meeting rooms, restaurant, bar, and special events, and for 19 staff members is inadequate. Every occupied hotel room will need a parking space - guests are not going to walk or take public transport to and from Pacific Grove. The other functions of the hotel will need to be accommodated as will the staff. This insufficient parking will impact the rest of the neighborhood and downtown.

Also, this project is eliminating 5 parking spaces on Central across from the library. These spaces are constantly in use by library, museum, and park patrons. This will make using these facilities more difficult and possibly impact he surrounding residential neighborhood.

**Traffic**

The drop off driveway for the Central entry is supposed to accommodate 6 cars. I'm doubtful of this. Regardless, there are bound to routinely be busy times when cars are backed up onto Central - stopping one of Pacific Grove's most used exits.

I also believe the traffic study has underestimated the traffic to be generated by all hotel guests and staff coming and and going at least once each day. There will also be restaurant, bar, meeting rooms and special events patrons coming and going.

--
**Thank you,**
**Laurel**

**Laurel O'Halloran, Associate Planner**
City of Pacific Grove, Community and Economic Development Department
300 Forest Avenue, Pacific Grove, CA 93950
T: (831)648-3127| Main Reception: 831-648-3183
www.cityofpacificgrove.org

Please visit the City's comprehensive Planning website for information regarding zoning for specific properties or long-term advance planning projects.

# Letter CBua Continued

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**Thank you,**
**Laurel**

**Laurel O'Halloran, Associate Planner**
City of Pacific Grove, Community and Economic Development Department
300 Forest Avenue, Pacific Grove, CA 93950
T: (831)648-3127| Main Reception: 831-648-3183
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## RESPONSE TO LETTER COSMO BUA (CBUA)

### Response to Comment CBua-1

*The commenter disagrees with the Executive Summary conclusion that "Project implementation would not generate any significant and unavoidable impacts."*

Thank you for your comment. The comment is noted.

### Response to Comment CBua-2

*The commenter states that the project is too big for the neighborhood and the city and that no amount of analysis will change the perception that the project is not compatible with Pacific Grove.*

Refer to Master Response 4: Massing and Visual Character.

### Response to Comment CBua-3

*The commenter states that the Draft EIR has not adequately dealt with concerns raised. The commenter adds that the NOP appendix provides public input but not individualized responses. The commenter further states that readers of the Draft EIR are referred to appropriate sections for discussion of specific impacts but that many public comments are left unanswered.*

See Response to comment JH-b-3 regarding the adequacy and scope of the Draft EIR. The comment does not specify which environmental resources were not addressed in the Draft EIR. **Appendix C: Updated NOP and Comment Letters** of the Final EIR has been updated to include all comment letters on the IS/MND. We apologize for the oversight.

### Response to Comment CBua-4

*The commenter states alternatives studied in the Draft EIR are insufficient because there is no alternative that significantly reduces aesthetic and mass incompatibility. The commenter also believes the project is too large and should be reduced to half its proposed size and capacity.*

Refer to Master Response 4: Massing and Visual Character.

### Response to Comment CBua-5

*The commenter notes that the project would introduce a new element to the project area which would modify the area's visual character and quality. The commenter states the project would completely block the sky.*

Mitigation measure MM 3.1.2 would require the project applicant to install construction screening, which would be temporary; screening would not be necessary during the stage when architectural coatings would be applied. The project would not block public views of the sky.

**Response to Comment CBua-6**

*The commenter states that he disagrees with the conclusion discussed in Impact 3.3.3. The commenter notes that the addition of a four-story, 125-room hotel would cause a significant noise impact to the area.*

See Response to Comment EHarv-7.

**Response to Comment CBua-7**

*The commenter states that the project does not provide adequate parking and that the Draft EIR does not address parking.*

Refer to Master Response 3: Parking.

**Response to Comment CBua-8**

*The commenter comments on Impact 3.4.2 that the project would result in an overall reduction in the number of trips.*

Refer to Master Response 2: Project Traffic.

**Response to Comment CBua-9**

*The commenter states having the hotel's drive-in entrance on Central is likely to be a hazard both to pedestrians and drivers, and that an entrance should not be on Central Avenue.*

See Master Response 1: Traffic Safety.

**Response to Comment CBua-10**

*The commenter states that the project would affect emergency response services to and from the area.*

Thank you for your response. Project impacts on public services were analyzed in the IS/MND (Draft EIR Appendix 1: IS) and were found to be less than significant.

**Response to Comment CBua-11**

*The commenter notes that CEQA Guidelines Section 15130 requires that an EIR analyze cumulative impacts. The commenter inquires where the impacts of the Holman Building redevelopment are evaluated with the Hotel Durell project.*

Cumulative impact analyses are contained at the end of each resource section of the Draft EIR. As described in Draft EIR Section 3.2, the Holman's Garage was evaluated for inclusion in the Pacific Grove Historic Resources Inventory, the California Register of Historical Resources, and the National Register of Historic Places. The Phase I historic assessment concluded that the building lacks historical integrity due to cosmetic and structural changes and would not meet the minimum eligibility standards established by the 2011 City of Pacific Grove Historic Context Statement, or integrity standards of the CRHR and the NRHP. Because the building is not recommended for

inclusion in the Pacific Grove Historic Resources Inventory, the California Register of Historical Resources, or the National Register of Historic Places, it is not a historical resource for purposes of CEQA. Therefore, the project would not impact the Holman's Garage.

**Response to Comment CBua-12**

*The commenter mentions the substantial increased recreational use of Jewel Park, shoreline parks, and the recreation coastal trail would result from the project.*

The project at full capacity could introduce 250 to 375 visitors to Pacific Grove, assuming two to three people per room. Not all visitors would frequent Jewel Park, shoreline parks and the coastal trail; therefore, the project would not result in substantial deterioration of those facilities such that additional facilities would be required.

**Response to Comment CBua-13**

*The commenter wonders about impacts on the farmers market and Jewel Park.*

Refer to Master Response 5: Widening the Sidewalk, regarding impacts on Jewell Park and relocating the farmers market.

**Response to Comment CBua-14**

*The commenter asks about insufficient affordable housing in the City.*

Thank you for your comment. The comment does not pertain to the adequacy of the Draft EIR. No changes required.

---------- Forwarded message ----------
From: **Anastazia Aziz** <aaziz@cityofpacificgrove.org>
Date: Tue, Oct 31, 2017 at 9:40 AM
Subject: Re: Hotel Durant
To: Debreon Bigelow <debreon@gmail.com>
Cc: Laurel O'Halloran <lohalloran@cityofpacificgrove.org>

Thank you.

**Anastazia Aziz, AICP, Principal Planner**
City of Pacific Grove | Community & Economic Development Department
300 Forest Ave, 2nd Floor Pacific Grove, CA 93950
T: 831-648-3192 Main Reception: 831-648-3183
**www.cityofpacificgrove.org**
**Planning website:** https://www.cityofpacificgrove.org/living/community-economic-development/planning
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The information contained in this email may be privileged, confidential and exempt from disclosure under applicable law. The information is intended only for the use of the individual or entity to which it is addressed. If you are not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, or are not the named recipient(s), please notify the sender immediately by reply email and delete this message from your computer. Thank you

On Tue, Oct 31, 2017 at 8:59 AM, Debreon Bigelow <debreon@gmail.com> wrote:

> I did not comment on the proposed Hotel Durant by the 26th. However, if comments still count, I have a few.
>
> 1. I doubt we need a hotel in the center of town. | 1
> 2. We really don't need a 4 story hotel that makes down town look more dense. | 2

# Letter DBig Continued

> Please consider these thoughts.
>
> Debreon Bigelow

--

**Thank you,**
**Laurel**

**Laurel O'Halloran, Associate Planner**
City of Pacific Grove, Community and Economic Development Department
300 Forest Avenue, Pacific Grove, CA 93950
T: (831)648-3127| Main Reception: 831-648-3183
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Please visit the City's comprehensive Planning website for information regarding zoning for specific properties or long-term advance planning projects.

## RESPONSE TO LETTER DEBREON BIGELOW (DBIG)

### Response to Comment DBig-1

*The commenter expresses an opinion about the need for a hotel in the center of town.*

Thank you for your comment. The comment does not pertain to the adequacy of the Draft EIR. No changes required.

### Response to Comment DBig-2

*The commenter expresses an opinion about the need for a four-story hotel that makes downtown look more dense.*

Thank you for your comment. The comment does not pertain to the adequacy of the Draft EIR. No changes required.

# Letter SAberg

<mrmoonsmom@redshift.com>; luv2read.2025 <luv2read.2025@gmail.com>; safeemail <safeemail@gmail.com>
Sent: Thu, Oct 12, 2017 10:22 am
Subject: Fwd: THE TIME IS NOW...to respond to the proposed Hotel Durrell

Please read this email and look at the picture of the hotel. If it is built, it will have a huge impact on our beloved library.

Sent from my iPad

Begin forwarded message:

**From:** Sally Aberg <forthecolors@comcast.net>
**Date:** October 12, 2017 at 7:03:02 AM PDT
**To:** Sally Aberg <forthecolors@comcast.net>
**Subject: THE TIME IS NOW...to respond to the proposed Hotel Durrell**

A gentle reminder:

**The clock is now quickly ticking down to Monday, October 16, 5 pm.**

**This is the final deadline for the City to receive residents' comments regarding the Draft Environmental Impact Report (DEIR) for the proposed Hotel Durrell on Central Avenue between Fountain and Grand.**

**Study the photograph below.**

**Read the Summary of the Public Notice below.**

**Read the entire Draft Environmental Impact Report here:**

https://www.cityofpacificgrove.org/sites/default/files/news/draft-eir_hotel-durrell_8-30-17.pdf

**Write, right now, *or as soon as possible!***
**Remember to request confirmation of the receipt of your Comments.**

Letters should be either hand-delivered to City Hall or else emailed to Laurel O'Halloran at:

lohalloran@cityofpacificgrove.org

If you need more inspiration to write, right now, here's an email I just received from a long-time and well-respected Pacific Grove advocate for residents' "quality of life" and historic preservation:

***I know I'm preaching to the choir, Sally, but folks need to go after this with as much resistance as we mustered to defeat Measure F and many other threatening situations here in town.***

***I have to be honest. This "out front" involvement isn't good for my health. At the same time, my health is made vulnerable by this proposed Hotel Durrell.***

1

# Letter SABerg Continued

***This DEIR contains serious problems, but the City is hoping these attempts to erode our General Plan's protections will just slide through the review process.***

***In hindsight, the current civically-active Pagrovians would have been well-served to have meeting and study this DEIR line by line. That didn't happen. So all we have left is to WRITE our letters!***

Ponder life with (and *without*) this project at the north end of the Holman Block.

And then respond!

Comment on mitigations to potential problems that do not seem reasonable to you.

Comment on potential problems that are not mentioned—or glossed over.

Be guided by your heart, your caring, and your instincts.

This is an opportunity for all of us to make a difference to Pacific Grove's future size, character, resources, traffic and parking, and the *residential* quality of life in our "City of Homes."

1 cont.

There are thousands of residents in PG who are not on my e-outreach list.
There are hundreds who won't receive this in the PG Retreat alone.

So please, spread the word yourselves.

Share. Forward. Organize. Talk with neighbors. Imagine all possibilities.
Encourage everyone you know to write!

Stand on Central Avenue between Fountain and Grand, look at our historic Library and Museum, and ask if this hotel is environmentally sound.

The environmental report includes all impacts—on our aesthetics, history, culture, and resources.

And if this proposed hotel isn't the right environmental option for Pacific Grove, then resist with all your might!

NOTE: Below you will also find two more examples of wonderful Comments that have been delivered to Laurel O'Halloran. These may help you get started on your own. They are both now part of the Public Record towards decision-making on the Final EIR. Thanks very much, Betty and Patsy!

NOTE: In my last e-outreach sent September 27, I included examples of three letters that have been sent into the City responding to the DEIR. I mistakenly attributed the first letter to Andrea Johnson. I should have typed **Andrea Fernandez, Registered Nurse.** My apologies to Andrea!

October 11, 2017
Laurel O' Halloran City of Pacific Grove 300 Forest Ave. Pacific Grove, CA 93950
Ms. O' Halloran,
I am writing to express concerns and opinions regarding the Draft EIR and proposal(s) for the Hotel Durell.
1. Safety

## RESPONSE TO LETTER SALLY ABERG (SABERG)

### Response to Comment SAberg-1

*The comment letter is an email sent to residents urging them to submit comments on the DEIR within the CEQA review period.*

Thank you for your comment. The comment does not pertain to the adequacy of the Draft EIR. No changes required.

# Letter SHall



Laurel O'Halloran
Associate Planner
City of Pacific Grove Community & Economic Development Dept.

**RE: Hotel Durrell 157 Grand Avenue, Pacific Grove, CA 93950**

**Initial DEIR**

Dear Ms. O'Halloran,

In review of this project plans to date I have many concerns which seem to many in the Pacific Grove Community to be common sense critiques of this project. My observations include:

1. Construction: During building calendar of a year and half to two years:
   A. Parking impacts
      (1) Parking for construction trade workers inadequately addressed
      (2) Parking for heavy equipment and impact on traffic patterns on city roads inadequately addressed
      (3) Parking for customers and patrons of neighboring businesses
   B. Traffic Impacts on area streets during construction
   C. Proposed Hours of Work during Construction
      Weekdays 8 a.m. -7 p.m. when the current code only permits construction only until 5 p.m. weekdays and Saturday 9a.m. – 4 p.m.
   D. Noticing of Traffic disruptions not addressed --- When, Where & How Long?
   E. Site condition post 1918-1950 era garage and gas station potential clean-up environmental hazards. No indication of any type of survey has been made regarding this situation.

1

2

3

2. Design impact of proposed project
   A. No minimum **Set Backs** for hotel structure
   B. **Building Massing appears overwhelming** for neighborhood:

Current building 17,650 sq. ft
Proposed project 84,000 sq. ft and 4 stories (37 feet height)
**City of Pacific Grove Municipal Code states projects must be found to be compatible with the neighborhood**.

**How is this just from a visual significance compatible?**

4

# Letter SHall Continued

C. Design features / detailing are not in kind or sympathetic with other area Buildings i.e. Stone facing on building, confusing design features

D. Sun Space will block Natural History Museum, its gardens and Carnegie Library and its garden.
Mitigation suggestion – Revisit Sun Study and impact of building height & mass

**4 cont.**

E. Entrance into hotel on Central Ave. immediately across from library – impact on library patrons, parking and safety inadequately explored **5**

F. Trash area on Grand –waste removal impact on traffic and visual aesthetics not addressed and actual trash area needed size & not numbered on site plan **6**

G. Valet parking on Fountain –Impact of on traffic patterns inadequately reviewed.

H. Additional parking across street via gated entrance – traffic and parking issues inadequately addressed –
(1) impact on traffic flow on Fountain and Central
(2) impact on nearby neighborhoods and their parking spaces
(3) impact on local businesses– where will their customers park? Credit Union, Kidwell's store, Monarch knitting, Resale shops, Aqua Terra and other businesses?
(4) impact on Ricketts Row – traffic pattern and parking

**7**

I. Increase sidewalks to 18 ft. on east side of Jewell Park.
(1) Where will that additional footage come from; the street or the park
(2) What impact would that have on the historic integrity of the park??

**8**

J. Water availability?
(1) No mention of water credits available or arrangements for obtaining water
- For 125 rooms
- For Lap pool, soaking spa and water feature
- Gym area bathrooms and are showers planned for gym area?
- Hotel laundry
- Landscape
- **No potential water usage calculation for a-e is provided**.

(2) Inappropriate water uses in design. Pacific Grove is constrained by Cal Am Water in amount of water that can be pumped from the Carmel River—yet this design features a lap pool, soaking spa, and water features. Over use of a dwindling resource.

**9**

K. City Waste Water infrastructure – Issue is not adequately addressed.
(1) Is it capable of handling massive increase in waste water?
(2) Will current sewage system and sewage pipes handle this increase and without further impact on the environment?

**10**

# Letter SHall Continued

L. Parking Issues

(1) Parking for 19 employees. Number to run 24 operations is under estimated.

(2) Where will these employees park? How will this impact neighborhood?

parking? This was not adequately addressed.

(3) Inadequate parking spaces for hotel.

(4) Impact on neighborhood parking??

(5) Parking totals per design for hotel equal 97.

- Underground = 55
- Offsite gated = 28
- Shared with Holman building = 14 (an assumption in the equation that these spaces will always be available, despite being shared)

(6) Rooms = 125 + 19 employees = 144 spaces needed.

**PG codes state 1 space per 4 hotel rooms**. This antiquated code makes little sense as people drive to the Peninsula and expect adequate parking.

11

M. Impact on historic character of downtown Pacific Grove

(1) Massing of building, not in keeping with historic features

(2) Significant impact on downtown area's historic visual character and unity

(3) Need to keep structures compatible and in keeping with the designs of the historic properties that inhabit downtown Pacific Grove.

12

N. Negative Impact on cultural resources

(1) Natural History Museum

(2) Jewell Park

(3) Pacific Grove Carnegie Library

13

O. Other Issues

(1) Does the City of Pacific Grove population 15,624 need a hotel that has 125 rooms?

A mixed-use project with stepped & scaled back from the street mass and height would be more appropriate for this site and would encourage further revitalization of downtown Pacific Grove.

14

Respectful Regards,

Digitally signed by Scott Hall
Date: 2017.10.26 15:15:50 -07'00'

Scott Hall Citizen & Registered Ca Landscape Architect

## RESPONSE TO LETTER SCOTT HALL (SHALL)

### Response to Comment SHall-1

*The commenter states that parking for construction-related vehicles, equipment, and construction workers is not adequately addressed.*

Construction staging would occur on the project site, or would be located on private property under agreement with that property owner. No construction equipment would be staged in the public right-of-way. In addition, refer to Master Response 3: Parking, regarding employee parking.

### Response to Comment SHall-2

*The commenter states that hours for construction work would not comply with Pacific Grove Municipal Code.*

As noted in DEIR Section 3.3 page 3.3-10, construction activities, as well as delivery and removal of materials and equipment, are limited to the hours between 8:00 a.m. and 6:00 p.m. Monday through Saturday, and between 10:00 a.m. and 5:00 p.m. on Sundays. As noted in Master Response 6: Construction Noise Impacts, the City has added a Condition of Approval to the project which limits construction work on the Grand Avenue side of the project site on Mondays during the hours of 1:00 p.m. and 5:00 p.m.

### Response to Comment SHall-3

*The commenter states that no surveys have been conducted for the property adjacent to the project site (Holman Building Garage) as a potential cleanup site for hazardous waste*

As noted in IS/MND Section 4.8 Hazards and Hazardous Materials (page 4.0-29), a database search revealed eight hazardous materials sites located within a half-mile of the project site. The Holman Garage property is not listed on either the California Department of Toxic Substances or the State Regional Water Quality Control Board databases as a hazardous site.

### Response to Comment SHall-4

*The commenter states that Pacific Grove Municipal Code requires projects to be visually compatible with the surrounding neighborhood, and further suggests a sun study be performed to analyze building height and mass impacts for the project.*

Refer to Master Response 4: Massing and Visual Character.

### Response to Comment SHall-5

*The commenter states that the proposed hotel entrance on Central Avenue will pose parking and safety hazards.*

Refer to Master Response 1: Traffic Safety and Master Response 3: Parking.

**Response to Comment SHall-6**

*The commenter states that waste removal impacts on traffic and visual aesthetics were not addressed in the DEIR.*

As shown in Draft EIR Appendix 3: Plans, page 9 (Ground Floor Plan), the project proposes to locate a trash enclosure on the site's south side, in compliance with City standards. In addition, the project would be serviced by GreenWaste on its regular commercial pick up times and routes. Also, refer to Master Response 4: Massing and Visual Character.

**Response to Comment SHall-7**

*The commenter states that parking impacts from the project were not adequately addressed in the DEIR.*

Refer to Master Response 3: Parking.

**Response to Comment SHall-8**

*The commenter is concerned about project impacts on Jewell Park.*

Refer to Master Response 5: Widening the Sidewalk.

**Response to Comment SHall-9**

*The commenter is concerned about project impacts water usage for the project.*

Refer to Master Response 8: Water Usage.

**Response to Comment SHall-10**

*The commenter is states that the Draft EIR does not adequately address project impacts on wastewater and sewage treatment systems.*

Refer to Response to Comment Letter CS-6 regarding wastewater treatment and sewer capacity requirement for Pacific Grove residents and businesses.

**Response to Comment SHall-11**

*The commenter states that parking impacts from the project were not adequately addressed in the Draft EIR.*

Refer to Master Response 3: Parking.

**Response to Comment SHall-12**

*The commenter is concerned about the project's impacts on the historic character of Downtown Pacific Grove.*

Refer to Master Response 4: Massing and Visual Character.

### Response to Comment SHall-13

*The commenter is concerned the project will have a negative impact on cultural resources within the near the project site.*

Refer to Response to Comment ACian-9, which states that the project would not remove an historic or cultural resource.

### Response to Comment SHall-14

*The commenter asks if Pacific Grove needs a 125-room hotel.*

Thank you for your comment. The comment does not pertain to the adequacy of the Draft EIR. No changes required.

## 3.1 AMENDMENTS TO THE DRAFT EIR

In the revised text below, please note that additions are underlined and deletions are shown in ~~strikeout~~.

### AMENDMENTS TO EXECUTIVE SUMMARY, TABLE ES-1

**TABLE ES-1**
**PROJECT IMPACTS AND PROPOSED MITIGATION MEASURES**

| Impact | | Level of Significance Without Mitigation | Mitigation Measure | Resulting Level of Significance |
|---|---|---|---|---|
| **Transportation and Traffic** | | | | |
| **Impact 3.4.2** | Although the project would result in an overall reduction in the number of trips, it would increase motor vehicle traffic and congestion during the AM and PM peak traffic times on roadways used by transit, bicyclists, and pedestrians. The project would increase pedestrian usage in the vicinity of the project site. | LS | None required. | LS |

### AMENDMENTS TO SECTION 2.0, PROJECT DESCRIPTION

Page 2.0-1 of the Draft EIR has been revised as follows:

> There are two vehicle entrances on Grand Avenue and Fountain Avenue. Parallel street parking is available on all sides of the proposed hotel site. Pedestrian access is available via two crosswalks, both stretching from the Pacific Grove Public Library to the proposed hotel site across Central Avenue at Grand Avenue and ~~Forest~~ Fountain Avenue. The proposed hotel site is flat and contains no natural vegetation or landscaping.

Page 2.0-2 of the Draft EIR has been revised as follows:

> The project site and the surrounding area are designated as Commercial-Downtown (D) in the City of Pacific Grove General Plan (Pacific Grove 1994). This land use designation provides for retail and services uses, offices, restaurants, entertainment and cultural facilities, multi-family residential units above the ground floor, gas stations, and similar and compatible uses. The project site is bordered by ~~Lighthouse Avenue~~, Fountain Avenue, Central Avenue, and Grand Avenue and is designated as the "Holman's Block" in the City's General Plan. In 1994, the City Council placed a measure, which was passed by voters, to allow the development of condominiums and hotel uses in the Holman's Block (Pacific Grove 1994).

Page 2.0-24 of the Draft EIR has been revised as follows:

As the lead agency, the City of Pacific Grove has the ultimate authority for project approval or denial. The Hotel Durell project may require the following discretionary approvals and permits by the City for actions proposed as part of the project:

- Certification of the Environmental Impact Report
- Project approval (Use Permit and Conditions of Approval)
- Approval of the final architectural designs and landscape plans
- Grading and building permits

## AMENDMENTS TO SECTION 3.2, CULTURAL RESOURCES

### Mitigation Measures

**MM 3.2.2a** **Treatment of previously unidentified archaeological or paleontological deposits**. During project construction, if any archaeological or paleontological resources (i.e., fossils) are found, the project applicant and/or its contractor shall cease all work within 25 feet of the discovery and immediately notify the City of Pacific Grove Community & Economic Development Director. The project applicant and/or its contractor shall retain a qualified archaeologist or paleontologist to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered archaeological or paleontological resources. The City and the project applicant shall consider the mitigation recommendations and agree on implementation of the measure(s) that are feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, or other appropriate measures in consultation with the Ohlone/Costanoan-Esselen Nation (see mitigation measure MM 3.5.1).

## AMENDMENTS TO SECTION 3.4, TRANSPORTATION AND TRAFFIC

Page 3.4-17 of the Draft EIR has been revised as follows:

**Conflict with Adopted Policies, Plans, or Programs Regarding Public Transit, Bicycle, or Pedestrian Facilities (Standard of Significance 6)**

**Impact 3.4.2** Although the project would result in an overall reduction in the number of trips, it would increase motor vehicle traffic and congestion during the AM and PM peak traffic times on roadways used by transit, bicyclists, and pedestrians. The project would increase pedestrian usage in the vicinity of the project site. However, the applicant would implement improvements through conditions of approval that would reduce impacts on pedestrian safety. Therefore, impacts would be ~~**potentially**~~**less than significant**.

Page 3.4-18 of the Draft EIR has been revised as follows:

Because the project would increase the number of pedestrians in an area with inadequate pedestrian facilities, it would conflict with adopted policies, plans, or programs regarding pedestrian safety. ~~Therefore, this impact would be potentially significant. As such, mitigation measures **MM 3.4.2a, MM 3.4.2b,** and **MM 3.4.2c** would be required. Mitigation measure **MM 3.4.2a** would include new crosswalks as shown in **Figure 3.4-4, Project Crosswalk Mitigation.** Additionally, as part of mitigation measure **MM 3.4.2b,** the intersection of Central Avenue and Fountain Avenue would become a four-way stop, improving pedestrian safety. Mitigation measure **MM 3.4.2c** would require the widening of the sidewalk on the eastern border of Jewell Park to accommodate additional pedestrian capacity during special events.~~ However, the applicant would work with the City as part of its conditions of approval to do the following:

~~Mitigation Measures~~Conditions of Approval

1. ~~**MM 3.4.2a**~~ The project applicant shall ~~pay an appropriate fee (fair share), as determined by~~ work with the City's Public Works Department to ~~provide funds for the addition of~~ add crosswalks at the Grand Avenue/Central Avenue intersection and at the Fountain Avenue/Central Avenue intersection. The crosswalks shall be speed tables (raised crosswalks) with crossing lights embedded in the pavement and a pedestrian-activated push button on each street corner. Proposed crosswalk improvements are shown in **Figure 3.4-4 Project Crosswalk Improvements**.

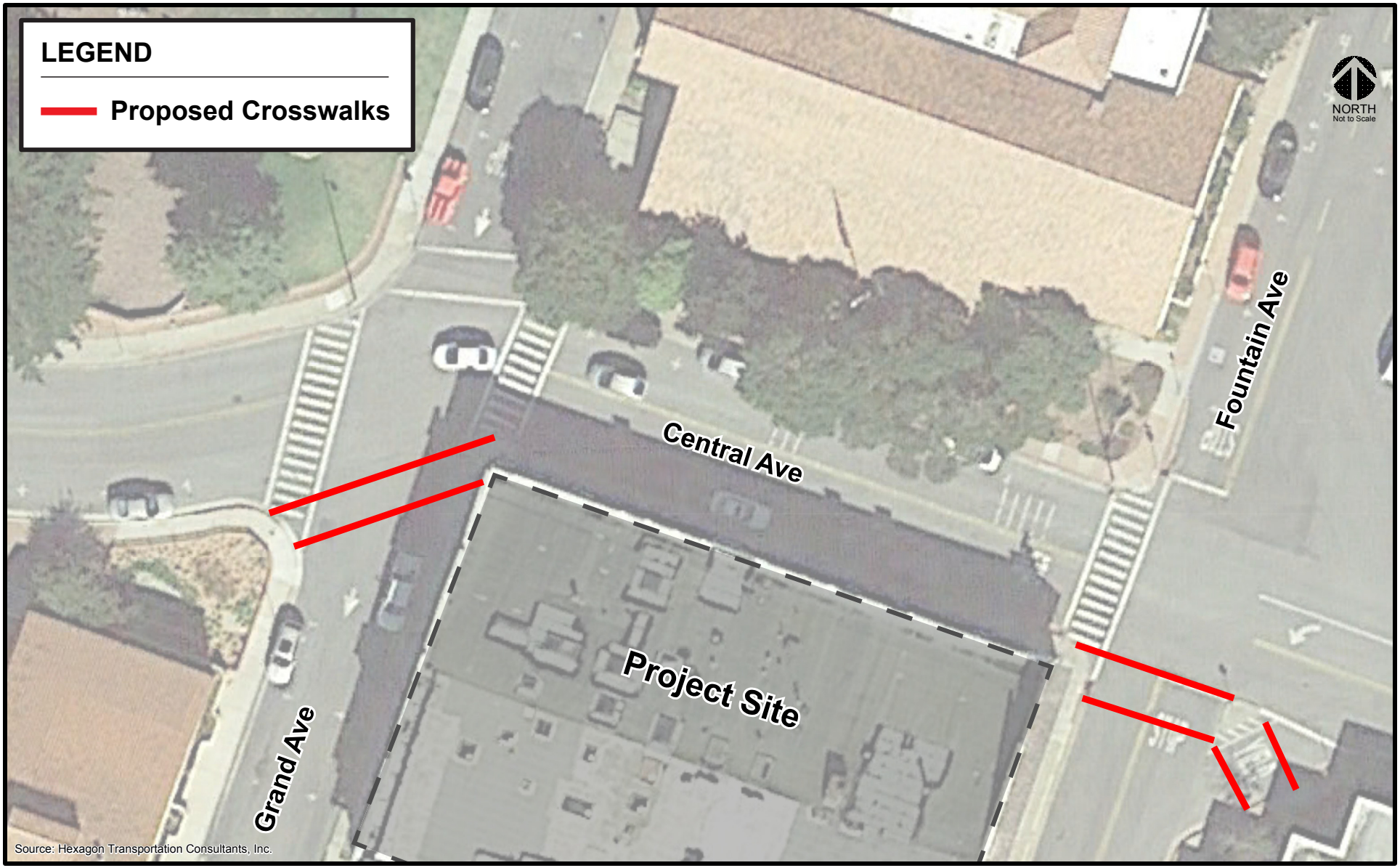
2. ~~**MM 3.4.2b**~~ The project applicant shall ~~pay an appropriate fee (fair share), as determined by~~work with the City's Public Works Department to ~~provide funds for the~~ install~~ation of~~ stop signs at the intersection of Central Avenue and Fountain Avenue to make the intersection a four-way stop.

3. ~~**MM 3.4.2c**~~ The project applicant shall ~~pay an appropriate fee (fair share), as determined by~~work with the City's Public Works Department to ~~provide funds to~~ increase the width of the sidewalk along the eastern edge of Jewell Park to approximately 18 feet to accommodate increased pedestrian/vendor activity during special events such as the farmers market.

In addition, the applicant would help the City work with the Farmer's Market organizers to relocate the market. With implementation of ~~mitigation measures **MM 3.4.2a**, **MM 3.4.2b,** and **MM 3.4.2c**~~these conditions of approval**,** project impacts on pedestrian facilities would be **less than significant**.

Page 3.4-21 Figure Title Revised: **Figure 3.4-4 Project Crosswalk ~~Mitigation~~ Improvements**

T:_CS\Work\Pacific Grove, City of\153941_Pacific Grove Hotel\Figures




Not To Scale

**FIGURE 3.4-4**
Project Crosswalk Improvements

Michael Baker
INTERNATIONAL

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## AMENDMENTS TO SECTION 3.6, UTILITIES AND SERVICE SYSTEMS

Pages 3.6-1 and 3.6-2 of the Draft EIR have been revised to include the following new text:

> Monterey Peninsula Water Municipal District
>
> The Monterey Peninsula Water Municipal District (MPWMD) is a California Special District whose boundaries encompass Carmel-by-the-Sea, Del Rey Oaks, Monterey, Pacific Grove, Sand City, Seaside, portions of Monterey County (primarily Carmel Valley, Pebble Beach, and the State Route 68 corridor), and the Monterey Peninsula Airport District. Each of these jurisdictions regulates land uses within its boundaries. The MPWMD does not regulate land uses. Although not a water supplier, the MPWMD has power to regulate some aspect of water production and distribution by private purveyors such as California American Water, which supplies water to 90 percent of the district's population. One of the MPWMD's responsibilities is to balance water supply and demand through the MPWMD Water Allocation Program and to carefully track how much of the allotted water has been used by member jurisdictions. Each applicant must receive the jurisdiction's authorization for a specific quantity of water or have sufficient Water Use Credits before applying to the district for a Water Permit. The MPWMD will evaluate the project's water demand and issue a Water Permit for the project as depicted on the final construction plans.

Page 3.6-5, paragraph 10 of the Draft EIR is revised as follows:

> Water use was calculated using water use rates in the ~~Pacific Institute's Waste Not, Want Not: The Potential for Urban Water Conservation in California, Appendices D and E,~~ Monterey Peninsula Water Management District's (MPWMD) Rule 24, Calculation of Water Use Capacity, Table 1: Residential Fixture Unit Count Values and Table 2: Non-Residential Water Use Factors (MPWMD 2012). ~~which detail water use for commercial and industrial uses. The calculation is included as Appendix UTL.~~ Current water usage on the site is 1.7 acre-feet per year. According to the MPWMD, the project's water use would be ~~approximately~~ ~~5.78~~ at least 12.5 acre-feet per year. As such, the increase in water use for the project would be ~~approximately 4.08~~ at least 10.8 acre-feet per year.

## AMENDMENT TO DRAFT EIR APPENDICES

**Appendix C: Updated NOP and Comment Letters** of the Final EIR has been updated to include all comment letters on the IS/MND. We apologize for the oversight.

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## 4.1 DOCUMENTS REFERENCED IN EIR AND/OR INCORPORATED BY REFERENCE

The following documents were used to support the preparation of this Final Environmental Impact Report. Compliance with federal, state, and local laws is assumed.

BOE (California Board of Equalization). 2016. *Net Taxable Gasoline Sales.* http://www.boe.ca.gov/sptaxprog/reports/mvf_10_year_report.pdf.

Brandi, Richard. 2012. *Phase I Report on Holman's Garage*.

California Air Resources Board. 2014. EMFAC2014 Emissions Model.

California American Water. 2012. *2010 Urban Water Management Plan for the Central Division – Monterey County District.*

———. 2017. About Us. http://www.montereywaterinfo.org/about-us/your-water-supplier/.

Cal OES (California Governor's Office of Emergency Services). 2016. Official Tsunami Inundation Maps. http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps.

Caltrans (California Department of Transportation). 2002. *Guide for the Preparation of Traffic Impact Studies.*

———. 2012. *IS/EA Annotated Outline.* http://www.dot.ca.gov/ser/vol1/sec4/ch31ea/chap31ea.htm.

———. 2013a. Officially Designated State Scenic Highways. Accessed August 12, 2016. http://www.dot.ca.gov/hq/LandArch/scenic/schwy.htm.

———. 2016. *Highway Design Manual.* http://www.dot.ca.gov/design/manuals/hdm.html.

CGS (California Geological Survey). 2015. Alquist-Priolo Earthquake Fault Zoning. Accessed July 11, 2016. http://www.consrv.ca.gov/cgs/rghm/ap/pages/index.aspx.

Clark, Joseph, William R. Dupré, and Lewis I. Rosenberg. 1997. *Geologic Map of the Monterey and Seaside 7.5-Minute Quadrangles, Monterey County, California: A Digital Database*. https://pubs.usgs.gov/of/1997/0030/report.pdf.

Climate Registry. 2016. General Reporting Protocol for the Voluntary Reporting Program, Version 2.1.

DOC (California Department of Conservation). 2015. Division of Land Resource Protection, Farmland Mapping and Monitoring Program. Monterey County Important Farmland 2012 [map].

———. 2014. *California Water Plan Update 2013.* http://www.water.ca.gov/waterplan/cwpu2013/final/.

ECDMS (California Energy Consumption Data Management System). 2017. Electricity and Natural Gas Consumption by County. http://www.ecdms.energy.ca.gov/.

EIA (US Energy Information Administration). 2017. California State Profile and Energy Estimates. http://www.eia.gov/state/data.cfm?sid=CA#ConsumptionExpenditures.

FEMA (Federal Emergency Management Agency). 2009. Flood Insurance Rate Map Panel 06053C0170G.

FHWA (Federal Highway Administration). 2011. *Effective Noise Control During Nighttime Construction.* http://ops.fhwa.dot.gov/wz/workshops/accessible/schexnayder_paper.htm.

FTA (Federal Transit Administration). 2006. *Transit Noise and Vibration Impact Assessment*.

Hexagon Transportation Consultants, Inc. 2017. *Hotel Durell Development Traffic Impact Analysis.*

ITE (Institute of Transportation Engineers). 2012*. Trip Generation Manual,* 9th ed.

Holman Building. 2016. Website. Accessed August 16. http://theholman.com/.

MBUAPCD (Monterey Bay Unified Air Pollution Control District). 2008a. *2008 Air Quality Management Plan for the Monterey Bay Region*.

———. 2008b. *CEQA Air Quality Guidelines*. Adopted October 1995, revised February 1997, August 1998, December 1999, September 2000, September 2002, June 2004, and February 2008.

———. 2013. *Triennial Plan Revision 2009–2011*.

———. 2017a. Aquifer Storage and Recovery. http://www.mpwmd.net/water-supply/aquifer-storage-recovery/.

Monterey Peninsula Water Management District (MPWMD) 2012. Rule 24, Calculation of Water Use Capacity and Capacity Fees. http://www.mpwmd.net/rules/Rule24.pdf

MPWSP (Monterey Peninsula Water Supply Project). 2017. Project Description. https://www.watersupplyproject.org/about.

NRCS (US Department of Agriculture, Natural Resources Conservation Service). 2016. Web Soil Survey. Accessed July 12. http://websoilsurvey.nrcs.usda.gov/app /WebSoilSurvey.aspx.

OPR (Governor's Office of Planning and Research). 2017. Proposed Updates to the CEQA Guidelines, November 2017. http://opr.ca.gov/docs/20171127_Comprehensive_CEQA_Guidelines_Package_Nov_2017.pdf

Pacific Grove, City of. 1994. *City of Pacific Grove General Plan*. http://www.ci.pg.ca.us/index.aspx?page=96.

———. 2011. *City of Pacific Grove Historic Context Statement.*

———. 2015. *City of Pacific Grove Municipal Code.*

———. 2017a. Historic Resources Inventory. http://www.cityofpacificgrove.org/living/community-economic-development/planning/historic-resources.

Pacific Grove Heritage Society. 2002. *The Board and Batten: Newsletter of the Pacific Grove Heritage Society.*

Page and Turnbull. 2011. City of Pacific Grove Historic Context Statement. Approved by Pacific Grove City Council on October 19, 2011.

RRM Design Group. 2015. Hotel Durell–Pacific Grove.

TAMC (Transportation Agency for Monterey County). 2011. *Bicycle and Pedestrian Master Plan.*

Transportation Research Board. 2010. *Highway Capacity Manual.*

US Census Bureau. 2016. QuickFacts Pacific Grove city, California; Monterey County, California. https://www.census.gov/quickfacts/fact/table/pacificgrovecitycalifornia,montereycountycalifornia/HSG030210.

USFS (US Department of Agriculture, US Forest Service). 2007. *Description of Ecological Subregions: Sections of the Conterminous United States.*

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